

CITY OF NIAGARA FALLS

By-law No. 79-200

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A by-law to regulate the **use** of land and the **erection, use, height**, bulk, location, spacing of any other matters relating to **buildings** and **structures**, and to prohibit certain **uses** of lands and the **erection** and **use** of certain **buildings** and **structures** in various areas of the City of Niagara Falls; and WHEREAS there is an official plan in effect in the City of Niagara Falls; and

WHEREAS the Council of The Corporation of the City of Niagara Falls deems it desirable to pass this By-law pursuant to section 35 and other provisions of The Planning Act, R.S.O. 1970, as amended;

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

SECTION 1 - TITLE AND INTERPRETATION

- 1.1 This By-law may be cited as "the Zoning By-law".
- 1.2 **NUMBERING SYSTEM:** The provisions of this By-law have been numbered using a decimal system of numbering and are referred to as "sections" regardless of the number of digits, for example section 2, section 2.17, section 2.17.1. Some sections are divided into clauses, for example 4.14 (h) is referred to as clause h of section 4.14. Some are further divided into subclauses, for example 4.14 (h) (i) is referred to as subclause l of clause h of section 4.14.
- 1.3 **REFERENCES TO CERTAIN SECTIONS:** Wherever reference is made in this By-law to "section 1, "section 2", "section 3", "section 4", "section 5", or "section 6", etc., it shall be deemed to be a reference to all sections having, respectively, 1, 2, 3, 4, 5 or 6, etc. as the first digit.
- 1.4 **BOLDFACED WORDS:** Words which are defined in section 2 of this By-law have, in most cases, been boldfaced where they appear elsewhere in this By-law. The boldfacing is for the purpose of assisting persons in interpreting this By-law but shall not be deemed to form a part of this By-law. The definitions in section 2 shall apply and govern whether or not the defined word or words is or are boldfaced elsewhere in this by-law.
- 1.5 **OTHER WORDS:** In this By-law, the word "shall" is mandatory and not directory; words in the singular include the plural; words in the plural include the singular; words used in the present tense include the future.

SECTION 2 - DEFINITIONS

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

- 2.1 "ACCESS DRIVEWAY" means that part of a driveway or passageway which is not within the limits of a street allowance but does not include aisles within the limits of a **parking area**;
- 2.2 "ACCESS RAMP" means that part of a driveway or passageway which is within the limits of a street allowance;
- 2.3 "ACCESSORY BUILDING" means a **building** which is not **used** for human habitation and is subordinate to and located on the same **lot** with the main **building** and shall include a private garage and a carport;
- 2.4 "ACCESSORY STRUCTURE" means a detached **structure** which is not **used** for human habitation and is subordinate to and located on the same **lot** with the main **building**, and shall include a **private swimming pool**;
- 2.5 "ACCESSORY USE" means a **use** that is naturally and normally incidental, subordinate and exclusively devoted to the principal **use** of a **lot** and, where a main **building** or **structure** is located on such **lot**, to the principal **use** of such main **buildings** or **structure**;
- 2.5a "ADULT ENTERTAINMENT PARLOUR" means any **premises** or part thereof in which is provided, in pursuance of a **business, services** by an entertainer appealing to or designed to appeal to erotic or sexual appetites or inclinations.
- 2002-201
- 2.5b "Services" means **services designed to appeal to erotic or sexual appetites or inclinations** and includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the *Theatres Act*;
- 2002-201
- 2.5c "Services designed to appeal to erotic or sexual appetites or inclinations" means"
- 2002-201
- (a) **Services** characterized by any person or persons involved or engaging in **specified sexual activities** or by an emphasis on the display of human **specified body areas**;
- or
- (b) **Services** in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any other picture, symbol or representation having like meaning or implication is used in any advertisement, or in respect of which is advertised the availability of "table dancing", or any other form of entertainment held out to be, by reason of its sexual content, not suitable for minors;
- 2.5d "Specified body areas" means one or more of the follows:
- 2002-201
- (a) In the case of a female person, her nipples, and areolae; and
- (b) In the case of all persons, the pubic, perineal, perianal areas, the genitals, anus, and the buttocks;
- 2.5e "Specified sexual activities" means one or more of the following:
- 2002-201
- actual or simulated sexual intercourse, masturbation, urination, defecation, ejaculation,

sodomy, including bestiality, anal intercourse, oral sexual intercourse, direct physical stimulation of genital organs, and flagellation, bondage or torture in the context of a sexual relationship or activity;

- 2008-23 2.5.1 "ART GALLERY" means a **building** or part thereof where works of art, such as paintings, sculpture, pottery, glass and weaving are displayed for public viewing and includes retail sales related thereto.
- 2.6 "ASSEMBLY HALL" means a **building** or part of a **building** in which facilities are provided for meetings of a civic, educational, political, religious, social or recreational nature and which facilities are capable of accommodating in excess of 100 persons and includes a public hall within the meaning of The Public Halls Act;
- 2.7 "ATTIC" means the portion of a **building** situated wholly or in part within the roof and in which there is not sufficient space to provide a **height** between finished floor and finished ceiling of at least 2.25 metres over an area of such floor of at least 10.0 square metres.
- 2.8 "AUTOMOBILE SERVICE STATION" means a **building** or place where gasoline, lubricants and accessories 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, but shall not include a **car wash**, a **public garage auto body** or a **public garage mechanical**;
- 2.9 "BASEMENT" means that portion of a **building** between two floor levels which has at least 50% and not more than 80% of its clear dimension, from finished floor to finished ceiling, above the average adjacent finished grade level;
- 2.10 "BOARDING OR ROOMING HOUSE" means a **dwelling** in which the proprietor supplies for gain lodging with or without meals to three or more persons other than the proprietor or members of his **family** but does not include a tourist establishment, **hotel**, hospital, home for the aged or other establishment otherwise classified or defined in this By-law;
- 2002-201 2.10a "BODY RUB" includes the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body or part thereof, but does not include medical or therapeutic treatment given to a person otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario;
- 2002-201 2.10b "BODY-RUB PARLOUR" means any **premises** or part thereof where a **body-rub** is performed, offered or solicited in pursuance of a **business**.
- 2002-061 2.10c "BODY-RUBBER" means an individual person who, in pursuance of a **business** or calling, provides, performs, offers or solicits **body-rubs**, or engages in a **business** involving the provision of receiving of **body-rubs** by such person;
- 2.11 "BUILDING" means a **structure** having a roof, supported by columns or walls and used for

- the shelter, accommodation or enclosure of persons, animals, goods or chattels;
- 2.11a 'BUSINESS' includes a trade or occupation.
- 2.12 "CAR WASH" means a **building** or **structure** containing one or more wash bays, coin operated or attended to by staff, wherein cars are mechanically washed;
- 2.12.1 "CATASTROPHE" means an unanticipated, disastrous loss of part, or all, of a livestock facility due to fire, collapse, flood, wind, or other such event.
- 2007-156 2.13 "CELLAR" means that portion of a **building** between two floor levels which has more than 50% of its clear dimension, from finished floor to finished ceiling, below the average adjacent finished grade level;
- 2.14 "CLINIC" means a **building** or part of a **building** that is **used** exclusively by physicians, dentists, and drugless practitioners registered under The Drugless Practitioners Act, or any of them, their staff and their patients or clients for the purpose of consultation, diagnosis and office treatment in connection with the practice of medicine, the practice of dentistry or practice as a drugless practitioner but does not include a "body-rub parlour" as defined in The Municipal Act and does not include accommodation for in-patient care;
- 2.15 "COMMUNITY **BUILDING**" means a **building used** for community activities including, but not so as to restrict the generality of the foregoing, arts, crafts, physical, social, charitable and educational facilities and not used for any commercial purpose;
- 2.15.1 "COTTAGE RENTAL DWELLING" means a **one family detached dwelling** that is rented in its entirety to one group of travellers at a time for a period of less than 28 days at one time;
- 2008-148 2.16 "DRIVE-IN RESTAURANT" means premises consisting of a **building** or **structure**, together with a **parking area**, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in motor vehicles parked on the **parking area** or for consumption elsewhere on the premises but not necessarily within such **buildings** or **structure**, but does not include a **building** or **structure** where food, refreshments, dairy products or beverages are offered for sale or sold to the public only for consumption within the **building** or **structure** or off the premises;
- 2.17 "**DWELLING**" means a **building used** or capable of being **used** as the residence of one or more persons but does not include a **hotel**, **motel** or other tourist establishment, a **mobile home** or a **trailer**;
- 2.17.1 "**DWELLING UNIT**" means a room or suite of two or more rooms designed or intended for **use** or **used** by an individual or by one **family** only as an independent and separate housekeeping establishment and in which separate cooking facilities and sanitary conveniences are provided for the exclusive **use** of such individual or **family**;
- For the purpose of this section, the occupants of
- 84-211 (i) an approved home,
- (ii) an auxiliary residence for retarded persons,

- (iii) home for special care,
- (iv) a **senior citizen satellite home**, or
- 89-10 (v) supportive housing: adult community mental health home, shall be deemed to be a **family**;

2.17.2 "ONE FAMILY DETACHED DWELLING" means the whole of a separate **building** which contains not more than one **dwelling unit** and not more than one kitchen or facility for the preparation of meals and is used by not more than one **family** but does not include a group home, an approved home, an auxiliary residence for retarded persons, a home for special care, a **senior citizen satellite home**, or a supportive housing: adult community mental home;

84-211

89-10

2.17.3 "SEMI-DETACHED **DWELLING**" means a **building** divided vertically into two separate **dwelling units**, each of which is **used** by not more than one **family** and has two independent entrances but does not include a **group home**, an approved home, an auxiliary residence for retarded persons, a home for special care, a **senior citizen satellite home**, or a supportive housing: adult community mental health home;

2.17.4 "DUPLEX **DWELLING**" means a **building** divided horizontally into two separate **dwelling units** each of which is **used** by not more than one **family** and has at least one independent entrance either directly from the outside or through a common vestibule but does not include a group home, an approved home, an auxiliary residence for retarded persons, a home for special care, a **senior citizen satellite home**, or a supportive housing: adult community mental health home;

2.17.5 "TRIPLEX **DWELLING**" means a **building** containing and constructed so as to provide therein, by horizontal division, three separate **dwelling units**, each of which has an independent entrance either directly from the outside or through a common vestibule but does not include a group home, an approved home, an auxiliary residence for retarded persons, a home for special care or a **senior citizen satellite home**;

2.17.6 "QUADRUPLEX **DWELLING**" means a **building** divided vertically into four separate **dwelling units** each with some portion of the accommodation therein at ground level, each sharing two party walls, and each of which has an independent entrance but does not include a group home, an approved home, an auxiliary residence for retarded persons, a home for special care or a **senior citizen satellite home**;

2.17.7 (a) "TOWNHOUSE **DWELLING**" means a **building** containing three or more separate **dwelling units** having a common wall between each two adjacent **dwelling units**, each of which has an independent entrance but does not include any **dwelling** otherwise defined in this By-law, or a **group home**, an approved home, an auxiliary residence for retarded persons, a home for special care or a **senior citizen satellite home**;

(b) "ON STREET TOWNHOUSE **DWELLING**" means a **building** containing not less than

three and not more than six separate **dwelling units** having a common wall between each two adjacent **dwelling units**, each of which **dwelling units** has an independent entrance and fronts on a **street** affording direct access to such **dwelling unit** from such street, but does not include any **dwelling** otherwise defined in this By-law, or a **group home**, an approved home, an auxiliary residence for retarded persons, a home for special care or a **senior citizen satellite home**;

- 2.17.8 "APARTMENT **DWELLING**" means a **building** other than a **townhouse dwelling**, on street **townhouse dwelling**, or a **quadruplex dwelling**, comprising four or more **dwelling units** which may have an independent entrance or a common entrance from the ground level but does not include a **group home**, an approved home, an auxiliary residence for retarded persons, a home for special care or a **senior citizen satellite home**;
- 2.17.9 "GROUP **DWELLINGS**" means an arrangement on the same lot of two or more **townhouse dwellings** or **apartment dwellings** or a combination thereof but does not include a **group home**, an approved home, an auxiliary residence for retarded persons, a home for special care or a **senior citizen satellite home**;
- 2.18 "ERECT" means (with reference to a **building** or **structure**), build, construct, reconstruct, enlarge or place and shall include:
- (a) the moving of a **building** or **structure** from one location to another,
 - (b) any physical operation, such as excavating, filling or draining, preparatory to construction, reconstruction, enlarging or placing,
- and "**erected**" and "**erection**" shall have corresponding meaning;
- 2.19 "EXISTING" means existing at the date of the passing of this By-law;
- 2.20 "FAMILY" means a person or persons living together as a single, independent and separate housekeeping unit in one **dwelling unit** and may include resident bona fide domestic servants employed as such on the premises and not more than 2 boarders or roomers;
- 2.21 "FLOOR AREA" means, subject to clauses a and b, the aggregate of the horizontal areas of each floor in a **building** measured to the centre of party walls and to the outside of other walls;
- (a) in the case of a **dwelling** or a **dwelling unit**, the following shall be excluded in calculating the **floor area**: any private garage, breezeway, unenclosed sunroom, porch, verandah, balcony, **basement**, **cellar** and unfinished **attic**;
 - (b) the **floor area** of a **dwelling unit** means the aggregate of the horizontal areas of each floor contained within the **dwelling unit** measured to the centre of party walls and to the outside of other walls, subject to the exclusions in clause a;
- 2.22 "GROSS LEASABLE FLOOR AREA" means the aggregate of the horizontal areas of each

floor in a **building** measured to and including the outside walls but excluding in the case of **buildings** in a Planned Shopping Centre Commercial Zone all areas to be used in common by and for three or more tenants;

- 2.23 "GASOLINE BAR" means a **building** or place where gasoline is kept for sale with or without lubricants and automobile accessories but where no servicing, repair or equipping of motor vehicles is carried on and does not include a **car wash**;
- 2.24 "HABITABLE ROOM" means any floor space **used** or intended to be **used** for living, sleeping, cooking or eating purposes including without limiting the generality of the foregoing, a den, recreation room, **family** room, library, sewing room or enclosed sunroom;
- 2.25 "HEALTH CENTRE" means a **building** or part of a **building** which is used for one or more of the following purposes: a gymnasium, massage room, sauna, steam room, sun room, swimming pool but does not include a "body-rub parlour" or an "**adult entertainment parlour**" as defined in The Municipal Act;
- 2.26 "HEIGHT" means
- (a) in the case of a **building**, the perpendicular distance measured from the average finished grade level at the front elevation of such **building** to the highest point of the roof but exclusive of any water tank, ventilating fan, air conditioning and heating unit, elevator or mechanical penthouse or similar enclosure **used** solely for accommodating machinery or equipment for the mechanical operation of such **building**,
 - (b) in the case of a **structure**, the perpendicular distance measured from the average finished grade level at its base to the highest point of such **structure**;
- 2.27 "HOME OCCUPATION" means any occupation, except the keeping of boarders or roomers, which is carried on within a **dwelling** or **dwelling unit** in compliance with the provisions of this By-law, and which is clearly incidental and secondary to the **use** of such **dwelling** or **dwelling unit** as a private residence;
- 2.28 "HOTEL" means a commercial **building** providing temporary accommodation for travellers or transients on a year round basis and having at least two **storeys** and 20 bedrooms for guests, a public dining room and public meeting rooms and with all rooms and facilities on each floor connected by an inside corridor or corridors and which may be licensed under The Liquor Licence Act, 1975;
- 2.29 "LANDSCAPED OPEN SPACE" means an open area which is used for the growth and maintenance of grass, flowers, shrubbery and other landscaping and includes any surfaced walk, patio, swimming pool or similar area, but does not include any surface parking area, bus parking area, roof-top area or any open space beneath or within any building or structure;
- 2.29.1 "LIVESTOCK FACILITY" means one or more barns or permanent structures with livestock-occupied portions, intended for or capable of the keeping or housing of livestock. A livestock

facility also includes all manure or material storages and anaerobic digesters.

- 2.30 "LANE" means a public thoroughfare which affords only a secondary means of access to abutting **lots** and which is not intended for general traffic circulation;
- 2.31 "LOT" means a parcel or tract of land
- (a) which is a whole **lot** as shown on a registered plan of subdivision, but a registered plan of subdivision for the purposes of this clause does not include a registered plan of subdivision which has been deemed not to be 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, or
 - (b) which fronts a **street** 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
 - (c) the description of which is the same as in a deed for which consent has been given pursuant to section 29 of The Planning Act, R.S.O. 1970, as amended from time to time, or
 - (d) is the whole remnant remaining to an owner or owners after a conveyance made with consent given pursuant to section 29 of The Planning Act, R.S.O. 1970, as amended from time to time, provided that, subject to clause d of section 4.27.1, for the purpose of this section, 2.31, no parcel or tract of land ceases to be a **lot** by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by The Corporation of the City of Niagara Falls, The Regional Municipality of Niagara, or Her Majesty in Right of Ontario, for public highway purposes;
- 2.31.1 "**LOT AREA**" means the total horizontal area within the **lot lines** of a **lot**, excluding the horizontal area of such **lot** covered by a natural body of water or marsh, or the horizontal area between the rim of the banks of a river or watercourse, provided that only the area of the **lot** lying within the zone in which a proposed **use** is permitted shall be counted in calculating the minimum **lot area** under the provisions of this By-law for such permitted **use**;
- 2.31.2 "**CORNER LOT**" means a **lot** which is situated at the intersection of and abutting upon two or more **streets** or parts of the same **street** provided that the angle contained by two of such **lots'** adjacent **lot lines** that abut the **street** or **streets** is not more than 135 degrees;
- 2.31.3 "**LOT COVERAGE**" means that percentage of the **lot area** covered by the ground level area of all **buildings** and **structures** including **accessory buildings** and **accessory structures** on the **lot** measured to the outside of all exterior walls or sides provided that the ground level area of unenclosed **private swimming pools** shall not be included;
- 2.31.4 "**LOT DEPTH**" means the horizontal distance between the front and **rear lot lines**; where the front and **rear lot lines** are not parallel, **lot depth** means the length of a straight line joining the middle of the **front lot line** with the middle of the **rear lot line**; where there is no **rear lot**

line, lot depth means the length of a straight line joining the middle of the **front lot line** with the apex of the triangle formed by the **side lot lines**;

- 2.31.5 "**LOT FRONTAGE**" means the horizontal distance between the **side lot lines** measured along a public street; where a **lot** is a **corner lot**, the lesser **lot line** shall be deemed the **lot frontage**, provided that, where a **corner lot** has the same dimensions on the two **streets** upon which it abuts, the frontage abutting the **street** upon which the **building** or **structure erected** or to be **erected** has its principal entrance shall be deemed to be the frontage; where **side lot lines** are not parallel, the **lot frontage** shall be the distance between the **side lot lines** measured along a line drawn parallel to the **front lot line** at the minimum distance from the **front lot line** permitted for the **erection** of **buildings** or **structures** but in no case shall the width of a **lot**, measured along the **front lot line**, be more than 3 metres less than the minimum **lot frontage** specified in any of the regulations or supplementary regulations contained in this By-law.
- 2.31.6 "**INTERIOR LOT**" means a **lot** other than a **corner lot**;
- 2.31.7 "**LOT LINE**" means any boundary of a **lot**;
- 2.31.8 "**FRONT LOT LINE**" means, in the case of an **interior lot**, the line dividing the **lot** from the **street**; where the lot is a **corner lot**, the shorter **lot line** abutting a **street** shall be deemed to be the **front lot line** and the longer **lot line** abutting a **street** shall be deemed to be an exterior **side lot line**, provided that, where a **corner lot** has the same dimensions on the two **streets** upon which it abuts, the **lot line** abutting the **street** upon which the **building** or **structure erected** or to be **erected** has its principal entrance shall be deemed to be the **front lot line**; where the **lot** is a **through lot**, the **lot line** where the principal access to the **lot** is provided shall be deemed to be the **front lot line**;
- 2.31.9 "**REAR LOT LINE**" means the **lot line** farthest from and opposite to the **front lot line**; where the **lot** is triangular in shape and there is no **rear lot line**, the **rear lot line** shall then be the point where the side **lot lines** meet and shall be the point of intersection further from and most opposite the front lot line.
- 2002-061
- 2.31.10 "**SIDE LOT LINE**" means a **lot line** other than a **front lot line** or a **rear lot line**;
- 2.31.11 "**THROUGH LOT**" means an **interior lot** that abuts more than one **street**;
- 2.32 "**MOBILE HOME**" means a **dwelling unit** that is designed to be made mobile and to be transported, after it has been constructed or manufactured, to a **mobile home site** to provide a permanent residence for not more than one **family** and which is suitable for occupancy as a **dwelling unit** at the time it is placed on the **mobile home site** except for minor and incidental unpacking and assembly operations, placement on a **mobile home sites** and connection to utilities;
- 2.32.1 "**MOBILE HOME PARK**" means a parcel of land containing two or more **mobile home sites**

and which is under single management and ownership and includes all **accessory buildings** and **accessory structures** incidental to the operation thereof;

- 2.32.2 "MOBILE HOME SITE" means a parcel of land within a **mobile home park** intended to be occupied by one **mobile home** together with all **yards** required by this By-law;
- 2.32.3 "MODEL HOME" means a dwelling which is not occupied for human habitation but used for the purpose of temporary display to the public and where a portion of this **dwelling** may be used as a sales office for the dwelling units to be constructed;
- 2008-148
- 2.33 "MOTEL" means a **building** or **buildings** or part thereof consisting of a number of **motel units** and catering primarily to the travelling public by supplying overnight sleeping accommodation with or without meals and which may be licensed under The Liquor Licence Act, 1975, but does not include a **hotel**;
- 2.33.1 "MOTEL UNIT" means a room or suite of a **motel** which is capable of being rented separately and which has its own bathroom;
- 2.33.2 "MUSEUM" means a **building** or part thereof used for the preservation and presentation of works of art or cultural or historical or scientific objects and information and open to the recreation and education of the public and includes sales related thereto.
- 2008-23
- 2.34 "NEW CAR AGENCY" means an establishment comprising a **lot** and a **building** thereon having a minimum **floor area** of 550 square metres from which new automobiles are sold and serviced, and may include the following additional uses:
- retail sales of gasoline and oil
 - lubrication
 - mechanical, body and paint shop
 - incidental car washing
 - open storage of new automobiles and vehicles traded as a term of the sale of a new automobile
 - any **accessory use**;
- 2.35 "NURSERY SCHOOL" or "DAY NURSERY" means a day nursery within the meaning of The Day Nurseries Act;
- 2.36 "OFFICE" means a room or suite of rooms designated, intended or **used** for the conduct of a profession, occupation or business, but shall not include a **veterinarian office**, the retailing of merchandise, the manufacturing, repairing or storage of goods or any **assembly hall**, **place of entertainment**, "body rub parlour" as defined in The Municipal Act, "adult entertainment parlour" as defined in The Municipal Act, or **pin ball or electronic game machine establishment**;
- 2.36.1 "TIMESHARE SALES OFFICE" means a room or a suite of rooms designated, intended or used to sell local, national, and international accommodations for a particular period of time,
- 99-79

- and may include ancillary model suites and a child care facility for potential customers;
- 2.37 "PARKING AREA" means an area provided for the parking of motor vehicles and includes any related aisles and **parking spaces** and may include a **private garage**;
- 2.37.1 "SURFACE PARKING AREA" means an area or areas of land which is surfaced with
2008-148 concrete, asphalt, gravel or equivalent and provided and maintained for the purpose of temporary parking or storage of vehicles including any access driveway or ramp, parking spaces and aisles;
- 2.37.2 "BUILDING OR STRUCTURE PARKING AREA" means a **parking area** in a **building** or **structure** and includes roof parking in or on such **building** or **structure**.
- 2.38 "PARKING LOT" means any open area used for the temporary parking or storage of five or more motor vehicles other than a **parking area** required under the provisions of section 4.19.1 of this By-law;
- 2.39 "PARKING SPACE" means an area of not less than 18 square metres and a perpendicular width of not less than 3 metres throughout, both exclusive of any aisles and **access driveways**, for the temporary parking or storage of motor vehicles, and may include a **private garage**;
- 2.40 "PERSONAL SERVICE SHOP" means a **building** or part thereof in which persons are
2009-176 employed in furnishing services and otherwise administering to the individual and personal needs of persons, comprising of the premises of a barber, hairdresser, beautician, manicurist, pedicurist, tailor, dressmaker and/or shoemaker, as well as a laundromat, dry cleaner's distribution station, tanning salon, tattoo studio, pet grooming shop and a place for dog obedience classes, but shall not include a body rub parlour. The sale of merchandise shall be permitted only as an accessory use to the personal service provided;
- 2.41 "PINBALL OR ELECTRONIC GAME MACHINE ESTABLISHMENT" means a **building** or part
2002-061 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, and is a stand alone use but does not include a restaurant (having greater than 30 seats), **hotel, motel, place of entertainment**, or a **building** used for the exhibition of wax works, automobiles, handcrafts, material or artificial curiosities, freaks of nature, which may have up to, but no more than 10 pinball or electronic game machines.
- 2.42 "PLACE OF ENTERTAINMENT" means an arena, auditorium, public hall, bowling alley, ice or roller skating rink, curling rink, dance hall, music hall, theatre, cinema or other place where pictures are projected but does not include (i) a "body-rub parlour" or an "**adult entertainment parlour**" as defined in The Municipal Act or (ii) a **pinball or electronic game machine establishment** or (iii) a carnival show, circus, merry-go-round, miniature or switch-amusement ride or device or (iv) a billiard or pool room;

- 2.42a "PREMISES" includes a building or any part thereof, and any place.
- 2.43 "PRIVATE CLUB" means a **building** or part of a **building used** as a meeting place for members of a charter organization including a lodge or fraternal organization but does not include a motorcycle club;
- 2.44 "PRIVATE GARAGE" means a **building** or **structure used** to shelter and store not more than two private motor vehicles, in which no service for profit is rendered;
- 2.45 "PRIVATE SWIMMING POOL" means any outdoor **structure**, basin, chamber or tank containing an artificial body of water for swimming, diving, wading or recreational bathing and having a water depth of 0.3 metre or more at any point but does not include:
- (a) any such outdoor **structure**, basin, chamber or tank that is completely above ground and which has a side height of not more than 0.63 metre measured from ground level at all points on its perimeter, or
- (b) a swimming pool which is subject to the regulations made under The Public Health Act;
- 2.46 "PUBLIC GARAGE, AUTO BODY" means a **building** or place **used** as a motor vehicle repair shop including auto body repairs and spray painting and where automobile fuels or lubricants may be stored or kept for sale and where mechanical repairs, washing or cleaning of motor vehicles may be carried on but does not include a **car wash**;
- 2.47 "PUBLIC GARAGE, MECHANICAL" means a **building** or place **used** for the mechanical repair or equipping of motor vehicles and where any sale of automobile fuels or lubricants is incidental to the main **use** and where the washing and cleaning of motor vehicles may be carried on but does not include a **public garage auto body**, a **car wash** or an **automobile service station**;
- 2.48 "PUBLIC PARK" means a park owned or under the jurisdiction of The Corporation of the City of Niagara Falls, The Niagara Parks Commission or any other public board, commission or authority established under any statute of the Province of Ontario including recreational uses and parking facilities;
- 2.49 "RECREATIONAL USES" means a **use** of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, curling rinks, athletic fields, golf courses, golf driving ranges, miniature golf courses, picnic areas, swimming pools, day camps, community centres, and all similar **uses**, together with necessary and **accessory buildings** and **accessory structures** but does not include (i) a track for the racing of animals, motor vehicles, motorcycles, go-karts, snowmobiles or other vehicles, machines or conveyances or (ii) a carnival show, circus, merry-go-round, miniature or switchback railway, carousel, ferris wheel, roller coaster or other mechanical amusement ride or device;
- "RESERVE" (see section 2.66)
- 2.50 "RESTAURANT" means a **building** or **structure** or part thereof in which food is prepared

and offered for sale to the public for consumption within the **building** or **structure** and which may be licensed under The Liquor License Act, 1975 but does not include a **drive-in-restaurant**;

- 2.51 "RETAIL STORE" means a **building** or part of a **building** in which goods, wares, merchandise, substances or articles are offered or kept for sale at retail or rental.
- 2002-061
- 2.51a "ADULT STORE " means:
- (a) any **adult videotape** store; or
 - (b) any store used for the carrying on of the **business** of the provision of **adult videotapes; adult goods; adult magazines**; or the showing or viewing of **adult videotapes**, or any combination of any or all of them, but does not include a store where the provision of **adult videotapes, adult goods, adult magazines**, or any combination of them is only incidental to the carrying on of the business of the provision and display of videotapes, magazines or goods.
- 2002-199
- 2.51b "ADULT VIDEOTAPE STORE" means any **premises** used for the carrying on of the **business** of the provision of **adult videotapes** but does not include a store where the provision of **adult videotapes** is only incidental to the carrying on of the **business** of the provision and display of **adult videotapes**.
- 2.51c "ADULT VIDEOTAPE" means any videotape the content or container of which is designed or held out as designed, to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject-matter distinguished or characterized by the portrayal of one or more persons involved or engaging in **specified sexual activities**, or by an emphasis on the display of human specified body areas, and any videotape classified by the Ontario Film Review Board as "restricted", with the added information piece "adult sex film".
- 2.51d "VIDEOTAPE " means any cinematographic film, videotape, disc, and any other medium from which may be produced visual images that may be viewed as moving pictures.
- 2.51e "ADULT GOODS" means goods appealing or designed to appeal to erotic or sexual appetites or inclinations, described as follows: dildos, vibrators and other masturbatory devices; toys, devices and novelties described or advertised as appropriate due to their sexual nature or use only for adults; clothing, devices and other goods advertised as related, or relating, to fetishism, or otherwise used for the satisfaction of sexual appetites or interests; goods generally referred to as "erotica"; any postcard, photograph or other pictorial photographic or graphic depiction of subject matter distinguished or characterized by the portrayal of one or more persons involving or engaging in specified sexual activities, or by emphasis on the display of human specified areas; and any other goods referred to as "adult" in a sexual context, individually or in any combination thereof.

- 2.51f "ADULT MAGAZINE" means any magazine, the content or cover of which is designed or held out as designed, to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject matter distinguished or characterized by the portrayal of one or more persons involved or engaging in **specified sexual activities**, or by emphasis on the display of human **specified body areas**.
- 2.51.1 "RETIREMENT HOME" means a residence providing accommodation primarily for persons or couples with limited physical disabilities brought on by age or other infirmity for which some degree of physical assistance is required and where each private living unit has a separate private bathroom and separate entrance from a common hall, but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided;
- 2008-148
- 2.52 "SERVICE SHOP" means a **building** or part of a **building used** for the servicing or repair of household articles and includes radio, television and appliance repair shops and business machine service shops but does not include industrial or manufacturing uses, a **public garage auto body** or a **public garage mechanical**;
- 2.53 "SPLIT LEVEL **BUILDING**" means a **building** in which the first floor above finished grade is so constructed as to create two or more different levels, the vertical distance between such levels being always less than a full **storey**;
- 2.54 "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. A **basement** shall be considered a **storey** in this By-law;
- 2.55 "HALF **STOREY**" means the portion of a **building** situated wholly or partly within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.25 metres over an area of such floor of at least 10 square metres.
- 2.56.1 "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 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;
- 2.56.2 "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 Corporation 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;
- 2.57 "STREET LINE" means the dividing line between a **lot** and a **street**;
- 2.58 "STRUCTURE" means anything constructed or **erected**, the **use** of which requires location on the ground, or attached to something having location on the ground and includes a **mobile home**;
- 2.59 "TRAILER" means a vehicle or **structure** so constructed that it is capable of being attached to and drawn by a passenger motor vehicle and is used in connection with travel, recreation or vacation to provide temporary living, sleeping or eating accommodation of persons therein and includes a travel **trailer**, a tent **trailer** and similar transportable accommodation but does not include a **mobile home**;
- 2.59.1 "TRAILER CAMP" means a parcel of land containing two or more **trailer sites** which is **used** for temporary or seasonal occupancy by **trailers**, recreational vehicles and tents and which is under single management and ownership and includes all **accessory buildings** and **accessory structures** incidental to the operation thereof.
- 2.59.2 "TRAILER SITE" means a parcel of land within a **trailer camp** intended to be occupied by one **trailer** and one motor vehicle;
- 2.60 "USE", where it appears as a noun, means the purpose for which land or **building** or **structure**, or any combination or part thereof, is designed, arranged, occupied, maintained or **used** or intended to be occupied, maintained or **used**;
- 2.60.1 "USE", where it appears as a verb, includes occupy or maintain and "USED" shall have a corresponding meaning;
- 2.61 "USED CAR **LOT**" means a **lot** with or without **buildings** where used motor vehicle are stored, sold, offered for sale or kept for sale;
- 2.61.1 "VEHICLE" means an automobile, truck or other automobile, a motor home, a motorcycle, a snowmobile, a boat, a personal watercraft, a recreational vehicle, and a trailer or any other device which is capable of being driven, propelled or drawn by any kind of power, but does not include a bicycle or any other device powered solely by means of human effort;
- 2008-148
- 2.62 "VETERINARIAN **OFFICE**" means a **building** or part of a **building** that is **used** exclusively by a veterinarian and his staff for the **office** treatment of animals which are kept entirely within such **building** and are not kept overnight.
- 2.63 "WAREHOUSE" means a **building** or part of a **building used** for the bulk storage of goods, wares, merchandise, substances or articles and includes a wholesale establishment but does not include any premises where any goods, wares, merchandise, substances or articles are offered or kept for sale at retail;
- 2.64 "WHOLESALE ESTABLISHMENT" means a **building** or part of a **building** where goods,

- wares, merchandise, substances or articles are stored in bulk for sale in wholesale quantities but does not include any premises where any goods, wares, merchandise, substances or articles are offered or kept for sale at retail;
- 2.65 "YARD" means a space, appurtenant to a **building** or **structure**, located on the same **lot** as such **building** or **structure**, and which space is open, uncovered and unoccupied from the ground to the sky subject to the specific exceptions contained in this By-law;
- 2.65.1 "FRONT YARD" means a **yard** extending across the full width of a **lot** between the **front lot line** of such **lot** and the nearest part of the main **building** or **structure** on such **lot**;
- 2.65.2 "FRONT YARD DEPTH" means the least horizontal dimension between the **front lot line** of a **lot** and the nearest part of the main **building** or **structure** on such **lot**;
- 2.65.3 "REAR YARD" means a **yard** extending across the full width of a **lot** between the **rear lot line** and such **lot** and the nearest part of the main **building** or **structure** on such **lot**;
- 2.65.4 "REAR YARD DEPTH" means the least horizontal dimension between the **rear lot line** of a **lot** and the nearest part of the main **building** or **structure** on such **lot**;
- 2.65.5 "SIDE YARD" means a **yard** extending from the **front yard** to the **rear yard** between the **side lot line** of a **lot** and the nearest part of the main **building** or **structure** on such **lot**;
- 2.65.6 "**SIDE YARD WIDTH**" means the least horizontal dimension between the **side lot line** of a **lot** and the nearest part of the main **building** or **structure** on such **lot**;
- 2.65.7 "EXTERIOR **SIDE YARD**" means a **side yard** abutting a **street** or **reserve**;
- 2.65.8 "INTERIOR **SIDE YARD**" means a **side yard** other than an **exterior side yard**;
- 2.65.9 "REQUIRED YARD" means a **yard** having not less than the minimum depth or width, as the case may be, required under the provisions of this By-law and "required **front yard**", "required **side yard**" and "required **rear yard**" shall have a corresponding meaning;
- 2.66 "RESERVE" means a strip of land owned by the Province of Ontario, The Regional Municipality of Niagara or The Corporation of the City of Niagara Falls which abuts an opened or unopened highway, allowance for road or **lane** and which separates such highway, allowance for road or **lane** from adjacent lands; a **reserve** may be, but is not limited to, a 1 foot **reserve** or a 0.3 metre **reserve**.
- 2.67 "GROUP HOME TYPE 1" means a residence licensed, supervised, approved or funded under a federal or provincial statute for the accommodation of three (3) to eight (8) persons, excluding staff or the receiving family, living under responsible supervision and who, by reason of their intellectual, mental health, social or physical condition or legal status, require a group living environment for their well being, but does not include a Group Home Type 2."
- 2.67.1 "GROUP HOME TYPE 2" means a residence licensed, supervised, approved or funded

under a federal or provincial statute for the accommodation of three (3) to eight (8) persons, excluding staff, that is maintained and operated primarily for persons who have been placed on probation or released on parole under provincial or federal statute, or youth who have been charged under provincial or federal statute and who have been placed in detention or custody.”

ADDITIONAL DEFINITIONS PROVIDED IN SITE SPECIFIC BY-LAWS:

- 82-237 4. For the purpose of Sections 2 and 3, "Special Residence, Emergency Care" means a **dwelling** which is **used** to provide a temporary residence for not more than 6 adult persons (exclusive of staff) and their children, who, because of physical abuse, require immediate emergency shelter and assistance for a short period of time, generally not more than 3 weeks.
- 82-257 4. For the purpose of this by-law,
 (a) "miniature racing car" means a miniature Grand Prix car powered by a 2 cylinder 2 cycle engine fitted with 2 mufflers in series or a miniature car with a similar type of engine and muffler system.
 (b) "miniature racing car amusement ride" means the track and other facilities and structures **erected** and **used** in connection with the operation of **miniature racing cars**.
- 82-284 4. For the purpose of this by-law, "TV dish antenna" means an antenna intended for or capable of being **used** for receiving or collecting television signals and which has dimensions of not less than the following:
 (i) where the antenna is circular in shape, a diameter of 1.0 metre,
 (ii) where the antenna is not circular in shape, a width of 1.0 metre and a length of 1.0 metre,
- 83-151 3. For the purpose of this by-law, "non-motorized bicycle race course" means a track or course for the racing or riding of bicycles, other than any bicycle, cycle, scooter or other vehicle which is equipped with a motor of any type of to which a motor of any type is attached.
- 85-133 6. (1) In this by-law,
 (a) "**Fourplex dwelling**" means
 (i) a **building** divided vertically into four separate **dwelling units** each with some portion of the accommodation therein at ground level, each sharing two part walls and each of which has an independent entrance, either from the outside or through a common vestibule, or

(ii) two attached **duplex dwellings**, and

(b) "**Sixplex dwelling**" means a two storey **building** containing six **dwelling units**, the first **storey** of which **building** is divided vertically into not more than four separate **dwelling units** each of which has an independent entrance either from the outside or through a common vestibule and the second **storey** of which is divided vertically into the remaining **dwelling units** each of which has at least one independent entrance either from the outside or through a common vestibule.

5. For the purpose of this by-law, "senior citizens' residence" means a **dwelling** for the exclusive use of senior adults, other than the proprietor, his **family** and staff, in which the proprietor supplies for gain long-term living accommodation for senior adults with lodging, meals, housekeeping, laundry, professional staff assistance and 24-hour supervision. The term **senior citizens' residence** does not include a tourist establishment, **hotel**, **motel**, **boarding house**, hospital, home for the aged, nursing home, or other establishment otherwise classified or defined in the aforesaid By-law No. 79-200, as amended.

5.1 In this by-law, "adult community mental health home" means the whole of a separate **building** which contains one **dwelling unit** and not more than one kitchen or other facility for the preparation of meals and which is registered with the City of Niagara Falls as a **group home** for the accommodation of not more than 4 persons, exclusive of staff, and is approved and operated in accordance with the Ministry of Health Act of Ontario.

(2) In this by-law, "religious institution" means a **building** or **buildings used** for any one or more of the following purposes:

(i) a church,

(ii) an **office building** for church purposes only including facilities for the handling and shipping of religious materials,

(iii) a retail book outlet for the sale of religious materials,

(iv) inside storage areas to facilitate the shipping and receiving of religious materials.

88-5 In this by-law, "coffee shop" means a portion of the **building** referred to in Section 2 in which coffee and other non-alcoholic beverages, baked goods, soups, sandwiches and snack foods are offered for sale for consumption on the premises and which is not licensed under the Liquor Licence Act and does not have kitchen facilities for the preparation of meals.

88-28 Notwithstanding Section 2.31 of said By-law No. 79-200, in this by-law "lot" shall mean a parcel of land which is not a whole **lot** on Registered Plan 59M-130 but which parcel of land complies with all the regulations for a **lot** in clauses (a) to (d) inclusive of section 2 of this by-law and the

remaining regulations for a **lot** and all other regulations in section 7.2.2 of said By-law No. 79-200 and "**lot area**", "**lot frontage**" and "**lot coverage**" shall have a corresponding meaning.

88-31 In this by-law, "**mausoleum**" and "**columbarium**" shall have the same meaning as in the Cemeteries Act, being:

"**mausoleum**" means a **building** or other **structure** used as a place for the interment of the dead in sealed crypts or compartments;

"**columbarium**" means a **structure** designed for the purpose of storing the ashes of human remains that have been cremated.

88-48 In this by-law, "industrial mall building" means a **building** used for one or more of the **uses** permitted under section 11.1.1 of said By-law No. 79-200, as amended, and which is divided into units for occupancy by more than one tenant or occupant.

88-163 For the purpose of this by-law, "senior citizens' residence" means a **dwelling** for the exclusive use of senior adults, other than the proprietor, his **family** and staff, in which the proprietor supplies for gain long-term living accommodation for senior adults with lodging, meals, housekeeping, laundry, professional staff assistance and 24 hour supervision. The term "**senior citizens residence**" does not include a tourist establishment, **hotel**, **motel**, **boarding house**, hospital, home for the aged, nursing home, or other establishment otherwise classified or defined in the aforesaid By-law No. 79-200, as amended.

88-184 (a) For the purposes of Section 6 of this by-law and Section 19.1.196, as enacted by Section 9 of this by-law, a "**townhouse dwelling**" means a "**townhouse dwelling**" as defined in said clause (a) of section 2.17.7 and which contains not more than 8 **dwelling units** and has a single car garage attached to each **dwelling unit** and does not exceed one **storey in height**;

(b) For the purpose of Section 7 of this by-law and Section 19.1.197, as enacted by Section 9 of this by-law, a "**townhouse dwelling**" means a "**townhouse dwelling**" as defined in said clause (a) of Section 2.17.7 and which contains not more than 8 **dwelling units** and has a single car garage attached to each **dwelling unit**.

88-207 For the purpose of this by-law, the definition of "boarding or rooming house" in Section 2.10 of said By-law No. 79-200 shall be deemed to be amended to include a condition that the owner of the **dwelling used** for the purpose of a **boarding house** or rooming house shall reside in and regularly **use** a part of the said **dwelling** as his or her permanent residence and "proprietor" wherever **used** in that section shall mean the owner of the said **dwelling**.

88-208 In this by-law, "industrial mall building" means a **building used** for one or more of the **uses** permitted under Section 11.1.1 of said By-law No. 79-200, as amended, and which is divided into units for occupancy by more than one tenant or occupant.

88-281 In this by-law, "lot coverage" shall not include the ground level area of any parking **structure**

which is less than 1.2 metres in **height**.

SECTION 3 - ZONES

3.1 CLASSIFICATION OF ZONES: For the purpose of this By-law, the following defined areas of the City of Niagara Falls, namely:

- (a) all of the former Village of Chippawa, and
- (b) all of the remaining part of the City of Niagara Falls lying north of the middle of the main channel of the Welland River are hereby divided into the following zones, which are hereby established and the lands included in each zone are shown on the Zoning Maps appended hereto as Schedule "A".





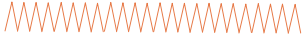

ZONES	SHORT TITLES
Residential Single Family 1A Density Zone	R1A
Residential Single Family 1B Density Zone	R1B
Residential Single Family 1C Density Zone	R1C
Residential Single Family 1D Density Zone	R1D
Residential Single Family 1E Density Zone	R1E
Residential Mobile Home Park Zone	RMP
Residential Single Family and Two-Family Zone	R2
Residential Mixed Zone	R3
Residential Low Density, Group Multiple Dwelling Zone	R4
Residential Apartment 5A Density Zone	R5A
Residential Apartment 5B Density Zone	R5B
Residential Apartment 5C Density Zone	R5C
Residential Apartment 5D Density Zone	R5D
Residential Apartment 5E Density Zone	R5E
Residential Apartment 5F Density Zone	R5F
Transition Residential Multiple Zone	TRM
Neighbourhood Commercial Zone	NC
General Commercial Zone	GC
Deferred Commercial Zone	DC
Planned Shopping Centre Commercial Zone	SC
Central Business Commercial Zone	CB
Tourist Commercial Zone	TC
Camping Establishment Zone	CE
Deferred Tourist Commercial Zone	DTC
Automobile Service Station and Gasoline Bar	AS
Institutional Zone	I

Prestige Industrial Zone	PI
Light Industrial Zone	LI
General Industrial Zone	GI
Heavy Industrial Zone	HI
Transportation - Distribution Industrial Zone	TDI
Extractive Industrial Zone	EI
Agricultural Zone	A
Rural Zone	R
Open Space Zone	OS
Development Holding Zone	DH
Hazard Land Zone	HL
Parking Zone	P
Parking Holding Zone	PH







- 2004-14 3.2 ZONING MAPS: The Zones aforesaid and the boundaries of such Zones are shown on one or more of the Zoning Maps appended hereto as Schedule "A", referred to in this By-law as "Zoning Maps", each of which Zoning Maps and the Key Map contained in the said Schedule "A" and the Setback Plans appended hereto as Schedules B-1, B-2, B-3 and B-4 together as well as Schedule C and Schedules C-A through to and including C-F and Schedules C-H through to and including C-K with all titles, symbols, notations, references and information shown therein shall form a part of this By-law to the same extent as if fully described in the text of this By-law.
- 3.3 SHORT TITLES: The short titles of the Zones listed in Section 3.1 may be used to refer to **buildings** and **structures** and **uses of buildings, structures** and land permitted by this By-law in such Zones; and whenever in this By-law the word "Zone" is **used** preceded by any of the said short titles, such references shall mean any area of the City of Niagara Falls delineated and designated on the said Zoning Maps by such short title.
- 3.3.1 "RESIDENTIAL ZONE": The expression "residential zone", whenever **used** in this By-law, means an area of the City of Niagara Falls delineated on a Zoning Map and designated therein as R1A, R1B, R1C, R1D, R1E, RMP, R2, R3, R4, R5A, R5B, R5C, R5D, R5E, R5F or TRM.
- 3.3.2 "COMMERCIAL ZONE": The expression "commercial zone" whenever **used** in this By-law, means an area of the City of Niagara Falls delineated on a Zoning Map and designated therein as NC, GC, DC, SC, CB, TC, CE, DTC, AS, P or PH.
- 3.3.3 "INDUSTRIAL ZONE": The expression "industrial zone" whenever **used** in this By-law means an area of the City of Niagara Falls delineated on a Zoning Map and designated therein as PI, LI, GI, HI, TDI or EI.

3.4 ZONE BOUNDARIES: Where any uncertainty exists with respect to the boundary of any zone as shown on the Zoning Maps, the following rules shall apply:

- (a) a boundary indicated as following a highway, **street** or **lane** shall be the centre line of such highway, **street** or **lane**;
- (b) where a **street** or part of a **street** referred to in Section 4.27.1 of this By-law as a Type A, Type B, Type C, Type D, Type E or Transitional **street**.
 - (i) forms a boundary between zones, it is shown on the Zoning Maps by one or more of the respective symbols set forth in Column 2 of the following Table:

Column 1 Type of Street	Column 2 Symbol
Type A (Green)	
Type B (Salmon)	
Type C (Magenta)	
Type D (Cyan)	
Type E (Gold)	
Transitional (Red)	

- (ii) does not form a boundary between zones, it is shown on the Zoning Maps by one or more of the respective symbols set forth in Column 2 of the following Table:

Column 1 Type of Street	Column 2 Symbol
Type A (Green)	
Type B (Salmon)	
Type C (Magenta)	
Type D (Cyan)	
Type E (Gold)	
Transitional (Red)	

- (c) generally, boundaries between zones are indicated either by an unbroken heavy line or

- by one or more of the symbols set forth in subclause l of clause b of this section.
- (d) a boundary indicated as following a watercourse, creek, stream, power canal, or the right-of-way of a railway or of an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream, power canal or right-of-way;
 - (e) a boundary indicated as approximately following **lot lines** shall follow such **lot lines**;
 - (f) in every case, where
 - (i) any **street** or **lane** or portion thereof is altered, diverted or closed,
 - (ii) the right-of-way of a railway or of an electrical, gas or oil transmission line or portion of any such right-of-way is altered, diverted or ceases to be used for railway purposes or transmission line purposes,
 - (iii) a watercourse or portion thereof is altered or diverted, the land formerly included in such **street, lane**, railway right-of-way, transmission line right-of-way or watercourse, or portion thereof shall be included within the zone adjoining such land. Where such land formed a boundary between different zones, the new zone boundaries shall be the former centre line of such **street, lane**, railway right-of-way, transmission line right-of-way or watercourse;
 - (g) where any zone boundary remains uncertain after the application of the rules set forth in clauses a to f inclusive, then the boundary shall be determined by scale from the Zoning Map or Maps.

SECTION 4 - GENERAL PROVISIONS

- 4.1 MAJOR CONSTRAINTS: No person shall in any zone established by this By-law use any land or **erect** or **use** any **buildings** or **structure**:
 - (a) for any purpose except for the **use** or **uses** set forth in this By-law as a permitted **use** or **uses** in such zone, and
 - (b) except in conformity with the regulations and other provisions of this By-law in respect to such zone.
- 4.2 USE OF **BUILDING** OR **STRUCTURE**: No person shall in any zone established by this By-law use any **building** or **structure erected** after the passing of this By-law unless it was **erected** in accordance with the provisions of this By-law in respect to such zone.
- 4.3 OTHER BY-LAWS AND REQUIREMENTS: Nothing in this By-law shall relieve or exempt any person from the obligation to comply with the requirements of any other by-law of The Corporation of the City of Niagara Falls in force from time to time or from the obligation to obtain any license, permit, authority or approval required under any other by-law of The Corporation of the City of Niagara Falls.
- 4.3.1 RESTRICTIONS AND REGULATIONS OF OTHER AUTHORITIES: Nothing in this By-law shall be deemed to reduce or mitigate any restrictions or regulations lawfully imposed by a governmental authority having jurisdiction to make such restrictions or regulations.
- 4.4 PUBLIC SERVICES: The provisions of this By-law shall not apply to prevent the **use** of any land or the **erection** or use of any **building** or **structure** for the purpose of public service by The Corporation of the City of Niagara Falls, The Regional Municipality of Niagara, or by any local board as defined in. The Municipal Affairs Act, the Niagara Peninsula
87-195 Conservation Authority, The Niagara Parks Commission, Niagara College of Applied Arts &
81-62 Technology, any Department or Ministry of the Government of Canada or Ontario
including Ontario Hydro, or by any railway, power commission, telephone,
telecommunication, or gas company or other utility supplying public services provided that:
 - (a) any **building** and land **used** or occupied shall be designed and landscaped in accordance with the general character of the zone in which such **building** and land are located;
 - (b) no goods, material or equipment shall be stored in the open unless open storage is permitted in the zone in which the land is located;
 - 79-237 (c) any **building** to be **erected** for any of the above purposes shall be **erected** in conformity with the regulations set forth in this By-law in respect of the zone in which such **building** is located, provided that for the purpose of this clause **building** shall not include a kiosk, gazebo, shelter or similar **structure** to be **erected** on a **street** with the approval of The Corporation of the City of Niagara Falls and, where such **street** is under

196.85 ft
24.62 ft.

the jurisdiction and control of another road authority, the approval of such road authority.

- (d) any **building** to be **erected** in any residential zone or institutional zone for the purpose of a school or other educational institution shall be located on a **lot** having a minimum **lot frontage** of 60 metres and shall have a minimum **front yard depth, side yard width**(on both sides) and **rear yard depth** of 7.5 metres in each case; and
- (e) notwithstanding any of the forgoing provisions, the construction or operation of an incinerator, pollution control plant, sewage lagoon, waste stabilization pond or other work or facility for storing or treating sewage, sludge lagoon, sludge storage or transfer site, service garage, sanitary landfill or disposal area of any kind shall not be permitted on lands in any residential zone established in this By-law.

- 4.4.1 **STREETS AND INSTALLATIONS:** Nothing in this By-law shall prevent the use of any land for a **street** or **lane** or prevent the construction, installation, operation and maintenance of water and gas pipes and mains, sanitary and storm sewers, pipes and mains, electrical transmission and distribution lines, cables and conduits, telephone and television lines, cables and conduits, provided that the location of any such pipe, main, line, cable or conduit has been approved by The Corporation of the City of Niagara Falls and provided further that where so required under the provisions of any subdivision agreement of The Corporation of the City of Niagara Falls the electrical, telephone and television lines, cables and conduits shall be underground.

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Notwithstanding the generality of the foregoing, the approval of the Corporation of the City of Niagara Falls under this Section 4.4.1 for the location of any pipe, main, line, cable or conduit shall not be required for the location of any such pipe, main line, cable or conduit which has been authorized pursuant to the provisions of the Environmental Assessment Act, 1975.

- 4.4.2 **PUBLIC PARKS:** Nothing in this By-law shall apply to prevent the **use** of any land or the **erection** and **use** of any **building** or **structure** for the purpose of a **public park**.
- 4.5 **TEMPORARY USES:** Nothing in this By-law shall prevent the **erection** or **use** of a toolshed, scaffold or other **building** or **structure** incidental to construction work on the lot where it is situated for so long only as it is necessary for the work in progress provided, however, that this section shall cease to apply when such work has been completed or abandoned. For the purpose of this section "abandoned" means failure to proceed expeditiously with the construction work.
- 4.6 **RESTORATION OF NON-CONFORMING BUILDING:** Nothing in this By-law shall apply to prevent the strengthening or restoration to a safe condition of any **building** or **structure** or part thereof which at the day of the passing of this By-law was lawfully **used** for a purpose prohibited by this By-law provided that such strengthening or restoration will not increase the

exterior dimensions or **floor area** of the original **building** or **structure**.

- 4.7 HEIGHT EXCEPTION: The **height** regulations of this By-law shall not apply to church spires, belfries, chimneys, water tanks, elevator or mechanical penthouses, flag poles, clock towers, radio, telephone, television or telecommunication towers and antennae in any Zone except as herein after provided or to farm **building** and farm **structures** (which shall not include **buildings** or **structures** to be **erected** or **used** for the purpose of human habitation) in an A Zone, an R Zone or an OS Zone and shall not apply to the following types of **structures** and **buildings** in HI Zones: processing towers, processing equipment and industrial process **buildings**, provided that the **height** regulations of this By-law shall apply to TV dish antennae in a residential zone, DH Zone or R Zone.
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- 4.8 PROHIBITED **USES**: Unless specifically listed as a permitted **use** in any zone established by this By-law, each of the following **uses** are prohibited in such zone:
- (a) abattoir
 - (b) automobile wrecking **yard**, or the collection, storage or sale of:
 - (i) motor vehicles which are not in running condition,
 - (ii) partially or completely dismantled motor vehicles or other vehicles, or
 - (iii) parts of motor vehicles or other vehicles
 - (c) bulk storage of gasoline, oil or other inflammable liquids or gases
 - (d) coke manufacture
 - (e) distilling, boiling or rendering of bones, blood, tripe
 - (f) extracting oil from fish or animal matter
 - (g) incineration, reduction or disposal through burying of garbage, offal, refuse of dead animals, refuse or industrial wastes or wastes of any kind except a municipally operated incinerator or landfill site and except a privately-operated incinerator or disposal area which is an accessory **use** to and on the same lot as a principal **use** permitted in this By-law and which has received the approval of the Ministry of the Environment and all other required approvals.
 - (h) making or establishment of a pit or quarry
 - (i) manufacturing or processing of asphalt
 - (j) manufacturing or processing of cement
 - (k) manufacturing gas
 - (l) manufacturing glue
 - (m) manufacturing, refining or processing acid, ammonia, chlorine
 - (n) manufacturing or storing of explosives, ammunition or fireworks
 - (o) poultry processing plant
 - (p) processing of waste products, either animal or fish and including blood, offal, skins,

- hides, bones and condemned meat or fish
- (q) rendering of fat, grease, lard or tallow
- (r) refining petroleum or petroleum products
- (s) salvage **yard**, junk **yard**
- (t) sewage disposal plant except a municipally operated sewage disposal plant
- (u) slaughter house
- (v) stock **yard**
- (w) tannery for the curing, storing or finishing of hides, skins, leather
- (x) locating or storing on any land for any purpose whatsoever any disused railroad car or part thereof, street car or part thereof, truck body or part thereof, bus body or part thereof, whether or not the same is situated on a foundation.
- 98-03 (y) **body-rub parlour**

Repealed by

By-law 2002-201

- 4.8.1 BUS, TRUCK, ETC. BODIES: Without limiting the application of clause x of Section 4.8, unless specifically permitted in this By-law, no person shall in any zone established by this By-law, **erect** or **use** for the purpose of human habitation any **structure** consisting of all or part of the body of any bus, truck, railroad car, street car or other vehicle whether or not the same is mounted on wheels or other form of mounting or foundation.
- 4.9 MUNICIPAL SERVICES REQUIRED: Unless otherwise provided for in this By-law, no person shall in any residential zone, commercial zone or institutional zone, **erect** and **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.
- 4.10 **DWELLING UNITS IN CELLARS:** No person shall use a **cellar** or part thereof as a **dwelling unit**.
- 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 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**.
- 81-179 #15 4.12 **REDUCTION OF REQUIREMENTS:** No person shall change the purpose for which any land, **building** or **structure** is used or **erect** any new **building** or **structure** or sever any land from any existing parcel of land if such change, **erection** or severance creates a situation in which there is a contravention of any provision of this By-law applicable to the original,

adjoining, remaining or new **building, structure** or parcel of land.

- 4.12.1 EXCEPTIONS: The fact that a part of parts of a parcel of land has or have been conveyed to or acquired by The Corporation of the City of Niagara Falls, The Regional Municipality of Niagara or Her Majesty in Right of Ontario for public highway purposes shall not be deemed to be in contravention of Section 4.12

4.13 **ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES:**

- (a) Except as otherwise specifically permitted in this By-law, no **accessory building** or **accessory structure** shall be **erected** in a **front yard**, a **rear yard** or a **side yard**.
- 14.76 ft. (b) Subject to Section 4.27.1 but notwithstanding any other provisions of this By-law, no **accessory building** or **accessory structure** shall be **erected** on a **corner lot** closer than 4.5 metres to the **side lot line** abutting a **street line** or a **reserve**.
- 3.94 ft (c) An **accessory building** or **accessory structure** may be **erected** in an **interior side yard** provided that it is distant not less than 1.2 metres from the **side lot line**. Notwithstanding the foregoing, common semi-detached **private garages** may be centred on the mutual **lot line** if **erected** simultaneously on two abutting **lots** and as one **building**.
- 82-284 Notwithstanding any of the provisions of clauses b or c of Section 4.13, no person shall **erect** a TV dish antenna in a **front yard**, an **exterior side yard** or an **interior side yard** of any **lot** in any residential zone, DH Zone or R Zone.
- 5.91 ft. (d) Subject to Section 4.27.1, an **accessory building** or **accessory structure** may be **erected** in a **rear yard** of a **lot** provided that it shall be not less than 1.8 metres from a main wall of any **dwelling** on such **lot** or on any adjoining **lot** and
- 3.94 ft. (i) in the case of a **private swimming pool** it shall be not less than 1.2 metres from any **lot line**; and
- 1.48 ft. (ii) in the case of an **accessory building** or **accessory structure** other than a **private swimming pool** it shall be not less than 0.45 metre from any **lot line** and no overhanging roof, eaves or gutter shall project more than 0.3 metre into
- .98 ft. any **required yard** or be less than 0.15 metre from any **lot line**.
- .49 ft. (e) An attached **private garage** or carport which is **erected** as part of the main **building** shall not be deemed an **accessory building** or **accessory structure** and shall comply with all **yard** requirements for the main **building**.
- 82-283 (f) Except as otherwise specifically permitted in this by-law, no person shall, in any residential zone, DH Zone or R Zone **erect** any **accessory building** or **accessory structure** having a greater height than 3 metres, provided that an **accessory building**
- 9.84 ft. **structure** having a greater height than 3 metres, provided that an **accessory building**
- 15.1 ft. with a pitched roof may be **erected** to a **height** not exceeding 4.6 metres but in no

- 9.84 ft. event shall any part of the walls or supporting posts exceed 3 metres in **height**.
- 2008-148 (g) In a **R1A, R1B, R1C, R1D, R1E, R2** or **R3** zone, the total lot coverage of all **accessory buildings and accessory structures** on a lot shall not exceed 15% of the **lot area** or 93 square metres, whichever is lesser, and in no case shall the total lot coverage of all **buildings and structures** exceed the maximum **lot coverage** regulation of the specific zone.
- 4.14 **YARDS:** Every part of every **front yard, side yard** and **rear yard** required by the provisions of this By-law shall be open from the ground to the sky and no such **yard** shall be obstructed or occupied by any **building, structure, accessory building, accessory structure** or part thereof or projection there from except as follows:
- 1.48 ft. (a) sills, belt courses, cornices, chimney breasts, bay windows, pilasters and similar architectural features and window air conditioning units may project into any **required yard** a distance of not more than 0.45 metre,
- 1.48 ft. (b) unsupported canopies, eaves or gutters, for other than an **accessory building**, may project into any **required yard** a distance of not more than 0.45 metre,
- 5.9 ft. (c) open balconies not covered by a roof or canopy may project into any required **front yard** or **rear yard** a distance of not more than 1.8 metres and into any required **side yard** a distance of not more than 0.45 metre,
- 1.48 ft. (d) subject to Section 4.27.1, a roofed-over one **storey** porch may project into a required **front yard** or **rear yard** a distance of not more than 2.5 metres provided however that (i) no enclosure of such porch, other than removable screens and storm sashes or awnings, shall be **erected** to a **height** of more than 1.0 metre above the floor of such porch and (ii) in no event and subject to said Section 4.27.1 shall any part of such porch be closer than 1.5 metres from any **street line**,
- 8.20 ft. (e) fire escapes may project into any required **side yard** or **rear yard** a distance of not more than 1.2 metres,
- 3.28 ft. (f) **accessory buildings** and **accessory structures** where specifically permitted in a zone, may be **erected** in accordance with Section 4.13 and the other applicable provisions of this By-law,
- 4.92 ft. (g) light standards, fuel pump islands and fuel pumps of **automobile service stations** may be **erected** in accordance with the applicable provisions of this By-law,
- 3.94 ft. (h) fences, freestanding walls, flagpoles, antennae, light standards and similar appurtenances, and hedges, trees and shrubs are permitted subject to the following regulations:
- (i) no fence, freestanding wall, hedge or shrub of a greater **height** than 0.75 metre

- 2.46 ft. above the grade level of the centre of the travelled portion of the roadway of the intersecting **streets** shall be **erected**, planted or maintained on a **corner lot** within the daylighting triangle defined in Section 4.15.2,
- 81-62 #39 3.94 ft. (ii) subject to subclauses, (i), (iv), and (v) no fence, freestanding wall, hedge, or shrub of a greater **height** than 1.2 metres above the adjoining ground level shall be **erected**, planted or maintained in the **front yard** of any **lot**, provided, however, that: 1. any portion of such fence, freestanding wall, hedge or shrub which abuts the **side lot line** or **rear lot line** of the **rear yard** of any abutting **lot** may be of a greater **height** than 1.2 metres but shall not be of a greater **height** than 2.5 metres above the adjoining ground level, and 2. where a fence, freestanding wall, hedge or shrub is **erected**, planted or maintained on a terrace in a **front yard** of a **lot**, the **height** of such fence, freestanding wall, hedge or shrub shall, for the purpose of this subclause (ii), means the combined **height** above the adjoining ground level of such fence, freestanding wall, hedge or shrub itself and the **height** of such terrace above the ground level at the **street line**,
- 81-62 #39 8.20 ft. (iii) subject to subclauses (i), (iv) and (v), no fence, freestanding wall, hedge or shrub of a greater **height** than 2.5 metres above the adjoining ground level shall be **erected**, planted or maintained in the **side yard** or **rear yard** of any **lot**, provided, however, that any portion of such fence, freestanding wall, hedge or shrub which abuts the **side lot line** of the **front yard** of any abutting **lot** shall not be of greater **height** than 1.2 metres above the adjoining ground level unless such portion is in the **rear yard** of a **corner lot** the **rear lot line** of which abuts the **side lot line** of the **front yard** of an abutting **lot** in which case the **height** of such fence, freestanding wall, hedge or shrub may be greater than 1.2 metres but shall not be of a greater **height** than 2.5 metres above the adjoining ground level,
- 8.20 ft. (iv) subject to subclause (i) and (v) a fence, freestanding wall, hedge or shrub not exceeding 2.7 metres in **height** above the adjoining ground level may be **erected**, planted or maintained in a commercial zone, industrial zone or rural zone on any **lot** that does not abut any land which is in a residential zone or is **used** for a residential purpose.
- 8.86 ft. (v) the **height** limitations for hedges and shrubs in subclauses (ii), (iii) and (iv) apply only to those hedges and shrubs which serve the function of a boundary fence or boundary wall.
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- 82-284 (vi) no person shall **erect** a TV dish antenna in a **rear yard** of any lot in any residential zone, DH Zone or R Zone except in accordance with the set-back and **height** regulations for an **accessory structure** contained in clauses d and f of section 4.13, as amended.
- 82-284 Notwithstanding any of the provisions of section 4.14, no person shall **erect** a TV dish antenna in a **front yard**, an **exterior side yard** or an **interior side yard** of any lot in any residential zone, DH Zone or R Zone.
- 4.14.1 **FRONT YARDS FOR THROUGH LOTS:** Where a lot is a **through lot**, a **front yard** shall be required on each **street** in accordance with the regulations of the zone or zones in which such **through lot** is located.
- 4.15 **DAYLIGHTING TRIANGLE:** Notwithstanding any other provision of this By-law, no person shall, in any zone, **erect** any **building, structure, accessory building** or **accessory structure** on a **corner lot** within the "daylighting triangle" hereinafter defined.
- 4.15.1 No person shall, in any zone, **erect**, plant or maintain within the "daylighting triangle" hereinafter defined any hedge, shrub, bush, tree, fence or wall which will obstruct the vision of drivers or vehicles.
- 4.15.2 The "daylighting triangle" referred to in sections 4.15 and 4.15.1 is the triangular space formed by the limits of the travelled portion of the roadway on the **2 streets** abutting a **corner lot** and a line drawn from a point in one such limit to a point in the other such limit, each such point being distant 9 metres measured along such limit from the point of intersection of the 2 such limits, provided that where the limits of the travelled portions of the 2 roadways do not intersect at a point, the point of intersection of the limits of the travelled portions of the roadways shall be deemed to be the intersection of the projection of such limits or the intersection of the tangents of such limits.
- 29.53 ft. 4.16 **SCREENING DEVICE:** In addition to complying with all other requirements of this By-law, no person shall use for any non-residential purpose, any lot which has any **side lot line** of an **interior lot** or any **rear lot line** that abuts land in a residential zone unless he **erects** and maintains a close-board type fence or decorative wall of the **height** specified in section 4.17.1 abutting the **side lot line** and the **rear lot line**.
- 4.17.1 **CLOSE-BOARD TYPE FENCES AND DECORATIVE WALLS:** Where under any section of this By-law or as a condition to the approval of plans and drawings in a site plan control area established under section 35a of The Planning Act, a close-board type fence or a decorative wall is required to be provided and maintained along any one or more **lot line** or **lot lines**, unless a different **height** is specified in such section or condition, the **height**
- 8.20 ft. of such closeboard type fence or decorative wall shall be not greater than 2.5 metres and
- 3.94 ft. not less than 1.2 metres above the adjoining ground level except that where a lesser **height**

than 2.5 metres or a lesser **height** than 1.2 metres is specified in clause h of section 4.14 for all or any part or parts of a fence or wall then the provisions of said clause h of section 4.14 shall govern the **height** of such close-board type fence or decorative wall.

4.17.2 Where, under the provisions of this By-law or as a condition to the approval of plans and drawings in a site plan control area established under section 35a of The Planning Act a close-board type fence or a decorative wall is required on a **lot**, no person shall **use** such **lot** for any purpose other than the purpose for which it was **used** on the day of the passing of this By-law unless and until such required close-board type fence or decorative wall is provided, constructed and maintained.

4.18 PLANTING STRIPS: Where under any section of this By-law or as a condition to the approval of plans and drawings in a site plan control area established under section 35a of The Planning Act a planting strip or landscaped strip is required to be provided and maintained along any one or more **lot line** or **lot lines**, it shall consist of at least a continuous unpierced hedge or evergreens or shrubs immediately adjoining the **lot line** or **lot lines** or portion thereof along with such planting strip or landscaped strip is required and the remainder of such planting strip or landscaped strip shall be planted with shrubs, flower beds, grass or a combination thereof. The width of such planting strip or landscaped strip shall be not less than the minimum width specified in such section or condition. The **height**

8.20 ft. of the said hedge of evergreens or shrubs or any other shrubs in such planting strip or landscaped strip shall be not greater than 2.5 metres and not less than 1.2 metres above

3.94 ft. the adjoining ground level except where a lesser **height** than 2.5 metres or a lesser **height** than 1.2 metres is specified in clause h of section 4.14 for all or any part of a hedge or for a shrub then the provisions of said clause h of section 4.14 shall govern the **height** of such hedge or shrub.

4.19 **PARKING AREAS**

4.19.1 REQUIREMENTS:

(a) 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 section shall provide and maintain a **parking area** which shall be located on the same **lot** occupied by such **building** or **structure**. The said **parking area** shall contain individual **parking spaces** to the extent at least prescribed in said Table 1 for the respective classes of **uses, buildings** or **structures** set out therein together with a manoeuvring aisle to serve each row or each 2 rows of **parking spaces**. The said **parking area** shall be provided and maintained in accordance with the requirements of this section and such requirements as may be made a condition to the approval of plans and drawings in a site plan control area established under section 35a of The Planning Act. 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
	Arena	1 parking space for each 5 seats
269.1 sq. ft. 2002-061	Bank, trust company, credit union, Currency exchange, sightseeing tourist information centre, timeshare sales office, office other than a dental or medical office or clinic medical office or clinic	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
81-62 #40	Car Wash	4 parking spaces in line per bay
	Dental or Medical Clinic or office	3 parking spaces for each practitioner
	Drive-in-Restaurant	25 parking spaces plus 1 parking parking space for each 5 seats within the building or structure

	One Family Detached dwelling, Duplex dwelling or Semi-detached dwelling	1 parking space for each dwelling unit
	Dwelling containing 3 or more dwelling units	1.4 parking space for each dwelling unit
	Funeral Home	15 parking spaces
	Home for the Aged, Nursing Home	2 parking spaces for each 5 beds
	Hospital	1 parking space for each 2 beds
<i>59.2 ft.</i>	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
	Mobile Home Park	1.1 parking spaces for each mobile home
	Motel	1 parking space for each 1.3 motel units
<i>538.2 sq. ft.</i>	Museum, exhibition area	1 parking space for each 50 square metres of floor area
	Place of worship	1 parking spaces for each 5 seats
<i>968.78 sq. ft.</i>	Plant, factory, warehouse and transportation terminal	1 parking space for each 90 square metres of floor area and for each 4 employees, whichever is greater
	Premises licensed under The Liquor Licence Act if not part of a motel	1 parking space for each 5 seats

	or hotel	
	Premises licensed under The Liquor Licence Act if part of a motel or hotel	1 parking space for each 10 seats
	Public Hall, Assembly Hall , Place of Entertainment	1 parking space for each 5 persons that can be lawfully accommodated therein at any one time
	Restaurant if not part of a motel or hotel , Adult Entertainment Parlour	1 parking space for each 5 seats
	Restaurant if part of a motel or hotel	1 parking space for each 10 seats
269.1 sq. ft. 2002-061	Retail establishment, Adult Store tattoo studio, dancing studio, 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
484.9 sq. ft.		
193.75 sq. ft. 2002-061	Retail establishment, Adult Store , tattoo studio, dancing studio, 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
484.38 sq. ft.		
2008-148	Retirement Home	0.6 parking space for each private living unit.
	School	1 parking space for each teaching staff members plus one additional parking space for each 2 employees and in the

		case of secondary schools plus one further additional parking spaces for each 20 students.
193.75 sq. ft.	Shopping Centres	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
484.38 sq. ft.	Theatre	1 parking space for each 5 seats
	Tourist Home	1 parking space for each sleeping unit
	Used Car Lot and New Car Agency	5 parking spaces for customers and staff
430.56 sq. ft.	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

- (b) There shall be adequate provision for access to a **street** or **lane** for each **parking space** by means of one or more **access driveways** and **access ramps**.
- (c) Each **parking space** which is required under clause a to be provided and maintained shall be readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving any other motor vehicle.
- (d) The perpendicular width of each **parking space** shall be not less than 2.75 metres.
- (e) Subject to clause (i), where **parking spaces** having a perpendicular width of less than 3 metres but not less than 2.75 metres are in a **surface parking area**, the perpendicular length of each such **parking space** and the perpendicular width of each manoeuvring aisle shall be not less than the dimensions shown in Columns 2 and 3 of Table 2 of this section opposite the respective angles shown in Column 1.

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Table 2
Surface Parking Area
Parking Spaces Less Than 3 Metres in Width

Column 1	Column 2	Column 3
Angle of Parking Space with Manoeuvring Aisle	Minimum Perpendicular Length of Parking Space	Minimum Perpendicular Width of Manoeuvring Aisle
More than 60 degrees up to 90 degrees	6 metres (19.69 ft.)	6.9 metres (22.64 ft.)
More than 45 degrees up to 60 degrees	6.4 metres (21.00 ft.)	5.2 metres (17.06 ft.)
More than 30 degrees up to 45 degrees	6 metres (19.69 ft.)	3.7 metres (12.14 ft.)
0 degrees (parallel) up to 30 degrees	6.7 metres (21.98 ft.)	3 metres (9.84 ft.)

9.84 ft. (f) Where **parking spaces** having a perpendicular width of less than 3 metres but not less than 2.75 metres are in a **building or structure parking area**, the perpendicular length of each such **parking space** and the perpendicular width of each manoeuvring aisle shall be not less than the dimensions shown in Columns 2 and 3 of Table 3 of this section opposite the respective angles shown in Column 1.

9.02 ft.

Table 3
Building or Structure Parking Area
Parking Spaces Less Than 3 Metres in Width

Column 1	Column 2	Column 3
Angle of Parking Space with Manoeuvring Aisle	Minimum Perpendicular Length of Parking Space	Minimum Perpendicular Width of Manoeuvring Aisle
More than 60 degrees up to 90 degrees	6 metres (19.69 ft.)	6.3 metres (20.67 ft.)
More than 45 degrees up to 60 degrees	6.4 metres (21.00 ft.)	5.2 metres (17.06 ft.)
More than 30 degrees up to 45 degrees	6 metres (19.69 ft.)	3.7 metres (12.14 ft.)
0 degrees (parallel) up to 30 degrees	6.7 metres (21.98 ft.)	3 metres (9.84 ft.)

9.84 ft. (g) Subject to clause (j), where **parking spaces** having a perpendicular width of not
 81-62 less than 3 metres are in a **surface parking area**, the perpendicular length of each
 such **parking space** and the perpendicular width of each manoeuvring aisle shall
 be not less than the dimensions shown in Columns 2 and 3 of Table 4 of this section,
 opposite the respective angles shown in Column 1.

Table 4
Surface Parking Area
Parking Spaces at Least 3 Metres in Width

Column 1	Column 2	Column 3
Angle of Parking Space with Manoeuvring Aisle	Minimum Perpendicular Length of Parking Space	Minimum Perpendicular Width of Manoeuvring Aisle
More than 60 degrees up to 90 degrees	6 metres (19.69 ft.)	5.9 metres (19.36 ft.)
More than 45 degrees up to 60 degrees	6.4 metres (21.00 ft.)	4.6 metres (15.09 ft.)
More than 30 degrees up to 45 degrees	6 metres (19.69 ft.)	3.6 metres (11.81 ft.)
0 degrees (parallel) up to 30 degrees	6.7 metres (21.98 ft.)	3 metres (9.84 ft.)

9.84 ft. (h) Where **parking spaces** having a perpendicular width of not less than 3 metres are
 83-44 in a **building or structure parking area**, the perpendicular length of each such
parking space and the perpendicular width of each manoeuvring aisle shall be not
 less than the dimensions shown in Columns 2 and 3 of Table 5 of this section,
 opposite the respective angles shown in Column 1.

Table 5
Building or Structure Parking Area
Parking Spaces at Least 3 Metres in Width

Column 1	Column 2	Column 3
Angle of Parking Space with Manoeuvring Aisle	Minimum Perpendicular Length of Parking Space	Minimum Perpendicular Width of Manoeuvring Aisle
More than 60 degrees up to 90 degrees	6 metres (19.69 ft.)	5.9 metres (19.36 ft.)
More than 45 degrees up to 60 degrees	6.4 metres (21.00 ft.)	4.4 metres (14.44 ft.)
More than 30 degrees up to 45 degrees	6 metres (19.69 ft.)	3.6 metres (11.81 ft.)
0 degrees (parallel) up to 30 degrees	6.7 metres (21.98 ft.)	3 metres (9.84 ft.)

83-44 (i) Notwithstanding clause (a), where **parking spaces** having a perpendicular width of less than 3 metres but not less than 2.75 metres are in a **surface parking area** in a residential zone or an industrial zone, the perpendicular length of each such **parking space** and the perpendicular width of each manoeuvring aisle shall be not less than the dimensions shown in Columns 2 and 3 of Table 3 of this section, opposite the respective angles shown in Column 1 of said Table 3.

83-44 (j) Notwithstanding clause (g), where **parking spaces** having a perpendicular width of not less than 3 metres are in a **surface parking area** in a residential zone or an industrial zone, the perpendicular length of each such **parking space** and the perpendicular width of each manoeuvring aisle shall be not less than the dimensions shown in Columns 2 and 3 of Table 5 of this section, opposite the respective angles shown in Column 1 of said Table 5.

4.19.2 (Deleted)

4.19.3 **PARKING IN YARDS:**

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(a) Within the **R1A, R1B, R1C, R1D, R1E, R2** and **R3** zones, the following shall apply:

(i) Maximum **lot area** 30%
which can be used as
a surface parking area

- (ii) Maximum width of driveway or parking area in the front yard of a lot 50% of the lot frontage but in no case more than 8 metres
- (iii) Maximum area of a rear yard which can be used as a parking area 40 square metres
- (iv) Maximum area of an exterior side yard which can be used as a parking area 67% of the yard up to a maximum of 50 square metres
- (v) Notwithstanding section 2.61.1 of this by-law, no person shall park or store a motor home, a snowmobile, a boat, a personal watercraft, a recreational vehicle or a trailer in the front yard, side yard or exterior yard of a lot.

(b) Within the R4, R5A, R5B, R5C, R5D, R5E, and R5F zones, no person shall use any portion of the front yard of any lot for the parking or storing of any motor vehicle unless a decorative wall and landscaped strip or a landscaped berm, as hereinafter specified, is provided and maintained along all that part of every front lot line and side lot line of such lot which is a boundary between such front yard and an abutting street, except that part thereof crossed by an access ramp or sidewalk.

- (i) The height of such decorative wall or landscaped berm shall be 1 metre above the average level of the parking area in such front yard.
- (ii) Subject to subclause (iv), any such decorative wall shall be located 1 metre inside the abutting street line or street lines and the strip between such decorative wall and the abutting street line or street lines shall be planted with shrubs, flower beds, grass or a combination thereof.
- (iii) Subject to subclause (iv), any such landscaped berm shall have a minimum width of 1.5 metres measured from the abutting street line or street lines and shall be planted with shrubs, flower beds, grass or a combination thereof.

(iv) Where a daylighting triangle is required pursuant to this By-law, no such decorative wall or landscaped berm shall be located within such daylighting triangle.

(c) Within the I, PI, LI, GI, HI and TDI zones, no person shall use more than 33% of the area of the front yard of any lot for parking areas and driveways.

4.20 LOADING AREAS

4.20.1 REQUIREMENTS: The owner or occupant of every **building** or **structure** to be erected or **used** for manufacturing, storage or for any purpose involving the use of vehicles for the receipt or distribution of materials or merchandise, shall provide and maintain on land that is not part of a highway and not part of the required **parking area**, a loading area located on the same **lot** with the said **building** or **structure**. The said loading area shall contain loading spaces to the extent at least prescribed in the following schedule and each such loading space shall be at least 9 metres long and 3 metres wide and have a vertical clearance of not less than 4 metres with access to a **street** or public lane of at least 6 metres in width by means of one or more **access driveways** and **access ramps**.

29.53 ft.
9.84 ft.
13.12 ft.
19.69 ft.

The following is the schedule referred to:

	Floor Area of Building or Structure	Minimum Number of Loading Spaces
24,757.2 sq. ft.	Up to and including 2,300 sq. m	1
24,757.2 sq. ft. 39,826.8 sq. ft.	Over 2,300 sq. m but not exceeding 3,700 sq. m	2
39,826.8 sq. ft. 100,105.2 sq. ft.	Over 3,700 sq. m but not exceeding 9,300 sq. m	3
100,105.2 sq. ft. 49,514.4 sq. ft. 100,105.2 sq. ft.	Over 9,300 sq. m	3 loading spaces plus 1 additional loading space for each 4,600 sq. m of floor area over the initial 9,300 sq. m

4.20.2 (DELETED)

4.21 FLOODLIGHTING: No person shall **erect** or maintain any lighting facility **used** to illuminate any **building, parking lot, parking area** or loading area unless it is so designed and installed as to ensure that the light is deflected from adjacent **buildings** and **streets**.

4.22 SUPPLEMENTARY REGULATIONS FOR CAR WASHES: No person shall **use** any land or **erect** or **use** any **building** or **structure** for the purpose of a **car wash** except in accordance with the following regulations:

108.27 ft.	(a) Minimum lot frontage, interior lot	33 metres
124.67 ft.	(b) Minimum lot frontage, corner lot	38 metres
124.67 ft.	(c) Minimum lot depth	38 metres
39.37 ft.	(d) Minimum front yard depth	12 metres plus any applicable distance specified in section 4.27.1
19.69 ft.	(e) Minimum interior side yard width	6 metres
39.37 ft.	(f) Minimum exterior side yard width	12 metres plus any applicable distance

		specified in section 4.27.1
24.61 ft.	(g) Minimum rear yard depth	7.5 metres plus any applicable distance specified in section 4.27.1
24.61 ft.	(h) Maximum height of building or structure	7.5 metres subject to section 4.7
	(i) Maximum lot coverage	20%
	(j) Minimum landscaped open space	5%
	(k) Parking and access requirements	in accordance with section 4.19.1
	(l) Waiting Lane: A waiting lane, marked with painted lines, capable of accommodating at least four cars per bay shall be provided and maintained on the site, in which cars can wait if the washing bays are occupied.	
4.23	SUPPLEMENTARY REGULATIONS FOR DRIVE-IN RESTAURANTS: No person shall use any land or erect or use any building or structure for the purpose of a drive-in restaurant except in accordance with the following regulations:	
124.67 ft.	(a) Minimum lot frontage	38 metres
147.64 ft.	(b) Minimum lot depth	45 metres
39.37 ft.	(c) Minimum front yard depth	12 metres plus any applicable distance specified in section 4.27.1
24.61 ft.	(d) Minimum interior side yard width	7.5 metres
39.37 ft.	(e) Minimum exterior side yard width	12 metres plus any applicable distance specified in section 4.27.1
24.61 ft.	(f) Minimum rear yard depth	7.5 metres plus any applicable distance specified in section 4.27.1
24.61 ft.	(g) Maximum height of building or structure	7.5 metres subject to section 4.7
	(h) Maximum lot coverage	20%
	(i) Minimum landscaped open space	5%
	(j) Parking and access requirements	in accordance with section 4.19.1
4.24	CONVERSION OF DWELLINGS TO MOTELS: Notwithstanding any other provision of this By-law, no person shall convert any dwelling to a motel .	
4.25	SUPPLEMENTARY REGULATIONS FOR MOTELS: No person shall use any land or erect or use any building or structure for the purpose of a motel except in accordance with the following regulations:	
131.23 ft.	(a) Minimum lot frontage	40 metres

147.64 ft.	(b) Minimum lot depth	45 metres
9.84 ft.	(c) Minimum front yard depth	3 metres plus any applicable distance specified in section 4.27.1
	(d) Minimum interior side yard width	
16.40 ft.	(i) where the side lot line abuts a residential zone	5 metres
	(ii) where the side lot line does not abut a residential zone	None required
	(e) Minimum exterior side yard width	
16.40 ft.	(i) where the side lot line abuts a portion of a street , the opposite side of which portion of the street abuts a residential zone	5 metres plus any applicable distance specified in section 4.27.1
9.84 ft.	(ii) in all other cases	3 metres plus any applicable distance specified in section 4.27.1
	(f) Minimum rear yard depth	
16.40 ft.	(i) for a lot that abuts a residential zone	5 metres plus any applicable distance specified in section 4.27.1
	(ii) for a lot that does not abut a residential zone	in accordance with section 4.27.1, where applicable
32.81 ft.	(g) Maximum height of building or structure	10 metres subject to section 4.7
14.76 ft.	(h) Minimum landscaped open space	5%, provided that the front yard (less driveway) and the side yard abutting any side street shall be maintained as landscaped open space , but no side yards having a width of less than 4.5 metres may be included in the calculation of the foregoing 5% minimum
	(i) Minimum number of motel units : No motel shall have less than 20 rentable motel units	
	(j) Parking and access requirements:	
	(i) in accordance with section 4.19.1	
	(ii) no vehicular access to a motel site shall be provided except through access ramps and access driveways	
	(k) Through lots: Where the lot is a through lot , a motel shall be deemed for the purpose of providing minimum front yard depth and minimum landscaped open space to front	

on each of the **streets**

4.26 **MOBILE HOMES:** Subject to sections 19.1.9, 19.1.16 and 19.1.17, no person shall **erect** or locate or **use** or cause to be **erected**, located or **used**, a **mobile home** on any parcel of land in any zone established by this By-law except on a **mobile home site** in a RMP Zone.

4.27 **ROAD ALLOWANCE REQUIREMENTS - SPECIFIC ROADS**
2009-176

Notwithstanding any other provisions of this By-law, **yard** requirements adjacent to the roads listed in Table 1 of this section shall be measured a minimum distance from the centreline of the original road allowance in accordance with Column D of Table 1.

Notwithstanding any other provisions of this By-law, any portion of a **lot** adjacent to the roads listed in Table 1 of this section and located within the minimum distance from the centreline of the original road allowance in accordance with Column D of Table 1 of this section shall not be used for **parking spaces** required under section 4.19.1, loading areas required under section 4.20.1. and landscaped open space required under any regulations contained in any section of this By-law.

TABLE 1
ROAD ALLOWANCE REQUIREMENTS

Column A	Column B	Column C	Column D
ROAD	FROM	TO	MINIMUM DISTANCE FROM CENTRELINE OF ORIGINAL ROAD ALLOWANCE
Ailanthus Avenue	McLeod Road	Dunn Street	11.5 m
Alex Avenue	McLeod Road	Crimson Drive	10 m
Allendale Avenue	Ferry Street	Dixon Street	11.5 m
Alpine Drive	Montrose Road	Brookdale Drive	10 m
Badger Road	Charnwood Avenue	Montrose Road	10 m
Baker Road	Lapp Road	East City Limit	11.5 m
Barker Street	Dorchester Road	Main Street	10 m
Beaverdams Road	Thorold Townline Road	Kalar Road	13 m
Beaverdams Road	Kalar Road	Lundy's Lane	11.5 m
Beck Road	Lyons Creek Road	Gonder Road	11.5 m

Beechwood Road	Taylor Road	Brown Road	13 m
Bender Street	Victoria Avenue	Falls Avenue	11.5 m
Biggar Road	West City Limit	Montrose Road	13 m
Bossert Road	Beck Road	King Road	13 m
Bossert Road	King Road	Ort Road	11.5 m
Bossert Road	Ort Road	Niagara Parkway	13 m
Bridge Street*	Stanley Avenue	Victoria Avenue	10.05 m
Bridge Street*	Victoria Avenue	River Road	11.6 m
Brookdale Drive	Thorold Stone Road	Alpine Drive	10 m
Brown Road	West City Limit	Montrose Road	13 m
Buchanan Avenue	Ferry Street	Highway 420	13 m
Buttrey Street	Victoria Avenue	River Road	10 m
Caledonia Street	Dorchester Road	Dunn Street	10 m
Canadian Drive	Montrose Road	Pin Oak Road	11.5 m
Cardinal Drive	Montrose Road	Thorold Stone Road	11.5 m
Carl Road	McCredie Rd	West City Limit	10 m
Caronpost Road	Willoughby Drive	East City Limit	10 m
Casey Street	Dorchester Road	Harriman Street	10 m
Catalina Street	Kalar Road	Pitton Road	10 m
Cattell Drive	Willoughby Drive	East City Limit	10 m
Charnwood Avenue	Montrose Road	Montrose Road	10 m
Chippawa Creek Road*	West City Limit	Montrose Road	13.1 m
Chippawa Parkway	Dorchester Road	Stanley Avenue	13 m
Chippawa Parkway	Stanley Avenue	Portage Road	11.5 m
Church's Lane	St. Paul Avenue	Whirlpool Road	11.5 m
Clark Avenue	Ferry Street	Robinson Street	13 m
Clifton Hill	Victoria Avenue	River Road	11.5 m
Corwin Crescent	Stokes Street	Lundy's Lane	10 m
Crimson Drive	Drummond Road	Alex Avenue	10 m
Crowland Avenue	Grassy Brook Road	Netherby Road	11.5 m

Cumington Square	Front Street	Main Street	13 m
Dell Road	Lyons Creek Road	Rexinger Road	11.5 m
Delta Drive	Montrose Road	Montrose Road	10 m
Detenbeck Road	Ort Road	Niagara Parkway	11.5 m
Dixon Street	Drummond Road	Allendale Avenue	11.5 m
Dixon Street	Allendale Avenue	Fallsview Boulevard	13 m
Don Murie Street	Stanley Avenue	West Limit	13 m
Dorchester Road	Chippawa Parkway	Oldfield Road	13 m
Dorchester Road	Oldfield Road	McLeod Road	11.5 m
Dorchester Road	Mountain Road	McLeod Road	13 m
Drummond Road	Thorold Stone Road	McLeod Road	13 m
Dunn Street	Dorchester Road	Drummond Road	10 m
Dunn Street	Drummond Road	Stanley Avenue	13 m
Dunn Street	Stanley Avenue	Fallsview Boulevard	13 m
Earl Thomas Avenue	Progress Street	Don Murie Street	13 m
Ellen Avenue	Ferry Street	Walnut Street	10 m
Falls Avenue	Rainbow Bridge	Clifton Hill	10 m
Fallsview Boulevard	Ferry Street	Portage Road	13 m
Fallsview Boulevard	Portage Road	Livingstone Street	13 m
Ferguson Street	Victoria Avenue	River Road	10 m
Ferry Street	Stanley Avenue	Victoria Avenue	13 m
Ferry Street*	Main Street	Stanley Avenue	11.6 m
Forsythe Street	Stanley Avenue	Lewis Avenue	10 m
Frederica Street	Dorchester Road	Drummond Road	10 m
Gallinger Street	Drummond Road	Portage Road	21.5m
Garner Road	Mountain Road	Chippawa Creek Road	13 m
Glengate Street	Drummond Road	Pettit Avenue	10 m
Gonder Road	Montrose Road	Beck Road	11.5 m
Grassy Brook Road	Montrose Road	West Limit	11.5 m

Harriman Street	Harte Circle	Dorchester Road	10 m
Harvard Avenue	Wiltshire Boulevard	Oxford Street	10 m
Hiram Street	River Road	Ontario Avenue	11.5 m
Huron Street	Victoria Avenue	Ontario Avenue	10 m
Jubilee Drive	McLeod Road	Dorchester Road	10 m
Kalar Road*	Mountain Road	Montrose Road	13.1m
Kalar Road	Montrose Road	Thorold Stone Road	13 m
Kalar Road	Thorold Stone Road	McLeod Road	15 m
Kalar Road	McLeod Road	Chippawa Creek Road	13 m
King Road	Bossert Road	Baker Road	13 m
Kister Road	Ramsey Road	Chippawa Parkway	13 m
Kitchener Street	Victoria Avenue	Portage Road	10 m
Koabel Road	Montrose Road	Willodell Road	13 m
Lapp Road	Baker Road	South City Limit	13 m
Lemon Road	Montrose Road	Willodell Road	11.5 m
Lewis Avenue	Forsythe Street	Kitchener Street	10 m
Lincoln Street	Crowland Avenue	West Limit	11.5 m
Livingstone Street	Stanley Avenue	Fallsview Boulevard	13 m
Logan Road	Beck Road	Ort Road	11.5 m
Lundy's Lane(Hwy #20)*	West City Limit	Garner Road	17.5 m
Lundy's Lane(Hwy #20)*	Garner Road	Main Street	13.1 m
Lyon's Creek Road*	Montrose Road	Sodom Road	13.1 m
Main Street (Chippawa)	Willoughby Drive	Niagara Parkway	11.5 m
Main Street (Chippawa)	Sodom Road	Willoughby Drive	13 m
Main Street	Fallsview Boulevard	Summer Street	11.5 m
Marineland Parkway	Stanley Avenue	Portage Road	13 m
Marineland Parkway*	McLeod Road	Stanley Avenue	15.25 m
Marshall Road	Willodell Road	Niagara Parkway	11.5 m

Matthews Drive	Mount Carmel Boulevard	Montrose Road	11.5 m
Mayfair Drive	Sinnicks Avenue	Swayze Drive	10 m
McCourt Road	Willodell Road	Beck Road	11.5 m
McCredie Road	Carl Road	Willodell Road	11.5 m
McGarry Drive	Kalar Road	West Limit	11.5 m
McKenney Road	Grassy Brook Road	Young Road	11.5 m
McKenney Road	Schisler Road	Netherby Road	11.5 m
McLeod Road*	Oakwood Drive	Marineland Parkway	15.25 m
McLeod Road	Thorold Townline Road	Montrose Road	15 m
McRae Street	Stanley Avenue	Victoria Avenue	10 m
Mewburn Road	Mountain Road	Scholfield Street	10 m
Mewburn Road	Mountain Road	North City Limit	13 m
Miller Road	Sodom Road	Niagara Parkway	11.5 m
Misener Road	Carl Road	Schisler Road	11.5 m
Misener Road	Yokom Road	Netherby Road	11.5 m
Montrose Road*	Mountain Road	McLeod Road	13.1 m
Montrose Road*	McLeod Road	Welland River	15.25 m
Montrose Road*	Welland River	South City Limit	13.1 m
Morningstar Road	King Road	Sodom Road	11.5 m
Morris Road	Lincoln Street	Netherby Road	13 m
Morris Road	Grassy Brook Road	Schisler Road	13 m
Morrison Street	Montrose Road	Dorchester Road	15 m
Morrison Street	Dorchester Road	Stanley Avenue	13 m
Morrison Street	Stanley Avenue	Victoria Avenue	10 m
Mount Carmel Boulevard	Kalar Road	Montrose Road	11.5 m
Mountain Road*	Taylor Road	Portage Road	13.1 m
Murray Street	Drummond Road	Allendale Avenue	11.5 m
Murray Street	Allendale Avenue	River Road	13 m
Netherby Road*	West City Limit	Montrose Road	15.25 m

Niagara Townline Road*	St. Paul Avenue	Stanley Avenue	13.1m
North Street	Drummond Road	Stanley Avenue	11.5 m
North Street	Stanley Avenue	Buchanan Avenue	13 m
O'Neil Street	Dorchester Road	Portage Road	10 m
Oakwood Drive	McLeod Road	Montrose Road	11.5 m
Old McLeod Road	Ailanthus Avenue	East City Limit	11.5 m
Olden Avenue	Mountain Road	Casey Street	10 m
Oldfield Road	Dorchester Road	Drummond Road	13 m
Ontario Avenue	Park Street	Palmer Avenue	10 m
Ontario Avenue	Hiram Street	Bender Street	10 m
Ort Road	Bossert Road	Baker Road	11.5 m
Oxford Street	Harvard Avenue	Dorchester Road	10 m
Paddock Trail Drive	Kalar Road	Brookdale Drive	10 m
Palmer Avenue	Ontario Avenue	Bender Street	10 m
Park Street	Victoria Avenue	River Road	10 m
Pettit Avenue	Dorchester Road	Glengate Street	10 m
Pin Oak Drive	McLeod Road	South Limit	13 m
Pitton Road	Catalina Street	Westwood Street	10 m
Portage Road*	Stanley Avenue	Mountain Road	13.1 m
Portage Road	Mountain Road	O'Neil Street	11.5 m
Portage Road	Thorold Stone Road	O'Neil Street	13 m
Portage Road	Thorold Stone Road	Gallinger Street	10 m
Portage Road	Summer Street	Gallinger Street	11.5 m
Portage Road	Fallsview Boulevard	Marineland Parkway	13 m
Portage Road	Marineland Parkway	Front Street	13 m
Preakness Street	Paddock Trail Drive	Montrose Road	11.5 m
Preston Avenue	Paddock Trail Drive	Brookdale Drive	10 m
Progress Street	Stanley Avenue	West Limit	13 m
Queen Street	Victoria Avenue	River Road	11.5 m
Ramsey Road	Stanley Avenue	Kister Road	13 m

Rexinger Road	West Limit	Lyons Creek Road	11.5 m
Rexinger Road	Stanley Avenue (West)	Ort Road	11.5 m
Riall Street	Dorchester Road	St. Paul Avenue	10 m
Ridge Road	Montrose Road	West Limit	11.5 m
Roberts Street	Stanley Avenue	Falls Avenue	20.6 m
Robinson Street	Allendale Avenue	Queen Victoria Park	13 m
Sarah Street	Main Street	East Limit	10 m
Sauer Road	Willodell Road	Sodom Road	13 m
Schaubel Road	Schneider Road	South Limit	11.5 m
Schihl Road*	Netherby Road	South City Limit	13.1 m
Schisler Road*	West City Limit	Misener Road	15.25 m
Schisler Road*	Misener Road	Montrose Road	13.1 m
Schisler Road	Montrose Road	Beck Road	13 m
Schneider Road	Montrose Road	Schaubel Road	11.5 m
Sherk Road	King Road	Ort Road	11.5 m
Sherk Road	Sodom Road	Niagara Parkway	11.5 m
Sinnicks Avenue	Thorold Stone Road	Mayfair Drive	10 m
Sodom Road*	South City Limit	Lyon's Creek Road	13.1 m
Somerville Road	Sodom Road	Niagara Parkway	11.5 m
St. Paul Avenue	O'Neil Street	Mountain Road	13 m
St. Paul Avenue*	Mountain Road	North City Limit	13.1 m
Stanley Avenue*	Niagara Townline Road	Highway 420	13.1 m
Stanley Avenue*	Highway 420	Lyon's Creek Road	15.25 m
Stanley Avenue	Lyon's Creek Road	Marshall Road	13 m
Swayze Drive	Portage Road	Stanley Avenue	11.5 m
Taylor Road*	Thorold Townline Road	North City Limit	13.1 m
Thorold Stone Road*	West City Limit	Garner Road	21 m
Thorold Stone Road*	Garner Road	Stanley Avenue	13.1 m
Thorold Townline Road*	Brown Road	North City Limit	13.1 m
Valley Way	Drummond Road	Queen Street	11.5 m

Victoria Avenue	Ferry Street	Highway 420	13 m
Victoria Avenue	Bridge Street	Niagara Parkway	13 m
Watson Street	Montrose Road	Beaverdams Road	10 m
Weaver Road	Ort Road	Niagara Parkway	13 m
Weinbrenner Road	Sodom Road	Willoughby Drive	11.5 m
Westwood Avenue	Charnwood Avenue	Kalar Road	10 m
Whirlpool Road	Stanley Avenue	Niagara River Pkwy	11.5 m
Willick Road	Ort Road	Willoughby Drive	11.5 m
Willodell Road	Lyons Creek Road	Schneider Road	11.5 m
Willoughby Drive	Cummington Square	Weaver Road	13 m
Willoughby Drive	Weaver Road	Somerville Road	11.5 m
Woodbine Street	Kalar Road	Montrose Road	11.5 m
Woodgate Street	Dorchester Road	Olden Avenue	10 m
Yokom Road	Montrose Road	West Limit	11.5 m
Young Road	Montrose Road	West Limit	11.5 m

*Denotes Regional Road

4.28 CONVERSION OF **DWELLINGS** IN COMMERCIAL ZONES. No person shall in any commercial zone **erect** any addition in front of a building **used** or to be **used** for any commercial purpose if such **building** is a **dwelling** or was formerly a **dwelling** which had been altered, extended or enlarged for use for any commercial purpose.

4.29 EXISTING **AUTOMOBILE SERVICE STATIONS AND GASOLINE BARS**:

81-62 Notwithstanding that an **automobile service station** and a **gasoline bar** are not permitted
#44 **uses** in any NC or GC Zone, a **building** on a **lot** in any such zone which was lawfully **used** for the purpose of an **automobile service station** or a **gasoline bar** on the day of the passing of this By-law may be altered, renovated or reconstructed and the **use** of such altered, renovated or reconstructed **building** and such **lot** for the purpose of an **automobile service station** or a **gasoline bar** continued provided that, subject to section 4.29.1,

- (i) in the case of an **automobile service station**, all the regulations in section 8.9.2 for **automobile service stations** in AS Zones shall apply to such **automobile service station** and shall be complied with,
- (ii) in the case of a **gasoline bar**, all of the regulations in section 8.9.3 for **gasoline bars** in AS Zones shall apply to such **gasoline bar** and shall be complied with.

- 4.29.1 If the **lot** referred to in section 4.29 has either or both a lesser **lot frontage** or a lesser **lot depth** than the minimum required in section 8.9.2 in the case of an **automobile service station** or the minimum required in section 8.9.3 in the case of a **gasoline bar**, the minimum **lot frontage** and **lot depth** regulations in the said sections shall not apply to prevent the alteration, renovation or reconstruction and **use** which would otherwise be permitted under section 4.29 provided that the whole of such **lot** continues to be **used** for the purpose of an **automobile service station** or a **gasoline bar**, as the case may be.
- 4.30 LANDS WITHIN AN AREA OF DEVELOPMENT CONTROL OF THE NIAGARA ESCARPMENT PLANNING AREA: As long as and to the extent that any land within any Zone established by section 3 of this By-law is within an area of development control designated by a regulation made under The Niagara Escarpment Planning and Development Act, 1973, the provisions of this By-law shall be subject to any regulation made under the said Act.
- 4.31 EXCEPTIONS AND SPECIAL PROVISIONS IN SECTION 19 TO GOVERN: All other provisions of this By-law shall be subject to the exceptions and special provisions contained in section 19 and where there is any conflict between such other provisions and the exceptions and special provisions in section 19, the latter shall govern.
- 4.32 MINIMUM DISTANCE SEPARATION FORMULA: Notwithstanding any other provisions of this by-law, the distances between livestock facilities and **dwelling**s or other habitable **structures** shall be governed by the Minimum Distance Separation Formulae including any revisions or updates developed by the Ontario Ministry of Agriculture, Food and Rural Affairs and:
- 2007-156
- 2007-156
- (i) where the regulations respecting required **yards** and minimum **lot area** in any zone established by this by-law are less than those which are required under the Minimum Distance Separation Formula, where it applies, the latter shall govern and the regulations in this by-law shall be deemed to be amended insofar as is necessary to give effect to the Minimum Distance Separation Formulae;
 - (ii) where a **dwelling** is destroyed in whole, or in part, by a catastrophe, MDS I will not be applied when the **dwelling** is rebuilt, provided it is built no closer to livestock facilities than before the catastrophe;
 - (iii) where a livestock facility is destroyed in whole, or in part, by a catastrophe, MDS II will not be applied when the livestock facility is rebuilt, provided it is built no closer to surrounding land uses and **lot lines** than before the catastrophe and the impact of the livestock facility has not increased by any enlargement of the operation;
 - (iv) where a new or expanding livestock facility is proposed, non-active cemeteries, as designated by the City, shall be treated as a Type A land use under MDS II;

- (v) where a **dwelling** is to be constructed on an existing **lot** of record, the setback requirements of MDS I shall apply; and
 - (vi) where a new **dwelling** is to be constructed on a new **lot**, the minimum setback between any existing livestock operations and the new dwelling shall be 304.8 metres or the distance determined by the MDS formula, whichever is greater.
- 4.33 TENTS AND AIR-SUPPORTED STRUCTURES: Subject to section 4.33.2 and subject to compliance with the Building Code Act, 1974 and the regulations made thereunder, every **building** or **structure** to be erected within any commercial zone except a CE Zone shall be of the permanent type of construction.
- 4.33.1 No person shall within any commercial zone except a CE Zone **erect** a tent or an air-supported structure.
- 4.33.2 Subject to the Building Code Act, and the regulations made thereunder, sections 4.33 and 4.33.1 shall not apply to prevent the following:

2002-061

- (a) the **erection** of an air-supported **structure** which is to be used only for the purpose of a shelter for a swimming pool or tennis court on any **lot** within and in compliance with a commercial zone;
 - (b) the **erection** and use of a tent, trailer and/or recreational vehicle which is used by the operators of a circus, carnival or carousel for a maximum period of 10 days;
 - (c) the **erection** and use of a tent for a ground breaking ceremony, business opening, special occasion or special sale of goods or merchandise, for a maximum of 3 separate occasions in a 12-month period, subject to a maximum duration of 10 days, exclusive of set-up time, per occasion, in conjunction with a legally established or permitted use on the property; and
 - (d) the **erection** and use of a tent for the seasonal sale of flowers, plants, shrubs, trees and other garden materials and landscape products, for a maximum period of 90 days and limited to one occasion in a 12 month period, in conjunction with a legally established or permitted use on the property and in compliance with the zoning on the property.
- 4.33.3 For the purpose of sections 4.33, 4.33.1 and 4.33.2,
- (a) "air-supported **structure**" means a **structure** consisting of a pliable membrane which achieves and maintains its shape and support by internal air pressure;
 - (b) "permanent type of construction" means a type of construction in which the exterior walls of a **building** or **structure** consist of brick, stone, architectural reinforced concrete, profile type concrete masonry units, glass and metal combinations, colour coated metal, ceramic or glazed tile, colour coated block, wood, wood veneered with

brick, stone or stucco, any combination of the foregoing or such other exterior walls as may be permitted in the Regulations made under The Building Code Act, 1974 but does not include a tent or an air-supported **structure**;

- (c) "tent" means a shelter or **structure** the covering of which is made of pliable material.

SECTION 5 - GENERAL PROVISIONS FOR RESIDENTIAL ZONES

- 5.1 **SIDE YARDS:** Notwithstanding the regulations for **side yards** in section 7 of this By-law but subject to section 4.27.1,
- 7.87 ft. (a) where no **private garage** or carport is to be attached to and **erected** at the same time as a **one family detached dwelling**, there shall be a **side yard** of not less than 2.4 metres on one side of such **one family detached dwelling** which may be **used** as a driveway and, subject to the other applicable provisions of this By-law, for the parking or storing of motor vehicles,
- 7.87 ft. (b) where **private garages** or carports are not to be attached to both exterior sides of a **semi-detached dwelling** or to both sides of a **duplex dwelling** and are not to be **erected** at the same time as such **semi-detached dwelling** or **duplex dwelling**, there shall be a **side yard** of not less than 2.4 metres provided on each exterior side of such **semi-detached dwelling** to which a **private garage** or carport is not to be attached and on each side of such **duplex dwelling** to which a **private garage** or carport is not to be attached, each of which such **side yards** may be **used** as a driveway and, subject to the other applicable provisions of this By-law, for the parking or storing of motor vehicles,
- (c) nothing in this By-law shall be deemed to require a **side yard** between the 2 **dwelling units** of a **semi-detached dwelling**;
- (d) the severance by conveyance or otherwise of one **dwelling unit** of a **semi-detached dwelling** or a **townhouse dwelling** and the land appurtenant to such **dwelling unit** without a **side yard** between it and the remaining **dwelling unit** and land appurtenant thereto shall not be deemed a contravention of the **side yard** requirements of this By-law.
- 5.2 **DRIVEWAYS:** In the case of corner lots in all R1A, R1B, R1C, R1D, R1E, R2 and R3 Zones, no part of an **access ramp** for a driveway shall be located within the curved portion of the edge of the roadway at the intersection of **streets**.
- 5.3 **UNDERSIZED LOTS:** Where a **lot** in any residential zone having a lesser **lot area**, and/or **lot frontage** than that required under this By-law is held under distinct and separate ownership from all abutting lands as shown by a registered conveyance in the records of the Land Registry Office at the date of the passing of this By-law or is created as a result of an expropriation, nothing contained in this By-law shall prevent the erection of a **one family detached dwelling** on such **lot** provided that the provisions of section 4.27.1 and the **yards**, **lot coverage**, **floor area** and **height** provisions of the zone in which such **lot** is
- 93-284

- 81-79 #18 situated and all requirements of the Niagara Regional Health Unit are complied with, and provided further that the minimum **lot area** and the minimum **lot frontage** are:
- 3982.78 sq.ft. 39.37 ft. (i) 370 square metres and 12 metres, respectively, if such **lot** is served by public water supply and a sanitary sewer or
- 7427.34 sq.ft. 72.18 ft. (ii) 690 square metres and 22 metres, respectively, if such **lot** is served by public water supply only, or
- 15069.97 sq.ft. 147.64 ft. (iii) 1,400 square metres and 45 metres, respectively, if neither public water supply nor a sanitary sewer is available for such **lot**.

All other provisions of the zone in which such **lot** is located shall apply.

- 5.4 CONVERSIONS IN R4 AND R5 ZONES: In all R4, R5A, R5B, R5C, R5D, R5E and R5F zones, a **dwelling** which is existing at the date of the passing of this By-law and which had been erected initially as a **one family detached dwelling** may be converted to provide two or more **dwelling units** therein provided
- 592.02 sq.ft. 1614.6 ft. (a) each of such **dwelling units** has a minimum **floor area** of 55 square metres, including common halls, stairways and other such space,
- (b) no such **dwelling** is converted to provide for more than one **dwelling unit** for each 150 square metres of **lot area**,
- (c) the external appearance and character of such **dwelling** is preserved and no addition or extension to the **building** is made, except to provide a secondary means of exit, and
- (d) all the relevant provisions of this By-law applying to the zone in which such **dwelling** is situated with respect to **yards, parking areas and landscaped open space**, applicable to the number of **dwelling units** therein, are complied with.
- 5.5 HOME OCCUPATIONS: **Home occupations** are permitted in R1A, R1B, R1C, R1D, R1E and R2 zones and in **one family detached dwellings** and **dwelling units** of **semi-detached dwellings** and **duplex dwellings** in R3, R4, R5A, R5B, R5C, R5D, R5E, R5F, TRM, DC, DTC, DH, and PH zones provided
- 98-117 (a) the occupation is carried on entirely within the **dwelling** or **dwelling unit** only by members of the one **family** residing in such **dwelling** or **dwelling unit**,
- (b) no person, other than a member of the **family** is engaged or acts as an employee, assistant or helper within the **dwelling** or **dwelling unit**,
- (c) no person, other than a member of the **family** is engaged in canvassing, delivering or as a go-between in distributing merchandise to customers,
- (d) no more than 20% of the total **floor area** of the **dwelling** or **dwelling unit** is used for the **home occupation**,
- (e) no **home occupation** or associated storage is carried out in any **accessory building**

or **accessory structure**,

- (f) there is no sign, notice or any other visible indication from the exterior that a **home occupation** is being carried on in the **dwelling** or **dwelling units**,
- (g) no goods, wares or merchandise are offered or exposed for sale or sold or kept for sale upon the premises,
- (h) no goods are stored outside the **dwelling** or **dwelling units**, and
- (i) no mechanical or other equipment is used except as is customarily employed in a **dwelling** for household purposes or for a purpose normal to or reasonably consistent with the **use** of a **dwelling** as such.

5.6 ACCESS TO COMMERCIAL AND INDUSTRIAL ZONES FROM RESIDENTIAL ZONES: No person shall **use** any land in a residential zone for vehicular access to or from any land in a commercial or industrial zone.

5.7 SPECIAL **BUILDING** SETBACK: Notwithstanding the **yard** requirements of this By-law but subject to section 4.27.1, in any residential zone where a proposed **building** or **structure** is to be **erected** on an **interior lot** between 2 **existing buildings** or **structures** on **lots** which have their **front lot lines** on the same **street** and in the same block and are distant
147.64 ft. from each other not more than 45 metres, no part of such proposed **building** or **structure** shall be **erected** on such **interior lot** closer to the **front lot line** thereof than the average of the shortest distance between the nearest main wall of each such existing **building** or **structure** and the **front lot line** of the **lot** on which such existing **building** or **structure** is located.

5.8 **EXISTING** PLACES OF WORSHIP: Notwithstanding that a place of worship is not a permitted **use** in any residential zone, a **building** on a **lot** in any residential zone which was lawfully used for the purpose of a place of worship on the day of the passing of this By-law may be altered, renovated, or reconstructed and the **use** of such altered, renovated or reconstructed **building** and such **lot** for the purpose of a place of worship continued provided that all of the regulations in section 9.2 of this By-law which apply to a place of worship in an I Zone shall apply to such **building** and **lot** in a residential zone and shall be complied with.

5.9 SPECIAL PROVISIONS FOR A GROUP HOME TYPE 1: No person shall erect or use
2009-176 any **building** for the purpose of a **group home type 1** except in accordance with the following regulations:

- (a) No such group home type 1 shall be located closer to any other group home type 1 than 350 metres.
- (b) Any building used for the purpose of a group home type 1 shall comply with

all of the regulations which apply to the zone in which such group home type 1 is located.

5.10 MODEL HOMES: Model homes shall be permitted in all **R1A, R1B, R1C, R1D, R1E, R2** and **R3** zones subject to the following provisions:

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- (i) the lands on which the **model homes** are to be constructed have received draft plan approval under the *Planning Act* and all appropriate agreements have been executed;
- (ii) a **model home** shall comply with the provisions of the zone in which it is located and the regulations of this By-law such that it will comply upon registration of the plan of subdivision; and
- (iii) the number of model homes in any draft approved plan of subdivision shall not exceed the lesser of ten (10) **dwelling units** or ten percent (10%) of the total number of **lots**.

SECTION 6 - SITE PLAN CONTROL

- 6.1 INTERPRETATION: In section 6.2, "development" means the construction, **erection** or placing of one or more **buildings** or **structures** on land or the making of an addition or alteration to a **building** or **structure** that has the effect of substantially increasing the size or usability thereof, or the laying out an establishment of a commercial **parking lot**.
- 6.2 DEVELOPMENT IN SITE PLAN CONTROL AREAS: Where any area of the City of Niagara Falls to which this By-law applies has been designated as a site plan control area by a by-law passed under section 35a of The Planning Act as enacted by The Planning Amendment Act, 1979, in addition to complying with the provisions of this By-law every person undertaking any development in such site plan control area shall also comply with the provisions of said section 35a and the requirements of The Corporation of the City of Niagara Falls made in accordance with said section 35a.

SECTION 7 - RESIDENTIAL ZONES

7.1 RESIDENTIAL SINGLE FAMILY 1A DENSITY ZONE (R1A ZONE).

- 7.1.1 PERMITTED USES: No person shall within any R1A 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 **one family detached dwelling**
 - (b) A **home occupation** in a **one family detached dwelling**, subject to the provisions of section 5.5
 - (c) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14.
 - (d) A **group home type 1**
- 2009-176
- 7.1.2 REGULATIONS: No person shall within any R1A Zone **use** any land or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 and the following regulations:
- | | | |
|----------------|---|---|
| 8611 sq. ft. | (a) Minimum lot area | 800 square metres |
| 68.9 ft. | (b) Minimum lot frontage | 21 metres |
| 24.6 ft. | (c) Minimum front yard depth | 7.5 metres plus any applicable distance specified in section 4.27.1 |
| 24.6 ft. | (d) Minimum rear yard depth | 7.5 metres plus any applicable distance specified in section 4.27.1 |
| | (e) Minimum interior side yard width , subject to the provisions of clause a of section 5.1, | |
| 3.9 ft. | (i) for a one storey , one and one-half storey and split level buildings | 1.2 metres |
| 5.9 ft. | (ii) for a building with two or more storeys | 1.8 metres |
| 19.7 ft. | (f) Minimum exterior side yard width | 6 metres plus any applicable distance specified in section 4.27.1 |
| | (g) Maximum lot coverage | 40% |
| 32.8 ft. | (h) Maximum height of building or structure | 10 metres subject to section 4.7 |
| 1399.3 sq. ft. | (i) Minimum floor area | 130 square metres |
| | (j) Maximum number of one family | |

	detached dwellings on one lot	1 only
	(k) Parking and access requirements	in accordance with section 4.19.1
	(l) Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
2008-148	(m) Minimum landscaped open space	30% of the lot area

7.2 RESIDENTIAL SINGLE FAMILY 1B DENSITY ZONE (R1B ZONE).

- 7.2.1 PERMITTED USES: No person shall within any R1B 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 **one family detached dwelling**
 - (b) A **home occupation** in a **one family detached dwelling**, subject to the provisions of section 5.5
 - (c) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14.
 - (d) A **group home type 1**
- 2009-176
- 7.2.2 REGULATIONS: No person shall within any R1B Zone **use** any land or use any **building** or **structure** except in accordance with the provisions of sections 4 and 5 and the following regulations:
- | | | |
|----------------|---|---|
| 6996.6 sq. ft. | (a) Minimum lot area | 650 square metres |
| 59.1 ft. | (b) Minimum lot frontage | 18 metres |
| 24.6 ft. | (c) Minimum front yard depth | 7.5 metres plus any applicable distance specified in section 4.27.1 |
| 24.6 ft. | (d) Minimum rear yard depth | 7.5 metres plus any applicable distance specified in section 4.27.1 |
| | (e) Minimum interior side yard width , subject to the provisions of clause a of section 5.1, | |
| 3.9 ft. | (i) for a one storey , one and one-half storey and split level building | 1.2 metres |
| 5.9 ft. | (ii) for a building with two or more storeys | 1.8 metres |
| 19.7 ft. | (f) Minimum exterior side yard width | 6 metres plus any applicable distance specified in section 4.27.1 |
| | (g) Maximum lot coverage | 40% |
| 32.8 ft. | (h) Maximum height of building or structure | 10 metres subject to section 4.7 |
| 1184 sq. ft. | (i) Minimum floor area | 110 square metres |
| | (j) Maximum number of one family detached dwellings on one lot | 1 only |
| | (k) Parking and access requirements | in accordance with section 4.19.1 |

	(l) Accessory buildings and accessory structures	In accordance with sections 4.13 and 4.14
2008-148	(m) Minimum landscaped open space	30% of the lot area

7.3 RESIDENTIAL SINGLE FAMILY 1C DENSITY ZONE (R1C ZONE).

- 7.3.1 PERMITTED USES: No person shall within any R1C 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 **one family detached dwelling**
 - (b) A **home occupation** in a **one family detached dwelling**, subject to the provisions of section 5.5
 - (c) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14.
- 2009-176 (d) A **group home type 1**
- 7.3.2 REGULATIONS: No person shall within any R1C Zone **use** any land or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 and the following regulations:
- | | | |
|---------------|---|---|
| 5920 sq. ft. | (a) Minimum lot area | 550 square metres |
| | (b) Minimum lot frontage | |
| 49.2 ft. | (i) for an interior lot | 15 metres |
| 59.1 ft. | (ii) for a corner lot | 18 metres |
| 19.7 ft. | (c) Minimum front yard depth | 6 metres plus any applicable distance specified in section 4.27.1 |
| 24.6 ft. | (d) Minimum rear yard depth | 7.5 metres plus any applicable distance specified in section 4.27.1 |
| | (e) Minimum interior side yard width , subject to the provisions of clause a of section 5.1, | |
| 3.9 ft. | (i) for a one storey , one and one-half storey and split level building | 1.2 metres |
| 5.9 ft. | (ii) for a building with two or more storeys | 1.8 metres |
| 14.8 ft. | (f) Minimum exterior side yard width | 4.5 metres plus any applicable distance specified in section 4.27.1 |
| | (g) Maximum lot coverage | 40% |
| 32.8 ft. | (h) Maximum height of building or structure | 10 metres subject to section 4.7 |
| 968.8 sq. ft. | (i) Minimum floor area | 90 square metres |

	(j) Maximum number of one family detached dwellings on one lot	1 only
	(k) Parking and access requirements	in accordance with section 4.19.1
	(l) Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
2008-148	(m) Minimum landscaped open space	30% of the lot area

7.4 RESIDENTIAL SINGLE FAMILY 1D DENSITY ZONE (R1D ZONE).

- 7.4.1 PERMITTED USES: No person shall within any R1D 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 **one family detached dwelling**
 - (b) A **home occupation** in a **one family detached dwelling**, subject to the provisions of section 5.5
 - (c) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14.
 - (d) A **group home type 1**
- 2009-176
- 7.4.2 REGULATIONS: No person shall within any R1D Zone **use** any land or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 and the following regulations:
- | | | |
|----------------|---|---|
| 4843.8 sq. ft. | (a) Minimum lot area | 450 square metres |
| | (b) Minimum lot frontage | |
| 49.2 ft. | (i) for an interior lot | 15 metres |
| 59.1 ft. | (ii) for a corner lot | 18 metres |
| 19.7 ft. | (c) Minimum front yard depth | 6 metres plus any applicable distance specified in section 4.27.1 |
| 24.6 ft. | (d) Minimum rear yard depth | 7.5 metres plus any applicable distance specified in section 4.27.1 |
| | (e) Minimum interior side yard width , subject to the provisions of clause a of section 5.1, | |
| 3.9 ft. | (i) for a one storey , one and one-half storey and split level building | 1.2 metres |
| 5.9 ft. | (ii) for a building with two or more storeys | 1.8 metres |
| 14.8 ft. | (f) Minimum exterior side yard width | 4.5 metres plus any applicable distance specified in section 4.27.1 |
| | (g) Maximum lot coverage | 40% |
| 32.8 ft. | (h) Maximum height of building or structure | 10 metres subject to section 4.7 |
| 968.8 sq. ft. | (i) Minimum floor area | 90 square metres |
| | (j) Maximum number of one family | 1 only |

detached dwellings on one lot

- (k) Parking and access requirements in accordance with section 4.19.1
- (l) **Accessory buildings and accessory structures** in accordance with sections 4.13 and 4.14

2008-148 (m) Minimum landscaped open space 30% of the lot area

7.5 RESIDENTIAL SINGLE FAMILY 1E DENSITY ZONE (R1E ZONE).

7.5.1 PERMITTED USES: No person shall within any R1E 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 **one family detached dwelling**
- (b) A **home occupation** in a **one family detached dwelling**, subject to the provisions of section 5.5
- (c) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14.
- (d) A **group home type 1**

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7.5.2 REGULATIONS: No person shall within any R1E Zone **use** any land or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 and the following regulations:

- (a) Minimum **lot area**
 - (i) for an **interior lot** 3982 sq. ft. 370 square metres
 - (ii) for a **corner lot** 4843.8 sq. ft. 450 square metres
- (b) Minimum **lot frontage**
 - (i) for an **interior lot** 39.4 ft. 12 metres
 - (ii) for a **corner lot** 49.2 ft. 15 metres
- (c) Minimum **front yard depth** 19.7 ft. 93-284 6 metres plus any applicable distance specified in section 4.27.1
- (d) Minimum **rear yard depth** 24.6 ft. 7.5 metres plus any applicable distance specified in section 4.27.1
- (e) Minimum **interior side yard width**, subject to the provisions of clause a of section 5.1,
 - (i) for a one **storey**, one and **one-half storey** and **split level building** 3.9 ft. 1.2 metres
 - (ii) for a **building** with two or more **storeys** 5.9 ft. 1.8 metres
- (f) Minimum **exterior side yard width** 14.8 ft. 4.5 metres plus any applicable distance specified in section 4.27.1
- (g) Maximum **lot coverage** 40%
- (h) Maximum **height of building or structure** 32.8 ft. 10 metres subject to section 4.7

861.1 sq. ft.	(i) Minimum floor area	80 square metres
	(j) Maximum number of one family detached dwellings on one lot	1 only
	(k) Parking and access requirements	in accordance with section 4.19.1
	(l) Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
2008-148	(m) Minimum landscaped open space	30% of the lot area

7.6 RESIDENTIAL MOBILE HOME PARK ZONE (RMP ZONE).

7.6.1 PERMITTED USES: No person shall within any RMP Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except for one or more of the following **uses**:

- (a) A **mobile home park**
- (b) A **mobile home** within a **mobile home park**
- (c) One only **one family detached dwelling** within a **mobile home park**
- (d) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13, 4.14 and 7.6.2

7.6.2 REGULATIONS: No person shall within any RMP Zone **erect** or locate or **use** any **mobile home** or **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and 5 and the following regulations:

147.6 ft.	(a) Minimum lot frontage for a mobile home park	45 metres
	(b) Each mobile home shall be located on a mobile home site	
2906.3 sq. ft.	(c) Minimum area of each mobile home site	270 square metres
32.8 ft.	(d) Minimum width of each mobile home site	10 metres
49.2 ft.	(e) Minimum distance between any part of a building, mobile home or other structure (including an accessory building and accessory structure) and a street	15 metres plus any applicable distance specified in section 4.27.1
49.2 ft.	(f) Minimum distance between any part of a building, mobile home or other structure (including an accessory building and accessory structure) and the boundary of any residential zone other than a RMP Zone	15 metres
9.8 ft.	(g) Subject to clauses e and f, minimum distance between any part of a building, mobile home or other structure (including an accessory building and accessory structure and each lot line of the mobile home park which does not abut a street	3 metres

(h) Subject to clauses e, f and g, minimum distance between any part of a **mobile home** and the following respective boundaries of the **mobile home site**:

14.8 ft.	(i) the front boundary	4.5 metres
3.9 ft.	(ii) one side boundary	1.2 metres
7.9 ft.	(iii) the remaining side boundary	2.4 metres
19.7 ft.	(iv) the rear boundary	6 metres

(i) Notwithstanding any of the provisions of sections 4.13 and 4.14, no part of any **accessory building** or **accessory structure** which is accessory to a **mobile home** shall be **erected** closer to any boundary of a **mobile home site** than the respective distances specified in clause h of this section

(j) Parking and access requirements in accordance with section 4.19.1

(k) Where any of the provisions of this section conflict with any of the provisions of sections 4.13 or 4.14, the provisions of this section shall govern.

7.7 **RESIDENTIAL SINGLE FAMILY AND TWO FAMILY ZONE (R2 ZONE).**

7.7.1 PERMITTED USES: No person shall within any R2 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 **one family detached dwelling**
- (b) A **semi-detached dwelling**
- (c) A **duplex dwelling**
- (d) A **home occupation** in a **one family detached dwelling**, or in a **dwelling unit** of a **semi-detached dwelling** or a **duplex dwelling**, subject to the provisions of section 5.5
- (e) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14.

2009-176 (d) A **group home type 1**

7.7.2 REGULATIONS: No person shall within any R2 Zone **use** any land or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 and the following regulations:

(a) Minimum **lot area**

3982.7 sq. ft. (i) for a **one family detached dwelling** 370 square metres

6458.4 sq. ft. (ii) for a **semi-detached dwelling** or a **duplex dwelling** 600 square metres

(b) Minimum **lot frontage**

39.4 ft. (i) for a **one family detached dwelling** on an **interior lot** 12 metres

49.2 ft. (ii) for a **one family detached dwelling** on a **corner lot** 15 metres

59.1 ft. (iii) for a **semi-detached dwelling** or a **duplex dwelling** on an **interior lot** 18 metres

65.6 ft. (iv) for a **semi-detached dwelling** or a **duplex dwelling** on a **corner lot** 20 metres

19.7 sq. ft. 93-284 (c) Minimum **front yard depth** 6 metres plus any applicable distance specified in section 4.27.1

24.6 ft. (d) Minimum **rear yard depth** 7.5 metres plus any applicable distance specified in section 4.27.1

	(e)	Minimum interior side yard width , subject to the provisions of clauses a and b of section 5.1,	
3.9 ft.	(i)	for a one storey , one and one-half storey and split level building	1.2 metres
5.9 ft.	(ii)	for a building with two or more storeys	1.8 metres
14.8 ft.	(f)	Minimum exterior side yard width	4.5 metres plus any applicable distance specified in section 4.27.1
	(g)	Maximum lot coverage	40%
32.8 ft.	(h)	Maximum height of building or structure	10 metres subject to section 4.7
	(i)	Minimum floor area	
861.1 sq. ft.	(i)	for a one family detached dwelling	80 square metres
1399.3 sq. ft.	(ii)	for a semi-detached dwelling or a duplex dwelling	130 square metres
592 sq. ft.	(iii)	for a dwelling unit in a semi-detached dwelling or duplex dwelling	55 square metres
	(j)	Maximum number of dwelling s on one lot	1 only
	(k)	Parking and access requirements	in accordance with section 4.19.1
	(l)	Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
2008-148	(m)	Minimum landscaped open space	30% of the lot area

7.8 RESIDENTIAL MIXED ZONE (R3 ZONE).

7.8.1 PERMITTED USES: No person shall within any R3 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 **one family detached dwelling**
- (b) A **semi-detached dwelling**
- (c) A **duplex dwelling**
- (d) An **on street townhouse dwelling**
- (e) A **triplex dwelling**
- (f) A **quadruplex dwelling**
- (g) A **home occupation** in a **one family detached dwelling**, or in a **dwelling unit** of a **semi-detached dwelling** or a **duplex dwelling**, subject to the provisions of section 5.5.
- (h) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14.

7.8.2 REGULATIONS: No person shall within any R3 Zone **use** any land or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 and the following regulations:

(a) Minimum **lot area**

<i>3982.7 sq. ft.</i>	(i) for a one family detached dwelling	370 square metres
<i>6458.4 sq. ft.</i>	(ii) for a semi-detached dwelling or a duplex dwelling	600 square metres
<i>2152.8 sq. ft.</i>	(iii) for an on street townhouse dwelling	200 square metres for each dwelling unit
<i>7965.4 sq. ft.</i>	(iv) for a triplex dwelling	740 square metres
<i>10118.2 sq. ft.</i>	(v) for a quadruplex dwelling	940 square metres

(b) Minimum **lot frontage**

<i>39.4 ft.</i>	(i) for a one family detached dwelling on an interior lot	12 metres
<i>49.2 ft.</i>	(ii) for a one family detached dwelling on a corner lot	15 metres
<i>59.1 ft.</i>	(iii) for a semi-detached dwelling or a duplex dwelling on an interior lot	18 metres
	(iv) for a semi-detached dwelling or a duplex dwelling on a	20 metres

65.6 ft.	corner lot	
21.3 ft.	(v) for an on street townhouse dwelling	6.5 metres for each dwelling unit
68.9 ft.	(vi) for a triplex dwelling on an interior lot	21 metres
73.8 ft.	(vii) for a triplex dwelling on a corner lot	22.5 metres
78.7 ft.	(viii) for a quadruplex dwelling on an interior lot	24 metres
83.7 ft.	(ix) for a quadruplex dwelling on a corner lot	25.5 metres
19.7 ft. 93-284	(c) Minimum front yard depth	6 metres plus any applicable distance specified in section 4.27.1
24.6 ft.	(d) Minimum rear yard depth	7.5 metres plus any applicable distance specified in section 4.27.1
	(e) Minimum interior side yard width ,	
	(i) for a one family detached dwelling , a semi-detached dwelling or a duplex dwelling , subject to the provisions of clauses a and b of section 5.1,	
3.9 ft.	<ul style="list-style-type: none"> ● for a one and one-half storey or a split level building 	1.2 metres
5.9 ft.	<ul style="list-style-type: none"> ● for a building with two or more storeys 	1.8 metres
9.8 ft.	(ii) for an on street townhouse dwelling , a triplex dwelling or a quadruplex dwelling	3 metres
14.8 ft.	(f) Minimum exterior side yard width	4.5 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	40%
32.8 ft.	(h) Maximum height of building or structure	10 metres subject to section 4.7
	(i) Minimum floor area	

<i>861.1 sq. ft.</i>	(i) for a one family detached dwelling	80 square metres
<i>1399.3 sq. ft.</i>	(ii) for a semi-detached dwelling or a duplex dwelling	130 square metres
<i>592 sq. ft.</i>	(iii) for a dwelling unit in a semi-detached dwelling or duplex dwelling	55 square metres
<i>699.7 sq. ft.</i>	(iv) for a dwelling unit in an on street townhouse dwelling , a triplex dwelling or a quadriplex dwelling	65 square metres
	(j) Maximum number of dwellings on one lot	1 only
	(k) Parking and access requirements	in accordance with section 4.19.1
	(l) Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
2008-148	(m) Minimum landscaped open space	30% of the lot area

7.9 RESIDENTIAL LOW DENSITY, GROUPED MULTIPLE DWELLINGS ZONE (R4 ZONE).

7.9.1 PERMITTED USES: No person shall within any R4 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 **townhouse dwelling** containing not more than 8 **dwelling units**
- (b) An **apartment dwelling**
- (c) **Group dwellings**, provided that no **townhouse dwelling** in the **group dwellings** contains more than 8 **dwelling units**
- (d) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14.
- (e) a **Home Occupation** in a one family detached dwelling, or a dwelling unit of a semi-detached dwelling or a duplex dwelling, subject to the provisions of section 5.5.

7.9.2 REGULATIONS: Subject to section 7.9.3, no person shall within any R4 Zone **use** any land or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 and the following regulations:

(a) Minimum **lot area**

<i>2691 sq. ft.</i>	(i) for a townhouse dwelling	250 square metres for each dwelling unit
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<i>2152.8 sq. ft.</i>	(ii) for an apartment dwelling	200 square metres for each dwelling unit
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(b) Minimum **lot frontage**

<i>98.4 ft.</i>	(i) for a townhouse dwelling or an apartment dwelling containing more than four dwelling units	30 metres
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<i>78.7 ft.</i>	(ii) for a townhouse dwelling or an apartment dwelling containing four dwelling units or less on an interior lot	24 metres
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<i>83.7 ft.</i>	(iii) for a townhouse dwelling or an apartment dwelling containing four dwelling units or less on a corner lot	25.5 metres
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(c) Minimum **front yard depth**

<i>19.7 ft. 93-284</i>	(i) for a townhouse dwelling	6 metres plus any applicable distance specified in section 4.27.1
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<i>24.6 ft.</i>	(ii) for an apartment dwelling	7.5 metres plus any applicable distance specified in section
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		4.27.1
24.6 ft.	(d) Minimum rear yard depth (i) for a townhouse dwelling	7.5 metres plus any applicable distance specified in section 4.27.1
32.8 ft.	(ii) for an apartment dwelling	10 metres plus any applicable distance specified in section 4.27.1
	(e) Minimum interior side yard width	one-half the height of the building
	(f) Minimum exterior side yard width	
14.8 ft.	(i) for a townhouse dwelling	4.5 metres plus any applicable distance specified in section 4.27.1
24.6 ft.	(ii) for an apartment dwelling	7.5 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	35%
32.8 ft.	(h) Maximum height of building or structure	10 metres subject to section 4.7
	(i) Minimum floor area for each dwelling unit	
398.2 sq. ft.	(i) for one bedroom dwelling units	37 square metres
592 sq. ft.	(ii) for two bedroom dwelling units	55 square metres
807.3 sq. ft.	(iii) for three bedroom dwelling units	75 square metres
	(j) Number of dwellings on one lot	subject to compliance with section 7.9.3, more than one dwelling is permitted on one lot
	(k) Parking and access requirements	in accordance with section 4.19.1
	(l) Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
484.4 sq. ft.	(m) Minimum landscaped open space	45 square metres for each dwelling unit
2008-148	(n) Minimum privacy yard depth for	7.5 metres

each **townhouse dwelling unit**,
as measured from the exterior
rear wall of every **dwelling unit**

7.9.3 **ADDITIONAL REGULATIONS FOR GROUP DWELLINGS:** No person shall within any R4 Zone **use** any land or **erect** or **use** any **building** or **structure** for the purpose of **group dwellings** except in accordance with the provisions of sections 4, 5 and 7.9.2 as altered or extended by the following additional regulations:

- (a) The minimum **lot area** shall not be less than the sum of the minimum **lot area** requirements of clause a of section 7.9.2 of each **townhouse dwelling** and each **apartment dwelling erected** or to be **erected** on the **lot**.
- (b) Nothing in section 4.11 or in clause b of section 7.9.2 shall be deemed to require each **townhouse dwelling** and each **apartment dwelling** to front or abut upon a **street**.
- (c) The minimum distance between each **building** shall be as follows:

- (i) between two exterior walls facing each other and neither of which contains a window for any habitable room.....3.0 metres
9.8 ft.
- (ii) between two exterior walls facing each other and one of which contains one or more windows for a habitable room or rooms.....7.5 metres
24.6 ft.
- (iii) between two exterior walls facing each other and both of which contain windows for habitable rooms.....15.0 metres
49.2 ft.

7.10 RESIDENTIAL APARTMENT 5A DENSITY ZONE (R5A ZONE).

7.10.1 PERMITTED **USES**: No person shall within any R5A 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 **apartment dwelling**
- (b) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14

7.10.2 REGULATIONS: No person shall within any R5A Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 of the following regulations:

<i>2152.8 sq. ft.</i>	(a) Minimum lot area	200 square metres for each dwelling unit
<i>98.4 ft.</i>	(b) Minimum lot frontage	30 metres
<i>24.6 ft.</i>	(c) Minimum front yard depth	7.5 metres plus any applicable distance specified in section 4.27.1
<i>32.8 ft.</i>	(d) Minimum rear yard depth	10 metres plus any applicable distance specified in section 4.27.1
	(e) Minimum interior side yard width	one-half the height of the building
<i>24.6 ft.</i>	(f) Minimum exterior side yard width	7.5 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	30%
<i>32.8 ft.</i>	(h) Maximum height of building or structure	10 metres subject to section 4.7
	(i) Number of apartment dwellings on one lot	one only
	(j) Parking and access requirements	in accordance with section 4.19.1
	(k) Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
	(l) Minimum landscaped open space	30% of the lot area

7.11 RESIDENTIAL APARTMENT 5B DENSITY ZONE (R5B ZONE).

7.11.1 PERMITTED **USES**: No person shall within any R5B 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 **apartment dwelling**
- (b) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14

7.11.2 REGULATIONS: No person shall within any R5B Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 of the following regulations:

1431.6 sq. ft.	(a) Minimum lot area	133 square metres for each dwelling unit
98.4 ft.	(b) Minimum lot frontage	30 metres
24.6 ft.	(c) Minimum front yard depth	7.5 metres plus any applicable distance specified in section 4.27.1
32.8 ft.	(d) Minimum rear yard depth	10 metres plus any applicable distance specified in section 4.27.1
	(e) Minimum interior side yard width	one-half the height of the building
24.6 ft.	(f) Minimum exterior side yard width	7.5 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	30%
32.8 ft.	(h) Maximum height of building or structure	10 metres subject to section 4.7
	(i) Number of apartment dwellings on one lot	one only
	(j) Parking and access requirements	in accordance with section 4.19.1
	(k) Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
	(l) Minimum landscaped open space	35% of the lot area

7.12 RESIDENTIAL APARTMENT 5C DENSITY ZONE (R5C ZONE).

7.12.1 PERMITTED USES: No person shall within any R5C 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 **apartment dwelling**
- (b) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14

7.12.2 REGULATIONS: No person shall within any R5C Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 of the following regulations:

<i>1076.4 sq. ft.</i>	(a) Minimum lot area	100 square metres for each dwelling unit
<i>98.4 ft.</i>	(b) Minimum lot frontage	30 metres
<i>24.6 ft.</i>	(c) Minimum front yard depth	7.5 metres plus any applicable distance specified in section 4.27.1
<i>32.8 ft.</i>	(d) Minimum rear yard depth	one-half the height of the building or 10 metres whichever is greater plus any applicable distance specified in section 4.27.1
	(e) Minimum interior side yard width	one-half the height of the building
<i>24.6 ft.</i>	(f) Minimum exterior side yard width	7.5 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	30%
<i>62.3 ft.</i>	(h) Maximum height of building or structure	19 metres subject to section 4.7
	(i) Number of apartment dwellings on one lot	one only
	(j) Parking and access requirements	in accordance with section 4.19.1
	(k) Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
	(l) Minimum landscaped open space	40% of the lot area

7.13 RESIDENTIAL APARTMENT 5D DENSITY ZONE (R5D ZONE).

7.13.1 PERMITTED USES: No person shall within any R5D 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 **apartment dwelling**
- (b) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14

7.13.2 REGULATIONS: No person shall within any R5D Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 of the following regulations:

<i>861.1 sq. ft.</i>	(a) Minimum lot area	80 square metres for each dwelling unit
<i>98.4 ft.</i>	(b) Minimum lot frontage	30 metres
<i>24.6 ft.</i>	(c) Minimum front yard depth	7.5 metres plus any applicable distance specified in section 4.27.1
<i>32.8 ft.</i>	(d) Minimum rear yard depth	one-half the building height or 10 metres whichever is greater plus any applicable distance specified in section 4.27.1
	(e) Minimum interior side yard width	one-half the height of the building
<i>24.6 ft.</i>	(f) Minimum exterior side yard width	7.5 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	30%
<i>72.2 ft.</i>	(h) Maximum height of building or structure	22 metres subject to section 4.7
	(i) Number of apartment dwellings on one lot	one only
	(j) Parking and access requirements	in accordance with section 4.19.1
	(k) Accessory buildings and accessory structures	in accordance with section 4.13 and 4.14
	(l) Minimum landscaped open space	45% of the lot area

7.14 RESIDENTIAL APARTMENT 5E DENSITY ZONE (R5E ZONE).

7.14.1 PERMITTED USES: No person shall within any R5E 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 **apartment dwelling**
- (b) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14

7.14.2 REGULATIONS: No person shall within any R5E Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 of the following regulations:

721.2 sq. ft.	(a) Minimum lot area	67 square metres for each dwelling unit
114.8 ft.	(b) Minimum lot frontage	35 metres
24.6 ft.	(c) Minimum front yard depth	7.5 metres plus any applicable distance specified in section 4.27.1
32.8 ft.	(d) Minimum rear yard depth	one-half the building height or 10 metres whichever is greater plus any applicable distance specified in section 4.27.1
	(e) Minimum interior side yard width	one-third the height of the building
24.6 ft.	(f) Minimum exterior side yard width	7.5 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	30%
82.0 ft.	(h) Maximum height of building or structure	25 metres subject to section 4.7
	(j) Number of apartment dwellings on one lot	one only
	(j) Parking and access requirements	in accordance with section 4.19.1
	(k) Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
	(l) Minimum landscaped open space	50% of the lot area

7.15 RESIDENTIAL APARTMENT 5F DENSITY ZONE (R5F ZONE).

7.15.1 PERMITTED USES: No person shall within any R5F 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 **apartment dwelling**
- (b) **Accessory buildings** and **accessory structures**, subject to the provisions of sections 4.13 and 4.14

7.15.2 REGULATIONS: No person shall within any R5F Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 of the following regulations:

<i>613.5 sq. ft.</i>	(a) Minimum lot area	57 square metres for each dwelling unit
<i>147.6 ft.</i>	(b) Minimum lot frontage	45 metres
<i>24.6 ft.</i>	(c) Minimum front yard depth	7.5 metres plus any applicable distance specified in section 4.27.1
<i>32.8 ft.</i>	(d) Minimum rear yard depth	one-half the building height or 10 metres whichever is greater plus any applicable distance specified in section 4.27.1
	(e) Minimum interior side yard width	one-quarter the height of the building
<i>24.6 ft.</i>	(f) Minimum exterior side yard width	7.5 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	30%
<i>91.9 ft.</i>	(h) Maximum height of building or structure	28 metres subject to section 4.7
	(i) Number of apartment dwellings on one lot	one only
	(j) Parking and access requirements	in accordance with section 4.19.1
	(k) Accessory buildings and accessory structures	in accordance with sections 4.13 and 4.14
	(l) Minimum landscaped open space	55% of the lot area

7.16 TRANSITION RESIDENTIAL MULTIPLE ZONE (TRM ZONE).

7.16.1 PERMITTED USES: No person shall within any TRM 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 **use** which is lawfully being carried on the date of the passing of this By-law upon such land or in any **building** or **structure erected** thereon
- (b) An **accessory use** to the **use** described in clause a
- (c) A **one family detached dwelling**
- (d) A **home occupation** in a one family detached dwelling or in a dwelling unit of an existing **semi-detached dwelling** or in a **dwelling unit** of an **existing semi-detached dwelling** or **duplex dwelling**, subject to the provisions of section 5.5.

2009-176 (d) A **group home type 1**

7.16.2 REGULATIONS: No person shall within any TRM Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 5 and the following regulations:

- (a) the same regulations which are contained in clauses a to l inclusive of section 7.5.2
- (b) nothing in this section shall apply to prevent the reconstruction of any **building** or **structure** that is damaged by causes beyond the control of the owner subsequent to the date of the passing of this By-law, provided the reconstruction of such building or **structure** will not increase the **height**, size or volume or change the **use** of such **building** or **structure**.
- (c) nothing in this section shall apply to prevent the strengthening or restoration to a safe condition of any **building** or **structure** or part of any such **building** or **structure**, provided such alteration or repair will not increase the **height**, size or volume or change the **use** of such **building** or **structure**.

SECTION 8 - COMMERCIAL ZONES

8.1 NEIGHBOURHOOD COMMERCIAL ZONE (NC ZONE)

- 8.1.1 PERMITTED USES: No person shall within any NC Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:
- (a) Bake Shop
 - 2002-061 (b) Bank, Trust Company, Credit Union, Currency Exchange
 - (c) **Clinic**
 - (d) Library
 - (e) **Office**
 - (f) **Personal Service shop**
 - (g) **Restaurant**
 - (h) **Retail store**
 - (i) **Service shop**
 - (j) **Veterinarian office**
 - (k) **Adult Store** provided the **adult store** is separated from another **adult store** by a minimum distance of 100 metres and from an **adult entertainment parlour** or **body-rub parlour** by a minimum distance of 300 metres.
 - 2002-199 (l) **dwelling units** in a **building** in combination with one or more of the **uses** listed in clauses a to j inclusive above, provided that not more than 50% of the **total floor area** of such **building** is **used** for **dwelling units** and further provided that such **dwelling units** except entrances thereto are located entirely above the ground floor.
 - 2008-148 (m) Day nursery
 - 2008-148 (n) Health centre
- 8.1.2 REGULATIONS: No person shall within any NC Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following regulations.
- 98.4 ft. (a) Minimum **lot frontage** 30 metres
 - 49.2 ft. (b) Minimum **front yard depth** 15 metres plus any applicable distance specified in section 4.27.1
 - 32.8 ft. (c) Minimum **rear yard depth** 10 metres plus any applicable distance specified in section 4.27.1
 - (d) Minimum **interior side yard width**
 - 9.8 ft. (i) where the **side lot line** abuts 3 metres

	a residential, institutional or open space zone	
	(ii) where the side lot line does not abut a residential, institutional or open space zone	None required
39.4 ft.	(e) Minimum exterior side yard width	12 metres plus any applicable distance specified in section 4.27.1
	(f) Maximum lot coverage	40%
26.2. ft.	(g) Maximum height of building or structure	8 metres subject to section 4.27
2475.7 sq. ft.	(h) Maximum floor area	230 square metres for any permitted use described in clauses a to j inclusive or section 8.1.1
	(i) Parking and access requirements	in accordance with section 4.19.1
	(j) Loading area requirements	in accordance with section 4.20.1

8.2 GENERAL COMMERCIAL ZONE (GC ZONE).

8.2.1 PERMITTED USES: No person shall within any GC Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- (a) **Assembly hall**
- (b) Auctioneering establishment
- (c) Bake Shop
- 2002-061 (d) Bank, Trust Company, Credit Union, Currency Exchange
- (e) A building supplies shop and yard
- (f) Car rental establishment, truck rental establishment
- 2002-061 (g) **Car wash**, interior and exterior hand car cleaning
- (h) **Clinic**
- (i) **Community building**
- (j) **Day Nursery**
- (k) **Drive-in restaurant**
- (l) Dry cleaning establishment
- (m) Farmer's market
- (n) Funeral home
- (o) **Health Centre**
- (p) **Hotel**
- (q) Laundry
- (r) Library
- (s) **Motel**
- (t) **New car agency**
- (u) Nursing home
- (v) **Office**
- (w) **Parking lot**
- (x) **Personal service shop**
- (y) Photographer's studio
- (z) **Place of entertainment**
- (aa) Place of Worship
- (bb) Printing shop
- (cc) **Private club**
- (dd) **Public garage, mechanical**
- (ee) Receiving Home within the meaning of The Child Welfare Act
- (ff) **Recreational uses**

	(gg)	Restaurant	
	(hh)	Retail store	
	(ii)	Service shop	
	(jj)	Tavern	
	(kk)	Used car lot	
	(ll)	Veterinarian office	
2002-199	(mm)	Adult Store provided the adult store is separated from another adult store by a minimum distance of 100 metres and from an adult entertainment parlour or body-rub parlour by a minimum distance of 300 metres, except for any adult stores situated at or between properties municipally known as 6443 and 6395 Lundy's Lane which shall be allowed to be separated from each other by a minimum distance of 30 metres.	
2002-061	(nn)	dwelling units in a building in combination with one or more of the uses listed in this section provided not more than 66% of the total floor area of such building is used for dwelling units and further provided that such dwelling units except entrances thereto are located entirely above the ground floor.	
98-03	(nn)	Body-rub parlour	
		<i>(Repealed by By-law 2002-201)</i>	
2002-061	(oo)	Dancing studio	
2002-061	(pp)	Tattoo studio	
2008-23	(qq)	Art Gallery	
2008-23	(rr)	Museum	
8.2.2		REGULATIONS: Subject to section 8.2.3 and 8.2.4, no person shall within any GC Zone use any land or erect or use any building or structure except in accordance with the provisions of section 4 and the following regulations:	
19.7 ft.	(a)	Minimum lot frontage	6 metres
	(b)	Minimum front yard depth	in accordance with section 4.27.1, where applicable
	(c)	Minimum rear yard depth	
32.8 ft.	(i)	where any part of the building is used for residential purposes	10 metres plus any applicable distance specified in section 4.27.1
9.8 ft.	(ii)	where no part of the building is used for residential purposes	3 metres plus any applicable distance specified in section 4.27.1, provided that no rear yard

is required where the **rear lot line** abuts a public land or a public **parking lot**

- (d) Minimum **interior side yard width**
 - 9.8 ft. (i) where the side **lot line** abuts a residential, institutional or open space zone 3 metres
 - (ii) where the **side lot line** does not abut a residential, institutional or open space zone None required
- (e) Minimum **exterior side yard width** in accordance with section 4.27.1, where applicable
- (f) Maximum **lot coverage** 70%
- 39.4 ft. (g) Maximum **height of building or structure** 12 metres subject to section 4.7
- (h) Maximum **floor area** not specified
- (i) Parking and access requirements in accordance with section 4.19.1
- (j) Loading area requirements in accordance with section 4.20.1

8.2.3 REGULATIONS FOR CAR WASHES, DRIVE-IN RESTAURANTS AND MOTELS: The regulations in clauses a to g inclusive of section 8.2.2 shall not apply to **car washes, drive-in restaurants or motels** in GC Zones. The remaining provisions of section 8.2.2 and all of the supplementary regulations for **car washes** in section 4.22 and all of the supplementary regulations for **drive-in-restaurants** in section 4.23 and all of the supplementary regulations for **motels** in section 4.25 shall apply to **car washes, drive-in-restaurants and motels**, respectively, in GC Zones.

8.2.4 REGULATIONS FOR BODY-RUB PARLOURS:

- 98-03 (a) No **body-rub parlour** shall be located closer than 100 metres measured in a straight line from the nearest part of the body-rub parlour building(s) to the lot line of a **Residential** zone, an **Institutional** zone, or **Open Space** zone, or to any of the following uses: **place of worship; nursery school; day nursery; community building;** or school.
(Repealed by By-law 2002-201)
- 98-03 (b) No **body-rub parlour** shall have a floor area greater than 300 square metres.
(Repealed by By-law 2002-201)

8.3 DEFERRED COMMERCIAL ZONE (DC ZONE).

- 8.3.1 PERMITTED USES: No person shall within any DC 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 use which is lawfully being carried on the date of the passing of this By-law upon such land or in any **building** or **structure erected** thereon
 - (b) An **accessory use** to the **use** described in clause a
 - (c) A **one family detached dwelling**
 - (d) A **home occupation** in a **one family detached dwelling** or in a **dwelling unit** of an **existing semi-detached dwelling** or **duplex dwelling**, subject to the provisions of section 5.5
- 8.3.2 REGULATIONS: No person shall within any DC Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following provisions and regulations:
- (a) all of the provisions of section 5 which apply to R1E Zones shall also apply to DC Zones
 - (b) all of the regulations for R1E Zones contained in section 7.5.2 shall also apply to DC Zones
 - (c) nothing in this section shall apply to prevent the reconstruction of any **building** or **structure** that is damaged by causes beyond the control of the owner subsequent to the date of the passing of this By-law, provided the reconstruction of such **building** or **structure** will not increase the **height**, size or volume or change the **use** of such **building** or **structure**.
 - (d) nothing in this section shall apply to prevent the strengthening or restoration to a safe condition of any **building** or **structure** or part of any such **building** or **structure** or the alteration or repair of an **existing building** or **structure**, provided such alteration or repair will not increase the **height**, size or volume or change the **use** of such **building** or **structure**.

8.4 PLANNED SHOPPING CENTRE COMMERCIAL ZONE (SC ZONE).

- 8.4.1 PERMITTED USES: No person shall within any SC Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**, provided that each such **use**, except the **uses** described in clauses g and v, is conducted within a completely enclosed **building**:
- (a) **Assembly hall**
 - (b) **Automobile service station**
 - (c) Bake shop
 - 2002-061 (d) Bank, Trust Company, Credit Union, Currency Exchange
 - 2002-061 (e) **Car wash**, interior and exterior hand car cleaning
 - (f) **Clinic**
 - (g) **Day Nursery**
 - (h) **Drive-in-restaurant**
 - (i) **Gasoline bar**
 - (j) **Health Centre**
 - (k) Library
 - (l) **Office**
 - (m) **Personal Service shop**
 - (n) Photographer's studio
 - (o) **Place of entertainment**
 - (p) **Public garage, mechanical**
 - (q) **Restaurant**
 - (r) **Retail store**
 - (s) **Service shop**
 - (t) Tavern
 - (u) **Veterinarian office**
 - (v) A garden centre which is an **accessory use** to a **retail store**
 - 2000-011 (w) Beer, wine or liquor store
 - 2002-061 (x) Dancing studio
- 8.4.2 REGULATIONS: No person shall within any SC Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following regulations:
- 393.7 ft. (a) Minimum **lot frontage** 120 metres
 - 393.7 ft. (b) Minimum **lot depth** 120 metres
 - 59.1 ft. (c) Minimum **front yard depth** 18 metres plus any applicable distance

specified in section 4.27.1

59.1 ft.	(d) Minimum rear yard depth	18 metres plus any applicable distance specified in section 4.27.1
59.1 ft.	(e) Minimum interior side yard width	18 metres
59.1 ft.	(f) Minimum exterior side yard width	18 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	25%
59.1 ft.	(h) Maximum height of building or structure	18 metres subject to section 4.7
475,242 sq. ft. 2000-011	(i) Maximum gross leasable floor area	subject to clause j, 44,150 square metres which may be contained in one or more buildings
20,030 sq. ft.	(j) Additional maximum gross leasable floor area for certain uses	not exceeding, in the aggregate, 1,860 square metres for an automobile service station, car wash, drive-in-restaurant, and gasoline bar which shall be in addition to the maximum gross leasable floor area permitted in clause (i)
	(k) Parking and access requirements	in accordance with section 4.19.1
	(l) Loading area requirements	in accordance with section 4.20.1
	(m) Open storage	No person shall use any land within a SC Zone for the open storage of goods and materials provided that this shall not apply to the storage of garden and sporting equipment and supplies in an outdoor shop or area operated as an accessory use to a retail store

8.4.3 REGULATIONS FOR CAR WASHES AND DRIVE-IN RESTAURANTS: Notwithstanding sections 4.22 and 4.23, the regulations in section 8.4.2 shall apply to **car washes** and **drive-in restaurants** in a SC Zone.

8.5 CENTRAL BUSINESS COMMERCIAL ZONE (CB ZONE).

8.5.1 PERMITTED USES: No person shall within any CB Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- (a) Art gallery
- (b) **Assembly hall**
- (c) Auctioneering establishment
- (d) Bake shop
- 2002-061 (e) Bank, Trust Company, Credit Union, Currency Exchange
- (f) Car rental establishment, truck rental establishment
- (g) **Clinic**
- (h) Dancing studio
- (i) **Day Nursery**
- (j) **Drive-in restaurant**
- (k) Dry cleaning establishment
- (l) Farmers' market
- (m) Funeral home
- (n) **Health Centre**
- (o) **Hotel**
- (p) Laundry
- (q) Library
- (r) **Motel**
- (s) Museum
- (t) **Office**
- (u) **Parking lot**
- (v) **Personal Service shop**
- (w) Photographer's studio
- (x) **Place of entertainment**
- (y) Place of Worship
- (z) Printing shop
- (aa) **Public garage, mechanical**
- (bb) **Private club**
- (cc) **Recreational uses**
- (dd) **Restaurant**
- (ee) **Retail store**
- (ff) **Service shop**

	(gg) Tavern		
	(hh) Veterinarian office		
2002-199	(ii) Adult Store provided the adult store is separated from another adult store by a minimum distance of 100 metres and from an adult entertainment parlour or body-rub parlour by a minimum distance of 300 metres.		
	(jj) dwelling units in a building in combination with one or more of the uses listed in clauses a to hh inclusive above, provided that not more than 75% of the total floor area of such building is used for dwelling units and further provided that such dwelling units except entrances thereto are located entirely above the ground floor.		
2004-200	(kk) Licensed establishment		
2004-200	(ll) Nightclub		
8.5.2	REGULATIONS: Subject to section 8.5.3, no person shall within any CB Zone use any land or erect or use any building or structure except in accordance with the provisions of section 4 and the following regulations:		
19.7 ft.	(a) Minimum lot frontage	6 metres	
	(b) Minimum front yard depth	in accordance with section	4.27.1, where applicable
	(c) Minimum rear yard depth		
33.0 ft.	(i) where any part of the building is used for residential purposes	10 metres plus and applicable distance, specified in section 4.27.1	
9.8 ft.	(ii) where no part of the building is used for residential purposes	3 metres plus any applicable distance specified in section 4.27.1, provided that no rear yard is required where the rear lot line abuts a public lane or a public parking lot	
	(d) Minimum interior side yard width	none	
	(e) Minimum exterior side yard width	in accordance with section 4.27.1, where applicable	
93-284	(f) Maximum lot coverage	85%	
40.0 ft.	(g) Maximum height of a building or structure	12 metres subject to section 4.7	
	(h) Maximum floor area	not specified	
	(i) Parking and access requirements	in accordance with section 4.19.1	
	(j) Loading area requirements	in accordance with section 4.20.1	

- 8.5.3 REGULATIONS FOR DRIVE-IN RESTAURANTS AND MOTELS: The regulations in clauses a to g inclusive of section 8.5.2 shall not apply to **drive-in restaurants** and **motels** in CB Zones. The remaining provisions of section 8.5.2 and all of the supplementary regulations for **drive-in restaurants** in section 4.23 and all of the supplementary regulations for **motels** in section 4.25 shall apply to **drive-in restaurants** and **motels**, respectively, in CB Zones.
- 8.5.4 DEFINITIONS OF LICENSED ESTABLISHMENT AND NIGHTCLUB:
- 2004-200 (a) “**Licensed establishment**” means any premises issued a licence by the Alcohol and Gaming Commission of Ontario under the *Liquor Licence Act*, to serve liquor either as a permanently-licensed facility or a temporary or occasionally-licensed facility; and
- (b) “**Nightclub**” means a licensed establishment having a capacity of over 499 persons as set out in any and all liquor licence(s) issued for such licensed establishment by the Alcohol and Gaming Commission of Ontario.
- 8.5.5 REGULATIONS FOR NIGHTCLUBS:
- 2004-200 (a) a **nightclub** shall be separated from another nightclub or licensed establishment by a minimum distance of 100 metres measured from premises to premises.
- (b) a **nightclub** shall be separated from the boundary of a Residential Zone by a minimum distance of 45 metres.
- (c) parking for a **nightclub** shall be provided at a rate of 1 parking space for each 5 persons that can be lawfully accommodated therein at any one time.

8.6 TOURIST COMMERCIAL ZONE (TC ZONE).

- 8.6.1 PERMITTED USES: No person shall within any TC Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:
- (a) Art gallery
 - (b) **Assembly hall**
 - (c) **Automobile service station**
 - (d) Bake shop
 - 2002-061 (e) Bank, Trust Company, Credit Union, Currency Exchange
 - (f) Beer, wine or liquor store
 - (g) Car rental establishment, truck rental establishment
 - 2002-061 (h) **Car wash**, interior and exterior hand car cleaning
 - (i) Clothing store
 - (j) Convention centre
 - (k) **Day Nursery**
 - (l) **Drive-in restaurant**
 - (m) Drug store
 - (n) Exhibitions of wax works, automobiles, handcrafts, natural or artificial curiosities, freaks of nature
 - (o) Food store
 - (p) **Health Centre**
 - (q) **Hotel**
 - (r) **Motel**
 - (s) Museum
 - (t) **Parking lot**
 - (u) **Personal Service shop**
 - (v) Photographer's studio
 - (w) **Place of entertainment**
 - (x) Place of worship
 - (y) **Private club**
 - (z) **Public garage, mechanical**
 - (aa) **Recreational uses**
 - (bb) **Restaurant**
 - (cc) **Service shop**
 - 2002-061 (dd) Sightseeing tours establishment, sightseeing tourist information centre
 - (ee) Souvenir store
 - (ff) Tobacco store

- (gg) Tourist home
 - (hh) **Adult Store** provided the **adult store** is separated from another **adult store** by a minimum distance of 100 metres and from an **adult entertainment parlour** or **body-rub parlour** by a minimum distance of 300 metres.
 - (ii) **dwelling units** in a **building** in combination with one or more of the **uses** listed in this section, provided that not more than 50% of the total **floor area** of such **building** is **used** for **dwelling units** and further provided that such **dwelling units** except entrances thereto are located entirely above the ground floor.
 - (jj) **Gasoline bar**
 - (kk) **Body-rub parlour**
 - (ll) **Timeshare sales office**
 - (mm) **Retail store**
- 2002-199
- 2002-061
- 81-62
98-03
(Repealed by
By-law 2002-201)
99-79
2000-135

8.6.2 REGULATIONS: Subject to sections 8.6.3 and 8.6.4, no person shall within any TC Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following regulations:

- 19.7 ft. (a) Minimum **lot frontage** 6 metres
- (b) Minimum **front yard depth** in accordance with sections 4.27.1, where applicable
- (c) Minimum **rear yard depth**
 - 33.0 ft. (i) where any part of the **building** is **used** for residential purposes 10 metres plus any applicable distance specified in section 4.27.1
 - 9.8 ft. (ii) where no part of the **building** is **used** for residential purposes 3 metres plus any applicable distance specified in section 4.27.1, provided that no **rear yard** is required where the **rear lot line** abuts a public lane or a public **parking lot**
- (d) Minimum **interior side yard width**
 - 9.8 ft. (i) where the side **lot line** abuts a residential, institutional or open space zone 3 metres
 - (ii) where the **side lot line** does not abut a residential, institutional or open space zone none required

	(e) Minimum exterior side yard width	in accordance with section 4.27.1, where applicable
	(f) Maximum lot coverage	70%
40.0 ft.	(g) Maximum height of building or structure	12 metres subject to section 4.7
	(h) Maximum floor area	not specified
	(i) Parking and access requirements	in accordance with section 4.19.1
	(j) Loading area requirements	in accordance with section 4.20.1
2000-135	(k) Maximum floor area for each retail store	400 square metres
2000-135	(l) Maximum floor area of all retail stores per property	3,530 square metres

8.6.3 REGULATIONS FOR CAR WASHES, DRIVE-IN RESTAURANTS AND MOTELS: The regulations in clauses a to g inclusive of section 8.6.2 shall not apply to **car washes, drive-in restaurants or motels** in TC Zones. The remaining provisions of section 8.6.2 and all of the supplementary regulations for **car washes** in section 4.22 and all of the supplementary regulations for **drive-in restaurants** in section 4.23 and all of the supplementary regulations for **motels** in section 4.25 shall apply to **car washes, drive-in restaurants and motels**, respectively, in TC Zones.

8.6.4 REGULATIONS FOR AUTOMOBILE SERVICE STATIONS: The regulations in section 8.6.2 shall not apply to **automobile service stations** but all of the regulations in section 8.9.2 for **automobile service stations** in AS Zones shall also apply to **automobile service stations** in TC Zones.

8.6.5 REGULATIONS FOR BODY-RUB PARLOURS:

98-03 (a) No **body-rub parlour** shall be located closer than 100 metres measured in a straight line from the nearest part of the body-rub parlour building(s) to the lot line of a **Residential** zone, an **Institutional** zone, or **Open Space** zone, or to any of the following uses: **place of worship; nursery school; day nursery; community building;** or school.
(Repealed by By-law 2002-201)

98-03 (b) No **body-rub parlour** shall have a floor area greater than 300 square metres.
(Repealed by By-law 2002-201)

8.7 CAMPING ESTABLISHMENT ZONE (CE ZONE).

- 8.7.1 PERMITTED USES: No person shall within any CE 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 **trailer camp** licensed by The Corporation of the City of Niagara Falls
 - (b) One only **one family detached dwelling** within a **trailer camp**
 - (c) **Accessory buildings** and **accessory dwelling**, subject to the provisions of sections 4.13, 4.14 and 8.7.2
- 8.7.2 REGULATIONS: No person shall within any CE Zone **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following regulations:
- | | | |
|------------------|---|--|
| <i>197.0 ft.</i> | (a) Minimum lot frontage for a trailer camp | 60 metres |
| | (b) Minimum lot area for a trailer camp | |
| <i>14.8 ac.</i> | (i) if the trailer camp is serviced by a municipal watermain and a municipal sanitary sewer and all plumbing, sanitary and drainage, piping, fixtures and appliances are connected to the said watermain and sanitary sewer, respectively | 6 hectares |
| <i>24.7 ac.</i> | (ii) if the trailer camp is serviced with a potable water supply and sanitary sewage facilities other than those described in subclause I but approved by the Niagara Regional Health Unit | 10 hectares |
| <i>197.0 ft.</i> | (c) Minimum distance between any part of a trailer camp site and the boundary of any residential zone | 60 metres |
| <i>50.0 ft.</i> | (d) Minimum distance between any part of a building or structure (including an accessory building and accessory structure) and any street or reserve | 15 metres plus any applicable distance specified in section 4.27.1 |
| <i>24.6 ft.</i> | (e) Subject to clauses c and d, minimum distance between any part of a building or structure (including an accessory building and accessory structure and each lot line of a trailer camp which does not abut a street or a reserve | 7.5 metres |

(f) Parking and access requirements

in accordance with section 4.19.1

(g) Where any of the provisions of this section conflict with any of the provisions of sections 4.13 or 4.14, the provisions of this section shall govern

8.8 DEFERRED TOURIST COMMERCIAL ZONE (DTC ZONE).

- 8.8.1 PERMITTED USES: No person shall within any DTC 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 use which is lawfully being carried on the date of the passing of this By-law upon such land or in any **building** or **structure erected** thereon
 - (b) An **accessory use** to the **use** described in clause a
 - (c) A **one family detached dwelling**
 - (d) A **home occupation** in a **one family detached dwelling** or in a **dwelling unit** of an existing **semi-detached dwelling** or **duplex dwelling**, subject to the provisions of section 5.5
- 8.8.2 REGULATIONS: No person shall within any DTC Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following provisions and regulations:
- (a) all of the provisions of section 5 which apply to R1E Zones shall also apply to DTC Zones
 - (b) all of the regulations for R1E Zones contained in section 7.5.2 shall also apply to DTC Zones
 - (c) nothing in this section shall apply to prevent the reconstruction of any **building** or **structure** that is damaged by causes beyond the control of the owner subsequent to the date of the passing of this By-law, provided the reconstruction of such **building** or **structure** will not increase the **height**, size or volume or change the **use** of such **building** or **structure**
 - (d) nothing in this section shall apply to prevent the strengthening or restoration to a safe condition of any **building** or **structure** or part of any such **building** or **structure** or the alteration or repair of an existing **building** or **structure**, provided such alteration or repair will not increase the **height**, size or volume or change the **use** of such **building** or **structure**.

8.9 AUTOMOBILE SERVICE STATION AND GASOLINE BAR ZONE (AS ZONE).

8.9.1 PERMITTED USES: No person shall within any AS 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) **Gasoline Bar**
- (c) **Car Wash**

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8.9.2 REGULATIONS FOR **AUTOMOBILE SERVICE STATIONS**: No person shall within any AS Zone **use** any land or **erect** or use any **building** or **structure** for the purpose of an **automobile service station** except in accordance with the provisions of section 4 and the following regulations:

(a) Minimum **lot frontage**

99.0 ft. (i) for an **interior lot** 30 metres

132.0 ft. (ii) for a **corner lot** 40 metres

99.0 ft. (b) Minimum **lot depth** 30 metres

40.0 ft. (c) Minimum **front yard depth** 12 metres plus any applicable distance specified in section 4.27.1

(d) Minimum **rear yard depth**

16.4 ft. (i) for a **lot** that abuts a residential zone 5 metres plus any applicable distance specified in section 4.27.1

(ii) for a **lot** that does not abut a residential zone in accordance with section 4.27.1, where applicable

(e) Minimum **interior side yard width**

16.4 ft. (i) where the **side lot line** abuts a residential zone 5 metres

(ii) where the **side lot line** does not abut a residential zone none required

(f) Minimum **exterior side yard width**

19.7 ft. (i) where the **side lot line** abuts a portion of a **street** and the opposite side of such portion of a **street** abuts a residential 6 metres plus any applicable distance specified in section 4.27.1

	zone	
9.8 ft.	(ii) in all other cases	3 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	20%
26.2 ft.	(h) Maximum height of a building or structure	8 metres subject to section 4.7
	(i) Minimum landscaped open space	5%
81-62 #47 19.7 ft.	(j) Notwithstanding any of the above provisions, no pump, pump island or canopy shall be located closer to any lot line than	6 metres
	(k) Parking and access requirements	in accordance with section 4.19.1
	(l) No part of a lot shall be used for the parking or storing of any motor vehicle for a period exceeding 1 week.	

8.9.3 REGULATIONS FOR **GASOLINE BARS**: No person shall within any AS Zone **use** any land or **erect** or **use** any **building** or **structure** for the purpose of a **gasoline bar** except in accordance with the provisions of section 4 and the following regulations:

99.0 ft.	(a) Minimum lot frontage	30 metres
99.0 ft.	(b) Minimum lot depth	30 metres
33.0 ft.	(c) Minimum front yard depth	10 metres plus any applicable distance specified in section 4.27.1
81-62 #48 16.4 ft.	(d) Minimum rear yard depth	5 metres plus any applicable distance specified in section 4.27.1
33.0 ft.	(e) Minimum interior side yard width	10 metres
33.0 ft.	(f) Minimum exterior side yard width	10 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	5%
16.4 ft.	(h) Maximum height of a building or	5 metres subject to section 4.7

structure

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19.7 ft.
- (i) Minimum **landscaped open space** 5%
 - (j) Notwithstanding any of the above provisions, no pump, pump island or canopy shall be located closer to any **lot line** than 6 metres
 - (k) Parking and access requirements in accordance with section 4.19.1
 - (l) No part of a **lot** shall be **used** for the parking or storing of any motor vehicle for a period exceeding one week.

8.9.4 REGULATIONS FOR **CAR WASHES**: All of the supplementary regulations for **car washes** in section 4.22, as amended, shall apply to **car washes** in AS Zones.

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SECTION 9 - INSTITUTIONAL ZONE (I ZONE)

- 9.1 PERMITTED USES: No person shall within any I Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:
- (a) Art gallery or museum
 - (b) **Community building**
 - (c) Home for the physically handicapped
 - (d) Home for the mentally retarded
 - (e) Hospital
 - (f) Nursing home
 - (g) Place of Worship
 - (h) **Private Club**
 - (i) Receiving home, within the meaning of The Child Welfare Act
 - (j) Religious institution
 - (k) Sanatorium
- 2008-148 (l) Retirement home
- (m) Y.M.C.A, Y.W.C.A, Y.M.H.A
- (n) **Accessory buildings** and **accessory structures** which are accessory to any of the foregoing **uses**, including not more than 1 **dwelling unit** which is accessory to and on the same **lot** as the principal **use**.
- 2008-148 (o) Day nursery
- 9.2 REGULATIONS: No person shall within any I Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following regulations:
- (a) Minimum **lot area**
 - 4.9 ac. (i) for a hospital or sanatorium 2 hectares
 - .37 ac. (ii) for any other **use** described in clauses a to m of section 9.1 0.15 hectare
 - (b) Minimum **lot frontage**
 - 493.0 ft. (i) for a hospital or sanatorium 150 metres
 - 98.4 ft. (ii) for any other **use** described in clauses a to m of section 9.1 30 metres
 - (c) Minimum **front yard depth** 33.0 ft. 10 metres plus any applicable distance specified in

<i>16.4 ft.</i>	(d) Minimum interior side yard width	5 metres
<i>24.6 ft.</i>	(e) Minimum exterior side yard width	7.5 metres plus any applicable distance specified in section 4.27.1
<i>33.0 ft.</i>	(f) Minimum rear yard depth	10 metres plus any applicable distance specified in section 4.27.1
	(g) Maximum lot coverage	35%
<i>33.0 ft.</i>	(h) Maximum height of building or structure	10 metres subject to section 4.7
	(i) Minimum landscaped open space	5%
	(j) Parking and access requirements	in accordance with section 4.19.1
	(k) Where any of the provisions of this section conflict with any of the provisions of sections 4.13 or 4.14, the provisions of this section shall govern	

GENERAL PROVISIONS FOR INDUSTRIAL ZONES

- 10.1 Subject to section 10.2, no person shall, within any Industrial Zone, **use** any land or **erect** or **use** any **building** or **structure** for the purpose of a **retail store**.
- 10.2 Section 10.1 shall not apply to prevent the offering or keeping for sale at retail of goods, wares, merchandise, substances or articles through a "factory outlet" but only where and as long as:
- (a) such "factory outlet" is incidental, subordinate and exclusively devoted to an industrial undertaking being carried on at the same location as such "factory outlet",
 - (b) such goods, wares, merchandise, substances or articles are manufactured or produced at such location by such industrial undertaking.
 - (c) such "factory outlet" is contained in or attached to the **building** in which such industrial undertaking is being carried on.
- 10.3 Where a **building** or **structure** within any PI, LI, GI, or HI Zone was lawfully **used** at the day of the passing of this By-law for a purpose prohibited by this By-law, nothing in this By-law shall apply to prevent,
- 81-62
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- (a) the reconstruction of any such **building** or **structure** that is damaged subsequent to the day of the passing of this By-law by a cause or causes beyond the control of the owner, or
 - (b) the alteration or repair of any such **building** or **structure**, provided that (i) such reconstruction, alteration or repair will not increase the **height**, size or volume of such **building** or **structure** and (ii) such **building** or **structure** continues to be **used** in the same manner and for the same purpose as it was **used** on the day of the passing of this By-law.
- 10.4 Where a **lot** in any PI, LI, GI or HI Zone having a lesser **lot area** and/or **lot frontage** than that required under this By-law is held under distinct and separate ownership from all abutting lands as shown by a registered conveyance in the records of the Land Registry Office as at the 5th day of November, 1979 or is created as a result of an expropriation, nothing in section 4.11 or in the regulations for the zone in which such **lot** is located shall prevent the **use** of such **lot** or the **erection** or **use** of any **building** or **structure** on such **lot**
- 6996.8 sq.ft.
49.2 ft.
- for a use permitted in such zone provided that the **lot area** of such **lot** is not less than 650 square metres and **lot frontage** of such **lot** is not less than 15 metres and further provided that all the remaining regulations for the zone in which such **lot** is located shall apply and are complied with.
- 10.5 **Adult Entertainment Parlours and Body-Rub Parlours** which are permitted within PI, LI, GI, HI and TDI zones shall only be permitted subject to the provisions of the applicable zone category as well as the following provisions:
- 2002-201

- 2004-14
- (a) **Adult entertainment parlours** and **body-rub parlours** are only permitted within areas shown hatched on Schedule C and Schedules C-A through to and including C-F and Schedules C-H through to and including C-K.
- (b) **Adult entertainment parlours** and **body rub parlours** must be separated from each other by a minimum distance of 300 metres measured from building to building; and
- (c) **Adult entertainment parlours** and **body-rub parlours** are permitted only in freestanding, single use structures.
- 3229 sq.ft. (d) No **body-rub parlour** shall have a **gross leasable floor area** greater than 300 square metres.
- 10,000 sq.ft. (e) No **adult entertainment parlour** shall have a **gross leasable floor area** greater than 929 square metres.

SECTION 11 - INDUSTRIAL ZONES

11.1 PRESTIGE INDUSTRIAL ZONE (PI ZONE).

11.1.1 PERMITTED USES: No person shall within any PI Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**, provided that each such **use** except the **uses** described in clauses b, l, j and l is conducted within a completely enclosed **building** and is not prohibited under section 4.8:

- (a) Manufacturing, compounding, processing, packaging, crating, bottling, assembling of raw or semi-processed or fully processed materials, and further provided that no such **use** is dangerous, obnoxious or offensive by reason of the presence, emission or production of odour, smoke, noise, gas fumes, cinders, vibration, radiation, refuse matter or water carried waste
- (b) Car rental establishment, truck rental establishment
- (c) **Car wash**
- (d) Cold storage plant
- (e) Commercial printing and associated services establishment
- (f) Consulting engineering **office**
- (g) Ice manufacturing plant
- (h) Laboratory - experimenting, commercial or testing
- (i) **New car agency**
- (j) Nursery for trees, shrubs, plants
- (k) **Public garage, mechanical**
- (l) **Used car lot**
- (m) **Warehouse**
- (n) **Wholesale establishment**
- (o) Winery
- 2002-201 (p) **Adult entertainment parlour**, subject to the provisions of section 10.5
- 2002-201 (q) **Body-rub parlour**, subject to the provisions of section 10.5
- (r) An **office** which is an **accessory use** to one of the foregoing permitted **uses**.

11.1.2 REGULATIONS: Subject to section 11.1.3, no person shall within any PI Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 10 and the following regulations.

99.0 ft.	(a) Minimum lot frontage	30 metres	
21530.0 ft.	(b) Minimum lot area	2000 square metres	
33.0 ft.	(c) Minimum front yard depth	10 metres plus any applicable	distance specified in

11.5 ft.	(d) Minimum interior side yard width	3.5 metres
24.6 ft.	(e) Minimum exterior side yard width	7.5 metres plus any applicable distance specified in section 4.27.1
	(f) Minimum rear yard depth	
50.0 ft.	(i) where the rear lot line abuts a residential zone	15 metres plus any applicable distance specified in section 4.27.1
24.6 ft.	(ii) where the rear lot line does not abut a residential zone	7.5 metres plus any applicable distance specified in section 4.27.1
40.0 ft.	(g) Maximum height of building or structure	12 metres subject to section 4.7
	(h) Minimum height of exterior walls: The minimum vertical height of each exterior wall of any such building or structure shall be 2.5 metres above the elevation of the finished ground level at the mid point of the wall in question.	
	(i) Maximum lot coverage	60%
	(j) Minimum landscaped open space	5% of the lot area
	<p>All of the required front yard, except for any driveways and parking area, which shall not exceed, in the aggregate, 33% of the required front yard shall be maintained as landscaped open space. In the case of a corner lot, the exterior side yard shall be subject to the same landscaped open space regulations as for a front yard. In addition, that portion of the rear yard abutting on a side street, except for any driveways, shall be maintained as landscaped open space to a depth of 1.5 metres.</p>	
	(k) Parking and access requirements	in accordance with section 4.19.1
	(l) Loading area requirements	in accordance with section 4.20.1
	(m) Property abutting railways: Notwithstanding clauses d, e, f and j, where any lot line abuts a railway right-of-way, no side yard or rear yard or landscaped open space shall be required on that portion of a lot contiguous to the portion of the lot line which abuts the railway right-of-way	
	(n) Outside storage: Except in the case of the uses described in clauses b,i,j and l of section 11.1.1, no person shall use any part of the front yard or exterior side yard of any lot for the purpose of outside storage.	
	(o) External design: The front exterior walls of any such building shall consist of stone, brick, architectural reinforced concrete, profile type concrete masonry units, glass and metal combinations, or any combination thereof. The front 6 metres of each side	

exterior wall of any such **building** shall consist of any of the foregoing or of masonry, architectural metal, asbestos cement or material of similar standards provided that where a side exterior wall faces an abutting **street** it shall consist of the same materials prescribed for the front exterior wall of such **building**

- 11.1.3 REGULATIONS FOR **CAR WASHES**: The regulations in clauses a to g inclusive, i, j, and m of section 11.1.2 shall not apply to **car washes** in PI Zones. The remaining provisions of section 11.1.2 and all of the supplementary regulations for **car washes** in section 4.22 shall apply to **car washes** in PI Zones.

11.2 LIGHT INDUSTRIAL ZONES (LI ZONE).

- 11.2.1 PERMITTED USES: No person shall within any LI Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**, provided that each such **use** except the **uses** described in clauses b,p,q,v and w is conducted within a completely enclosed **building** and is not prohibited under section 4.8:
- (a) Manufacturing, compounding, processing, packaging, crating, bottling, assembling of raw or semi-processed or fully processed materials, and further provided that no such **use** is dangerous, obnoxious or offensive by reason of the presence, emission or production of odour, smoke, noise, gas fumes, cinders, vibration, radiation, refuse matter or water-carried waste
 - (b) Car rental establishment, truck rental establishment
 - (c) **Car wash**
 - (d) Carpenter shop
 - (e) Cold storage plant
 - (f) Commercial bakery
 - (g) Commercial printing and associated services establishment
 - 2002-061 (h) Contractor's or tradesman's shop, Contractor's or construction equipment rental shop
 - (i) Consulting engineering **office**
 - (j) Grain and feed mill and storage
 - (k) Ice manufacturing plant
 - (l) Laboratory - experimenting, commercial or testing
 - (m) Laundry plant
 - (n) Machine shop
 - (o) Monument, stone, clay or glass manufacturing plant
 - (p) **New Car Agency**
 - (q) Nursery for trees, shrubs, plants
 - (r) **Public garage, auto body**
 - (s) **Public garage, mechanical**
 - (t) Shop for the repair and servicing of goods, machinery and equipment
 - (u) Silver plating and cutlery plant
 - (v) Trucking or shipping terminal
 - (w) **Used car lot**
 - (x) **Warehouse**
 - (y) **Wholesale establishment**
 - (z) Winery
 - 2002-201 (aa) **Adult entertainment parlour**, subject to the provisions of section 10.5
 - 2002-201 (bb) **Body-rub parlour**, subject to the provisions of section 10.5

(cc) An **office** which is an **accessory use** to one of the foregoing permitted **uses**

11.2.2 REGULATIONS: Subject to section 11.2.3, no person shall within any LI Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 10 and the following regulations:

- | | | |
|--------------|---|---|
| 99.0 ft. | (a) Minimum lot frontage | 30 metres |
| 21,530.0 ft. | (b) Minimum lot area | 2000 square metres |
| 33.0 ft. | (c) Minimum front yard depth | 10 metres plus any applicable distance specified in section 4.27.1 |
| 11.5.0 ft. | (d) Minimum interior side yard width | 3.5 metres |
| 24.6 ft. | (e) Minimum exterior side yard width | 7.5 metres plus any applicable distance specified in section 4.27.1 |
| | (f) Minimum rear yard depth | |
| 50.0 ft. | (i) where the rear lot line abuts a residential zone | 15 metres plus any applicable distance specified in section 4.27.1 |
| 24.6 ft. | (ii) where the rear lot line does not abut a residential zone | 7.5 metres plus any applicable distance specified in section 4.27.1 |
| 40.0 ft. | (g) Maximum height of building or structure | 12 metres subject to section 4.7 |
| | (h) Minimum height or exterior walls: The minimum vertical height of each exterior wall of any such building or structure shall be 2.5 metres above the elevation of the finished ground level at the mid point of the wall in question. | |
| | (i) Maximum lot coverage | 70% |
| | (j) Minimum landscaped open space | 5% of the lot area |
| | All of the required front yard , except for any driveways and parking areas which shall not exceed, in the aggregate, 33% of the required front yard shall be maintained as landscaped open space . In the case of a corner lot , the exterior side yard shall be subject to the same landscaped open space regulations as for a front yard . In addition, that portion of the rear yard abutting on a side street , except for any driveways, shall be maintained as landscaped open space to a depth of 1.5 metres | |
| | (k) Parking and access requirements | in accordance with section 4.19.1 |
| | (l) Loading area requirements | in accordance with section 4.20.1 |
| | (m) Property abutting railway: Notwithstanding clauses d,e,f and j, where any lot line abuts | |

a railway right-of-way, no **side yard** or **rear yard** or **landscaped open space** shall be required on that portion of a **lot** contiguous to the portion of the **lot line** which abuts the railway right-of-way

- (n) Outside storage: Except in the case of the **uses** described in clauses b,p,q,v and w of section 11.2.1, no person shall **use** any part of the **front yard** or **exterior side yard** of any **lot** for the purpose of outside storage.

11.2.3 REGULATIONS FOR **CAR WASHES**: The regulations in clauses a to g inclusive, i, j and m of section 11.2.2 shall not apply to **car washes** in LI Zones. The remaining provisions of section 11.2.2 and all of the supplementary regulations for **car washes** in section 4.22 shall apply to **car washes** in LI Zones.

11.3 GENERAL INDUSTRIAL ZONE (GI ZONE).

11.3.1 PERMITTED USES: No person shall within any GI Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- (a) Manufacturing, compounding, processing, packaging, crating, bottling, assembling of raw or semi-processed or fully processed materials
- (b) Animal hospital
- (c) Artificial abrasive plant
- (d) Artificial fertilizer processing plant
- (e) Brick, pottery, tile, terra cotta, concrete and concrete products plant
- (f) Builder's supply yard
- (g) Carpenter shop
- (h) Car rental establishment, truck rental establishment
- (i) **Car Wash**
- (j) Cleaning, curing, storing or tanning of fresh or green hides and leather finishing
- (k) Coal, fuel, gasoline and oil storage yard
- (l) Cold storage plant
- (m) Commercial printing and associated services establishment
- 2002-061 (n) Contractor's or tradesman's shop or yard, Contractor's or construction equipment rental shop or yard
- (o) Equipment yard
- (p) Establishment for building material sales
- (q) Food and meat products plant but not including an abattoir
- (r) Frozen food locker service
- (s) Grain and feed mill and storage
- (t) Humane society including a pound for small animals
- (u) Ice manufacturing plant
- (v) Kennel for the boarding and breeding of dogs and cats
- (w) Laboratory
- (x) Laundry plant
- (y) Lumber and planing mill and yard
- (z) Machine shop
- (aa) Monument, stone, clay and glass manufacturing plant
- (bb) Poultry processing plant
- (cc) **Public garage, auto body**
- (dd) **Public garage, mechanical**
- (ee) Rubber factory

- (ff) Shop for the repair and servicing of goods, machinery and equipment
- (gg) Silver plating and cutlery plant
- (hh) Soap manufacture
- (ii) Stone cutting plant
- (jj) Trucking or shipping terminal
- (kk) **Veterinarian office**
- (ll) **Warehouse**
- (mm) Welding shop
- (nn) **Wholesale establishment**
- (oo) Winery
- 2002-201 (pp) **Adult entertainment parlour**, subject to the provisions of section 10.5
- 2002-201 (qq) **Body-rub parlour**, subject to the provisions of section 10.5
- 83-72 (rr) An **office** which is an **accessory use** to one or more of the **uses** set forth in clauses a to oo inclusive of this section
- 11.3.2 REGULATIONS: Subject to section 11.3.3, no person shall within any GI Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 10 and the following regulations:
 - 99.0 ft. (a) Minimum **lot frontage** 30 metres
 - 43,060 sq. ft. (b) Minimum **lot area** 4000 square metres
 - 33.0 ft. (c) Minimum **front yard depth** 10 metres plus any applicable distance specified in section 4.27.1
 - 11.5 ft. (d) Minimum **interior side yard width** 3.5 metres
 - 24.6 ft. (e) Minimum **exterior side yard width** 7.5 metres plus any applicable distance specified in section 4.27.1
 - (f) Minimum **rear yard depth**
 - 99.0 ft. (i) where the **rear lot line** abuts a residential zone 30 metres plus any applicable distance specified in section 4.27.1
 - 24.6 ft. (ii) where the **rear lot line** does not abut a residential zone 7.5 metres plus any applicable distance specified in section 4.27.1
 - 81-62 #52 66.0 ft. (g) Maximum height of **building** or **structure** 20 metres subject to section 4.7
 - (h) Minimum **height** of exterior walls: The minimum vertical **height** of each exterior wall

8.2 ft.

of any such **building** or **structure** shall be 2.5 metres above the elevation of the finished ground level at the mid point of the wall in question

- (i) Maximum **lot coverage** 70%
- (j) Minimum **landscaped open space**
 - (i) for an **interior lot** 50% of the required **front yard**
 - (ii) for a **corner lot** 50% of the required **front yard** and 50% of the required **exterior side yard**
- (k) Parking and access requirements in accordance with section 4.19.1
- (l) Loading area requirements in accordance with section 4.20.1
- (m) Property abutting railway: Notwithstanding clauses d, e, f and j, where any **lot line** abuts a railway right-of-way, no **side yard** or **rear yard** or **landscaped open space** shall be required on that portion of a **lot** contiguous to the portion of the **lot line** which abuts the railway right-of-way.
- (n) Outside storage: No person shall **use** any part of the **front yard** of any **lot** for the purpose of outside storage and no person shall **use** any part of the remainder of such **lot** for the purpose of outside storage other than storage for an **accessory use**

11.3.3 REGULATIONS FOR **CAR WASHES**: The regulations in clauses a to g inclusive, l, j and m of section 11.3.2 shall not apply to **car washes** in GI Zones. The remaining provisions of section 11.3.2 and all of the supplementary regulations for **car washes** in section 4.22 shall apply to **car washes** in GI Zones.

11.4 HEAVY INDUSTRIAL ZONE (HI ZONE).

- 11.4.1 PERMITTED USES: No person shall within any HI Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:
- (a) Manufacturing, compounding, processing, packaging, crating, bottling, assembling of raw or semi-processed or fully processed materials
 - (b) Abattoir and stock yard used in connection with an abattoir
 - (c) Acetylene gas manufacture
 - (d) Artificial abrasive plant
 - (e) Caustic manufacture
 - (f) Cement manufacture
 - (g) Cleaning, curing, storage or tanning of fresh or green hides
 - (h) Fertilizer processing plant
 - (i) Lime, plaster of paris manufacture
 - (j) Poultry processing plant
 - (k) Iron and steel plant
 - (l) Lime kiln
 - (m) Rubber factory
 - (n) Soap manufacture
 - (o) Steel furnace, blooming or rolling mill
 - (p) Winery
- 2002-201 (q) **Adult entertainment parlour**, subject to the provisions of section 10.5
- 2002-201 (r) **Body-rub parlour**, subject to the provisions of section 10.5
- 83-72 (s) An **office** which is an **accessory use** to one or more of the **uses** set forth in clauses a to p inclusive of this section.
- 11.4.2 REGULATIONS: No person shall within any HI Zone **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 10 and the following regulations:
- | | | |
|----------------|---|---|
| 99.0 ft. | (a) Minimum lot frontage | 30 metres |
| 43,060 sq. ft. | (b) Minimum lot area | 4000 square metres |
| 33.0 ft. | (c) Minimum front yard depth | 10 metres plus any applicable distance specified in section 4.27.1 |
| 11.5 ft. | (d) Minimum interior side yard width | 3.5 metres |
| 24.6 ft. | (e) Minimum exterior side yard width | 7.5 metres plus any applicable distance specified in section 4.27.1 |
| 24.6 ft. | (f) Minimum rear yard depth | 7.5 metres plus any applicable distance specified in section 4.27.1 |

81-62
#53
99.0 ft.

(g) Maximum **height** of **building** or **structure** 30 metres subject to section 4.7

81-62
#54
8.20 ft.

(h) Minimum **height** of exterior walls: The minimum vertical **height** of each exterior wall of any such **building** or **structure** shall be 2.5 metres above the elevation of the finished ground level at the mid point of the wall in question provided that this regulation shall not apply to **buildings** or **structures** such as storage tanks or **buildings used** for the bulk storage of non-flammable solids or liquids.

(i) Maximum **lot coverage** 70%

(j) Minimum **landscaped open space**

(i) for an **interior lot** 50% of the required **front yard**

(ii) for a **corner lot** 50% of the required **front yard** and 50% of the required **exterior side yard**

(k) Parking and access requirements in accordance with section 4.19.1

(l) Loading area requirements in accordance with section 4.20.1

(m) Property abutting railway: Notwithstanding clauses d, e, f and j, where any **lot line** abuts a railway right-of-way, no **side yard** or **rear yard** or **landscaped open space** shall be required on that portion of a **lot** contiguous to the portion of the **lot line** which abuts the railway right-of-way

(n) Outside storage: No person shall **use** any part of the **front yard** of any **lot** for the purpose of outside storage and no person shall **use** any part of the remainder of such **lot** for the purpose of outside storage other than storage for an **accessory use**

11.5 TRANSPORTATION-DISTRIBUTION INDUSTRIAL ZONE (TDI).

11.5.1 PERMITTED USES: No person shall within any TDI Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- (a) Assembling, packaging, packing, crating, disassembling, unpacking, uncrating any goods, wares, merchandise, substances, articles or things stored or transported in connection with any of the following permitted uses
- (b) Cartage, express or truck transport or terminal for one or more highway transportation companies or organizations including service and repair **buildings** and **yards**
- (c) Cold storage plant
- (d) Distribution warehouse
- (e) Open storage
- (f) Railway, railway express **yard** or terminal
- (g) Shipping, trans-shipping or distributing depot
- (h) Storage warehouse

2002-201 (i) **Adult entertainment parlour**, subject to the provisions of section 10.5

2002-201 (j) **Body-rub parlour**, subject to the provisions of section 10.5

(k) Business **office** accessory to any of the foregoing permitted **uses**

(j) **Uses** similar to the foregoing permitted uses

11.5.2 REGULATIONS: No person shall within any TDI Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of sections 4 and 10 and the following regulations:

82.0 ft.	(a) Minimum lot frontage	25 metres
86,120.0 sq. ft.	(b) Minimum lot area	8000 square metres
50.0 ft.	(c) Minimum front yard depth	15 metres plus any applicable distance specified in section 4.27.1
11.5 ft.	(d) Minimum interior side yard width	3.5 metres
50.0 ft.	(e) Minimum exterior side yard width	15 metres plus any applicable distance specified in section 4.27.1
24.6 ft.	(f) Minimum rear yard depth	7.5 metres plus any applicable distance specified in section 4.27.1
40.0 ft.	(g) Maximum height of building or structure	12 metres subject to section 4.7
	(h) Minimum height of exterior walls: The minimum vertical height of each exterior wall of any such building or structure shall be 2.5 metres above the elevation of the finished ground level at the mid point of the wall in question	

- (i) Maximum **lot coverage** 50%
- (j) Minimum **landscaped open space** 5% of the **lot area**

All of the required **front yard**, except for any driveways and **parking areas** which shall not exceed, in the aggregate, 33% of the required **front yard** shall be maintained as **landscaped open space**. In the case of a **corner lot**, the **exterior side yard** shall be subject to the same **landscaped open space** regulations as for a **front yard**. In addition, that portion of the **rear yard** abutting on a side **street**, except for any driveways, shall be maintained as **landscaped open space** to a depth of 1.5 metres

- (k) Parking and access requirements in accordance with section 4.19.1
- (l) Loading area requirements in accordance with section 4.20.1
- (m) Property abutting railway: Notwithstanding clauses d, e, f and j, where any **lot line** abuts a railway right-of-way, no **side yard** or **rear yard** or **landscaped open space** shall be required on that portion of a **lot** contiguous to the portion of the **lot line** which abuts the railway right-of-way
- (n) Outside storage: No person shall **use** any part of the required **front yard** or the required **exterior side yard** for the purpose of outside storage

11.6 EXTRACTIVE INDUSTRIAL ZONE (EI ZONE).

11.6.1 INTERPRETATION: In section 11.6.2

- (a) "pit or quarry" means land where gravel, stone, sand, clay, shale or other natural material is or has been removed by excavating, quarrying or otherwise for sale or **use** for construction, business, manufacturing or other industrial purposes.

11.6.2 PERMITTED USES: No person shall within any EI 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 pit or quarry licensed under The Pits and Quarries Control Act, 1971
- (b) Processing of natural materials removed from the site including crushing, screening, mixing, washing and storing of such materials
- (c) Concrete or asphalt mixing plant
- (d) **Accessory buildings** and **accessory structures**
- (e) A **use, building** or **structure** permitted in any one or more of clauses a to d inclusive or section 12.1

11.6.3 REGULATIONS: No person shall within any EI Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with section 4 and the following regulations:

- (a) all of the regulations in section 12.2 for a **use, building** or **structure** in an A Zone shall also apply to a **use, building** or **structure** permitted under clause e of section 11.6.2 in an EI Zone
- (b) the regulations for a **use, building, or structure** permitted under clauses a, b, c or d of section 11.6.2 shall be as follows:

99.0 ft.	(i) Minimum front yard depth	30 metres plus any applicable distance specified in section 4.27.1
99.0 ft.	(ii) Minimum exterior side yard width	30 metres plus any applicable distance specified in section 4.27.1
81-62 #55 53.0 ft.	(iii) Minimum interior side yard width	16 metres
	(iv) Minimum rear yard depth	16 metres plus any applicable distance specified in section 4.27.1
81-62 #56 164.0 ft.	(v) No building, structure, accessory building, accessory structure or product stockpile of a pit or quarry shall be located closer than: 30 metres from any boundary of the land used for any of the aforesaid uses permitted under clauses a, b, c or d of section 11.6.2 or 50 metres from any boundary of a residential zone	

81-62
#57
49.2 ft.

(vi) Maximum **height** of **building**
or **structure**

15 metres subject to section 4.7
and provided that the **height** of a
building or **structure** which is
erected or is to be **erected** on an
excavated portion of a pit or
quarry shall be measured from
the average grade level of the
unexcavated ground closest to
such **building** or **structure**.

SECTION 12 - AGRICULTURAL ZONE (A ZONE)

- 12.1 PERMITTED USES: no person shall within any A 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 the growing of field, berry, bush or tree crops; truck gardening; flower gardening; nurseries; orchards; commercial greenhouses; aviaries, apiaries, mushroom farms, farms devoted to the hatching, raising and marketing of chickens, turkeys, or other poultry, fowl, rabbits or other fur-bearing animals and fish; farms or ranches for grazing of farm animals; breeding, raising or training of horses or cattle; goat or cattle dairies; the raising of sheep or goats; the raising of swine; dog kennels or the breeding and sale of dogs and other domestic animals
 - (b) Commercial forestry
 - (c) Commercial riding stable
 - (d) **Accessory buildings** and **accessory structures** which are accessory to any of the foregoing **uses**, including:
 - (i) storage **buildings**, including cold storage
 - (ii) seasonal farm product stand for the sale of farm product grown on the premises
 - (iii) no more than 1 **one family detached dwelling** which is on the same **lot** as and is accessory to a **use** permitted in clauses a to c of this section and which is occupied as a residence by the owner of such **lot** or the principal operator of the **use** being conducted on such **lot**.
 - (iv) **accessory buildings** and **accessory structures** which are accessory to the **dwelling units** described in subclause iii of this clause d
- 81-79
#19
- 12.2 REGULATIONS: No person shall within any A Zone **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following regulations:
- | | | |
|-----------------------|--|--|
| 39.5 ac 81-179
#20 | (a) Minimum lot area | 16 hectares |
| 493.0 ft. | (b) Minimum lot frontage | 150 metres |
| 33.0 ft. | (c) Minimum front yard depth | 10 metres plus any applicable distance specified in section 4.27.1 |
| 33.0 ft. | (d) Minimum side yard width ,
each side | 10 metres plus any applicable distance specified in section 4.27.1 |
| 33.0 ft. | (e) Minimum rear yard depth | 10 metres plus any applicable distance specified in section 4.27.1 |
| 892.0 sq. ft. | (f) Minimum floor area for each dwelling unit | 80 square metres |
| 81-179
#20 | (g) Maximum number of one family detached dwellings on one lot | one only |
| | (h) Parking and access requirements | in accordance with section 4.19.1 |

- (i) Notwithstanding section 4.11, a farm **building** or farm **structure** which is not to be **erected** or **used** for the purpose of human habitation may be **erected** upon a **lot** which fronts or abuts upon a **street** which is not an **improved street**

81-62 12.3
12.3 ft.

Where a **lot** in any A Zone having a lesser **lot area** and/or **lot frontage** than that required under this By-law is held under distinct and separate ownership from all abutting lands as shown by a registered conveyance in the records of the Land Registry Office as at the 5th day of November, 1979 or is created as a result of an expropriation, nothing in section 4.11 or in the regulations for the A Zone in which such **lot** is located shall prevent the **erection** or **use** on such **lot** of a **one family detached dwelling** and **accessory buildings** and **accessory structures** which are necessary to such **one family detached dwelling** and the **use** of the remainder of such **lot** for one or more of the **uses** permitted in clauses a, b or c of section 12.1 or in subclauses (i) or (ii) of clause d of section 12.1 provided that the **lot area** of such **lot** is not less than 0.4 hectare and the **lot frontage** of such **lot** is not less than 30 metres and further provided that the regulations for R Zones contained in subclauses (iv) to (xi) inclusive of section 13.2 shall apply to such **lot** and be complied with.

SECTION 13 - RURAL ZONE (R ZONE)

- 13.1 PERMITTED USES: No person shall within any R 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 **use, building** or **structure** permitted in any one or more of clauses a to d inclusive of section 12.1
- 2007-156 (b) A **one family detached dwelling** on a separate **lot**, the location of which complies with the Minimum Distance Separation formula issued by the Ministry of Agriculture, Food and Rural Affairs.
- (c) **Accessory buildings** and **accessory structures** which are accessory to the **use** described in clause b
- 13.2 REGULATIONS: No person shall within any R Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with section 4 and the following regulations:
- (a) all of the regulations in section 12.2 for a **use, building** or **structure** in an A Zone shall also apply to a **use, building** or **structure** permitted under clause a of section 13.1 in an R Zone
- (b) the regulations for a **one family detached dwelling** permitted under clause b of section 13.1 shall be as follows:
- | | | |
|--------------------|--|--|
| <i>1.0 ac</i> | (i) Minimum lot area | 0.4 hectare |
| <i>3.2 ac.</i> | (ii) Maximum lot area | 1.3 hectare |
| <i>99.0 ft.</i> | (iii) Minimum lot frontage | 30 metres |
| <i>33.0 ft.</i> | (iv) Minimum front yard depth | 10 metres plus any applicable distance specified in section 4.27.1 |
| <i>9.8 ft.</i> | (v) Minimum side yard width each side | 3 metres plus any applicable distance specified in section 4.27.1 |
| <i>33.0 ft.</i> | (vi) Minimum rear yard depth | 10 metres plus any applicable distance specified in section 4.27.1 |
| | (vii) Maximum lot coverage | 30% |
| <i>33.0 ft.</i> | (viii) Maximum height or building or structure | 10 metres subject to section 4.7 |
| <i>862 sq. ft.</i> | (ix) Minimum floor area | 80 square metres |
| | (x) Maximum number of one family detached dwellings on one lot | one only |

(xi) Parking and access requirements

in accordance with section 4.19.1

(c) **Accessory buildings and accessory structures** permitted under clause c of section 13.1 in accordance with sections 4.13 and 4.14.

SECTION 14 - OPEN SPACE ZONE (OS ZONE)

14.1 PERMITTED USES: No person shall within any OS 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 **use** permitted in any one or more of clauses a to d inclusive of section 12.1
- (b) Boating club
- (c) Cemetery
- (d) Hospital
- (e) **Private club**
- (f) **Recreational uses**
- (g) Religious institution
- (h) Riding stable
- (i) Sanatorium
- (j) School
- (k) **Accessory buildings** and **accessory structures** including not more than one **dwelling unit** which is on the same **lot** as and is accessory to a **use** which is permitted in clauses b to j of this section.

14.2 REGULATIONS: No person shall within any OS Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with section 4 and the following regulations:

- (a) all of the regulations in section 12.2 for a **use, building** or **structure** in an A Zone shall also apply to a **use, building** or **structure** permitted under clause a of section 14.1 in an OS Zone
- (b) the regulations for a **use, building** or **structure** permitted under clauses b to j inclusive of section 14.1 shall be as follows:

<i>493.0 ft.</i>	(i) Minimum lot frontage	150 metres
<i>33.0 ft.</i>	(ii) Minimum front yard depth	10 metres plus any applicable distance specified in section 4.27.1
<i>4.9 ac.</i>	(iii) Minimum lot area	2 hectares
<i>33.0 ft.</i>	(iv) Minimum side yard width , each side	10 metres plus any applicable distance specified in section 4.27.1
<i>33.0 ft.</i>	(v) Minimum rear yard depth	10 metres plus any applicable distance specified in section 4.27.1
	(vi) Maximum lot coverage	10%

33.0 ft.	(vii) Maximum height or building or structure	10 metres subject to section 4.7
	(viii) Maximum number of dwelling units on one lot	1 only
	(ix) Parking and access requirements	in accordance with section 4.19.1
(c)	Accessory buildings and accessory structures permitted under clause k of section 14.1	in accordance with subclause (ii), (iv), (v) and (vii) of clause b of this section

SECTION 15 - DEVELOPMENT HOLDING ZONE (DH ZONE)

- 15.1 PERMITTED USES: No person shall within any DH 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 **use** which is lawfully being carried on on the date of the passing of this By-law upon such land or in any **building** or **structure erected** thereon
 - (b) An **accessory use** to the **use** described in clause a
 - (c) A **one family detached dwelling**
 - (d) A **home occupation** in a **one family detached dwelling** or in a **dwelling unit** of an **existing semi-detached dwelling** or **duplex dwelling**, subject to the provisions of section 5.5
 - (e) Cultivation of land
 - (f) Production of field crops
 - (g) Flower and market gardening
 - (h) Grazing for horses, cattle and sheep
 - (i) Temporary stand for the sale of farm produce grown or produced on the premises.
- 15.2 REGULATIONS: No person shall within any DH Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following regulations:
- (a) all of the provisions of section 5 which apply to R1E Zones shall also apply to DH Zones
 - (b) the regulations for R1E Zones contained in clauses a to l inclusive of section 7.5.2 shall also apply to DH Zones
 - (c) nothing in this section shall apply to prevent the reconstruction of any **building** or **structure** that is damaged by causes beyond the control of the owner subsequent to the date of the passing of this By-law, provided the reconstruction of such **building** or **structure** will not increase the **height**, size or volume or change the **use** of such **building** or structure
 - (d) nothing in this section shall apply to prevent the strengthening or restoration to a safe condition of any **building** or **structure** or part of any such **building** or **structure** or the alteration or repair of an **existing building** or **structure**, provided such alteration or repair will not increase the **height**, size or volume or change the **use** of such **building** or **structure**

SECTION 16 - HAZARD LAND ZONE (HL ZONE)

- 16.1 PERMITTED USES: No person shall within any HL 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 **use** permitted in any one or more of clauses a to d inclusive of section 12.1 except a **dwelling, dwelling unit** or any other **building** or **structure**
 - (b) A **dwelling existing** at the date of the passing of this By-law, but not the conversion, extension or enlargement thereof
 - (c) Parks, playgrounds, tennis courts, lawn bowling greens, outdoor natural rinks, athletic fields, golf courses, picnic areas and boat launching ramps, boat shelters and docking facilities and **accessory structures** but not including any **dwelling** or **dwelling unit**
- 16.2 REGULATIONS: No person shall within any HL Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with section 4 and the following regulations:
- (a) all of the regulations in section 12.2 for a **use, building** or **structure** in an A Zone shall also apply to a **use, building** or **structure** permitted under clause a of section 16.1 in an HL Zone
 - (b) all of the regulations in section 14.2 for a **use, building** or **structure** in an OS Zone shall also apply to a **use, building** or **structure** permitted under clause c of section 16.1 in an HL Zone

SECTION 17 - PARKING ZONE (P ZONE)

- 17.1 PERMITTED USE: No person shall within any P Zone **use** any land or **erect** or **use** any **building** or **structure** for any purpose except the following use:
Parking lot, including **accessory buildings** and **accessory structures**
- 17.2 REGULATIONS: No person shall within any P Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following regulations:
- | | | |
|---------------|--|---|
| 4,306 sq. ft. | (a) Minimum lot area | 400 square metres |
| 9.8 ft. | (b) Minimum front yard depth | 3 metres plus any applicable distance specified in section 4.27.1 |
| 9.8 ft. | (c) Minimum exterior side yard width | 3 metres plus any applicable distance specified in section 4.27.1 |
| 9.8 ft. | (d) Minimum interior side yard width | 3 metres |
| 9.8 ft. | (e) Minimum rear yard depth | 3 metres plus any applicable distance specified in section 4.27.1 |
| 9.8 ft. | (f) Maximum height or building or structure | 3 metres subject to section 4.7 |
| | (g) Minimum landscaped open space | |
- Either a planting strip not less than 2 metres in width which complies with the requirements of section 4.14 and which shall be provided and maintained along the whole of every **lot line** which abuts a **street**, except that part thereof crossed by an **access ramp** or sidewalk,
OR a close-board type fence or a decorative wall that complies with the **height** requirements of section 4.17 shall be provided.

SECTION 18 - PARKING HOLDING ZONE (PH ZONE)

- 18.1 PERMITTED USES: No person shall within any PH 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 **use** which is lawfully being carried on on the date of the passing of this By-law upon such land or in any **building** or **structure erected** thereon
 - (b) An **accessory use** to the **use** described in clause (a)
 - (c) A **home occupation** in an **existing one family detached dwelling** or in a **dwelling unit** of an **existing semi-detached dwelling** or a **duplex dwelling**, subject to the provisions of section 5.5
- 18.2 REGULATIONS: No person shall within any PH Zone **use** any land or **erect** or **use** any **building** or **structure** except in accordance with the provisions of section 4 and the following regulations:
- (a) nothing in this section shall apply to prevent the reconstruction of any **building** or **structure** that is damaged by causes beyond the control of the owner subsequent to the date of the passing of this By-law, provided the reconstruction of such **building** or **structure** will not increase the **height**, size or volume or change the **use** of such **building** or **structure**.
 - (b) nothing in this section shall apply to prevent the strengthening or restoration to a safe condition of any **building** or **structure** or part of any such **building** or **structure** or the alteration or repair of an **existing building** or **structure**, provided such alteration or repair will not increase the **height**, size or volume or change the **use** of such **building** or **structure**.

SECTION 19 - EXCEPTIONS AND SPECIAL PROVISIONS

19.1 Notwithstanding anything herein before contained,

19.1.1 None of the provisions of section 14.1 shall apply to prevent the use of the land on the west side of Victoria Avenue designated OS and numbered 1 on Sheet D3 of Schedule "A" or the **erection** or use of **buildings** or **structures** thereon for the purpose of a helicopter airport subject to compliance with section 14.2 and the remaining provisions of this By-law;

19.1.2 None of the provisions of section 7.7.1 shall apply to prevent the use of a **one family detached dwelling** or a **semi-detached dwelling** or a **duplex dwelling** within the area bounded on the north by Morrison Street, on the west by the railway right-of-way of Consolidated Rail Corporation, on the east by River Road and on the south by that section of John Street between River Road and Falls Avenue, that section of Falls Avenue between John Street and Highway 420 and that section of Highway 420 between Falls Avenue and the said railway right-of-way and designated **R2** and numbered 2 on sheets D3 and D4 of Schedule "A" for the purpose of a tourist home containing not more than 4 rooms for tourists in such **dwelling**, provided that the external appearance of such **dwelling** as a residence is maintained and the parking facilities required in section 4.19.1 are provided and maintained;

19.1.3 a) none of the provisions of section 4.19.1 shall apply to require the owner of the **apartment dwelling** to be **erected** on the land between the south limit of Huron Street and the north limit of Morrison Street designated **R5F** and numbered 3 on Sheet D3 of Schedule "A" to provide and maintain 1.4 **parking spaces** for each **dwelling unit** in the said **apartment dwelling**, provided that the said owner shall provide and maintain not less than one parking space for each **dwelling unit** in such **apartment dwelling** and further provided that such **apartment dwelling** shall contain not more than 61 **dwelling units**;

b) the provisions of clause m of section 7.15.2 shall not apply to prevent the **use** of the land between the south limit of Huron Street and the north limit of Morrison Street designated **R5F** and numbered 3 on Sheet B3 of

Schedule "A" or the **erection** or use of **buildings** or **structures** thereon providing less **landscaped open space** than 55% of the **lot area** provided that the minimum **landscaped open space** shall not be less than 25% of the **lot area**

- 19.1.4 Deleted by By-law No. 2008-40.
- 19.1.5 Deleted by By-law No. 2006-93.
- 81-62
#59 19.1.6 None of the provisions of section 14.1 shall apply to prevent the **use** of the lands designated **OS** and numbered 6 on Sheets D6 and D7 of Schedule "A" or the **erection** or use of **buildings** or **structures** thereon for the purpose of a commercial marine show and animal park including any or all of the following: a boat ride, steam train, monorail railway, carnival show, circus, merry-go-round, carousel, ferris wheel, roller coaster or other mechanical amusement rides or devices; and, for the purpose of clarification, the **accessory buildings** and **accessory structures** permitted on the aforesaid lands include not more than 1 **one family detached dwelling** premises in or from which souvenirs, food and refreshments, or any of them, are offered for sale or sold to persons attending the said commercial marine show or animal park but do not include premises in or from which souvenirs, food or refreshments are offered for sale or sold to the public
- 19.1.7 The provisions of clause g of section 8.6.2 shall not apply to prevent the **erection** of a **hotel** on the land on the north side of McLeod Road designated **TC** and numbered 7 on Sheet D5 of Schedule "A" having a **height** of not more than 22 metres;
- 19.1.8 The provisions of clause g of section 8.6.2 shall not apply to prevent the **erection** of a **hotel** on the land on the west side of Stanley Avenue designated **TC** and numbered 8 on Sheet D5 of Schedule "A" having a **height** of not more than 28 metres;
- 19.1.9 None of the provisions of section 11.1.1 shall apply to prevent the **use** of the land on the west side of Stanley Avenue designated **PI** and numbered 9 on Sheets C6 and D6 of Schedule "A" for the purpose of a **mobile home park**

containing not more than 50 **mobile homes**;

19.1.10 No person shall **erect** or **use** a **one family detached dwelling** within the area north of Mountain Road designated **R1A** and numbered 10 on Sheet C1 of Schedule "A" on a **lot** having a **lot area** of less than 2,000 square metres or a **lot frontage** of less than 30 metres and the provisions of clauses a and b, section 7.1.2, shall not apply to land within the said area;

19.1.11 None of the provisions of section 7.3.1 shall apply to prevent the **use** of the land on the east side of Portage Road designated **R1C** and numbered 11 in sheet C2 of Schedule "A" and the **existing building** thereon for the purpose of a **nursery school** for pre-school children together with not more than one **dwelling unit** in the said **building**;

19.1.12 Repealed by By-law No. 98-245.

19.1.13 None of the provisions of section 8.2.1 shall apply to prevent the **use** of the land on the east side of Drummond Road south of William Street designated **GC** and numbered 13 on Sheet C3 of Schedule "A" or the **erection** or use of a **building** or **structure** thereon for the purpose of a **public garage, auto body**, provided that no automobile fuels or lubricants are stored or kept for sale on the land or within any such **building** or **structure**;

19.1.14 Repealed by By-law No. 88-31

8 1 - 1 2 619.1.15 None of the provisions of section 7.10.1 or clause j of section 7.10.2 shall apply to prevent the **erection** and **use** on the land designated **R5A** and numbered 15 on Sheet C5 of Schedule "A", as amended, of two **apartment dwellings** subject to compliance with By-law No. 81-126

94-297 19.1.16 None of the provisions of section 12.1 shall apply to prevent the land on the west side of Mewburn Road, designated **A** and numbered 16 on Sheet D1 of Schedule "A" from being used for the purpose of providing a **single family dwelling** and not more than 69 residential units in the form of trailer and **mobile home** units, serviced by a private sewage disposal system and utilities required
as amended
by OMB
Order

to maintain the development, with or without ancillary uses and structures only to the extent necessary to service the residents, which may include recreational facilities; and a convenience commercial use, which shall be situated internal to the development and not closer than 60 metres (300 feet) of the westerly limit of Mewburn Road.

- 19.1.17 None of the provisions of section 12.1 shall apply to prevent the **use** of the land on the south side of Mountain Road designated **A** and numbered 17 on Sheet B2 of Schedule "A" for the purpose of a **mobile home park** containing not more than 17 **mobile homes**;
- 19.1.18 Repealed by By-law No. 90-178;
- 19.1.19 Repealed by By-law No. 86-204;
- 19.1.20 None of the provisions of section 8.2.1 shall apply to prevent the **use** of the land on the south side of McLeod Road designated **GC** and numbered 20 on Sheets B5 and B6 of Schedule "A" or the **erection** or use of any **building** or **structure** thereon for the purpose of a **drive-in restaurant, automobile service centre, gasoline bar or car wash** provided that a **retail store** shall not be a permitted use unless it is ancillary or subordinate to another permitted use and such ancillary or subordinate retail use does not exceed 20% of the total **gross leasable floor area** of a **building** used for such permitted use;
- 19.1.21 Nothing in section 8.9.1 shall apply to prevent the **use** of the land at the northeast corner of Garner and McLeod Roads designated **AS** and numbered 21 on Sheets B5 and B6 of Schedule "A" or the **erection** or use of a **building** or **structure** thereon for the purpose of either or both a **used car lot** and a **public garage, auto body** subject to compliance with section 8.9.2 and the remaining provisions of this By-law;
- 19.1.22 Repealed by By-law No. 80-187
- 19.1.23 No **building** or **structure** shall be **erected** on any part of the Triangular parcel of land lying west of Garner Road designated **TD1** and numbered 23 on sheet A4 of Schedule "A";

- 19.1.24 None of the provisions of section 7.11.1 shall apply to prevent the **use** of the land on the east side of Drummond Road designated **R5B** and numbered 24 on sheet C3 of Schedule "A" or the **erection** or use of **buildings** thereon for one or more of the uses permitted under section 7.9.1 in an R4 Zone provided that all of the regulations in section 7.9.2 for a use, **building** or **structure** in an R4 Zone shall also apply to a use, **building** or **structure** permitted under this section on the said land;
- 19.1.27 Repealed by By-law No. 84-229
- 19.1.28 None of the provisions of subclause (iii) of clause b or of subclauses (i) and (ii) of clause e of section 7.7.2 shall apply to prevent the **erection** and **use** on the land lying north of Caronpost Road and south of Cattell Drive and designated **R2** and numbered 28 on Sheets E6 and E7 of Schedule "A" of **semi-detached dwellings** or **duplex dwellings** having a lesser **lot frontage** and **interior side yard** width than that specified in said subclause (iii) of clause b and subclauses (i) and (ii) of clause e of said section 7.7.2 provided that the minimum **lot frontage** and minimum interior side yard width shall not be less than the following:
- (a) minimum **lot frontage** for a **semi-detached dwelling** or a **duplex dwelling** on an **interior lot**.....15 metres
 - (b) minimum **interior side yard** width, subject to the provisions of clauses a and b of section 5.1, for a one **storey**, one and **one-half storey**, **split level building** or a **building** with two or more storeys.....1 metre;
- 19.1.29 The provisions of subclause (ii) of clause f of section 11.2.2 shall not apply to prevent the **erection** or **use** of a **building** or **structure** on the land south of Don Murie Street designated **LI** and numbered 29 on Sheet C7 of Schedule "A" having a lesser minimum **rear yard depth** than that specified in said subclause (ii) of clause f of section 11.2.2 provided that the minimum rear yard depth shall be not less than 3 metres plus any applicable distance specified in section 4.27.1;
- 19.1.30 None of the provisions of section 8.1.1 shall apply to prevent the **use** of the land on the west side of Stanley Avenue designated **NC** and numbered 30 on Sheet

D6 of Schedule "A" for the purpose of an **automobile service station** or a **gasoline bar** provided that all of the regulations in section 8.9.2 for an **automobile service station** in an **AS** Zone shall apply to such **automobile service station** on the said land and all of the regulations in section 8.9.3 for a **gasoline bar** in an **AS** Zone shall apply to such **gasoline bar** on the said land;

- 19.1.31 No person shall **use** any land within registered Plan No. 243 for the City of Niagara Falls or within Plan —67 designated **PI** or **LI** on Sheets C6, C7, D6 and D7 of Schedule "A" or **erect** or **use** any **building** or **structure** thereon for any of the following purposes, namely, a **new car agency**, a **used car lot** or a **public garage, auto body**;
- 81-179 #22 19.1.32 Notwithstanding the **GI** designation, no person shall **use** any land within Registered Plan No. 243 for the City of Niagara Falls or within Registered Plan —67 designated **GI** and numbered 32 on Sheets C6 and C7 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon for the purpose of a kennel for the boarding or breeding of dogs and cats or for the purpose of cleaning, curing, storing or tanning of fresh or green hides;
- 19.1.33 Deleted by By-law No. 2009-126.
- 76-200 19.1.35 Repealed by By-law No. 86-90;
- 80-251 19.1.36 The provisions of clause a of section 4.25 shall not apply to prevent the **use** of the land on the northeasterly side of Main Street designated **TC** and numbered 36 on Sheet C5 of Schedule "A" having a **lot frontage** of not less than 30 metres or the **erection** or use of a **building** or **structure** thereon for the purpose of a **motel**, and nothing in section 8.6.1 shall apply to prevent the **erection** or use on the said land of not more than 1 **one family detached dwelling** provided that all of the regulations in section 7.5.2 for a use, **building** or **structure** in an **R1E** Zone shall apply to such **one family detached dwelling** to be **erected** on the said land;
- 81-179 #23 19.1.37 The provisions of clause a of section 8.1.2 shall not apply to prevent the **use** of the land on the south side of Thorold Stone Road west of Montrose Road designated NC and numbered 37 on Sheet B3 of Schedule #23 "A", as

amended, having a **lot frontage** of not less than 18 metres or the **erection** or use of a **building** or **structure** thereon for one or more of the uses permitted under section 8.1.1;

- 81-62 #60 19.1.38 None of the provisions of section 11.2.1 shall apply to prevent the **use** of the land on the westerly side of Oakwood Drive designated **LI** and numbered 38 on Sheets B5 and C5 of Schedule "A", as amended, or the **erection** or use of **buildings** thereon for the purpose of a nursing home, a central nursing home accounting **office**, a central laundry service and similar uses ancillary to a nursing home;
- 81-62 19.1.39 The provisions of clause c of section 11.2.2 of By-law 79-200 shall not apply to prevent the **erection** of **buildings** on the land on either side of Oakwood Drive shown hatched and designated **LI** and numbered 39 on Sheets B5 and C5 of Schedule "A", as amended, having a **front yard depth** of less than 10 metres provided that no such front yard depth is less than 7.5 metres;
- 81-62 19.1.40 None of the provisions of clause A of section 7.9.2 shall apply to prevent the **erection** or **use** on the land on the north side of McLeod Road designated **R4** and numbered 40 on Sheet C5 of Schedule "A", as amended, of an **apartment dwelling** containing not more than 25 **dwelling units**;
- 81-62 19.1.41 None of the provisions of section 11.1.1 shall apply to prevent the **use** of the land on the west side of Dorchester Road designated **PI** and numbered 41 on Sheet C4 of Schedule "A", as amended, or the **erection** or use of **buildings** or **structures** thereon for the purpose of an **office**;
- 81-62 19.1.42 Repealed by By-law No. 85-186.
- 81-62 19.1.43 None of the provisions of section 8.1.1 shall apply to prevent the **use** of the land on the west side of St. Paul Avenue designated **NC** and numbered 43 on Sheet C2 of Schedule "A", as amended, or the **erection** or use of **buildings** or **structures** thereon for the purpose of a public house within the meaning of The Liquor Licence Act;

- 81-62 19.1.44 Repealed by By-law No. 2000-103.
- 81-62 19.1.45 None of the provisions of section 11.2.1 shall apply to prevent the **use** of the land on the east side of Montrose Road designated **LI** and numbered 45 on Sheet B3 of Schedule "A", as amended, or the **erection** or use thereon of a free standing **building** for the purpose of an **office**;
- 81-62 19.1.46 None of the provisions of section 8.2.1 shall apply to prevent the **use** of the land on the east side of Drummond Road shown hatched and designated **GC** and numbered 46 on Sheet C5 of Schedule "A", as amended, or the **erection** or use of **buildings** or **structures** thereon for the purpose of a **public garage, auto body**;
- 81-62 19.1.47 Nothing in clause g of section 8.6.2 shall apply to prevent the **erection** of a **hotel** on the land on the east side of Fallsview Boulevard designated **TC** and numbered 47 on Sheets D5 of Schedule "A", as amended, having a **height** of not more than 17 metres provided that notwithstanding subclause ii of clause d of section 8.6.2, the minimum **interior side yard** width on the easterly side of the said **hotel** shall be 2.4 metres;
- 19.1.49 (a) in addition to the **uses** permitted by section 11.4.1 in HI Zones, the following uses shall be permitted on the lands lying east of Stanley Avenue designated **HI** and numbered 49 on Sheets C3 and D3 of Schedule "A", as amended, and on the lands lying north of Chippawa Creek Road and east of Thorold Town Line Road designated **HI** and numbered 49 on Sheets A6 and A7 of Schedule "A", as amended, hereinafter jointly called the said lands:
- (a) an organic and inorganic chemical plant
 - (b) bulk storage of gasoline, oil or other inflammable liquids or gases
 - (c) coke manufacture
 - (d) manufacturing gas
 - (e) manufacturing glue
 - (f) manufacturing, refining or processing acid, ammonia, chlorine
 - (g) manufacturing or storing of explosives, ammunition or fireworks
 - (h) refining petroleum or petroleum products
 - (i) an incinerator and a disposal area, as **accessory uses** to the

principal **uses** of the said lands and which have received the approval of the Ministry of the environment and all other required approvals

- (j) a sewage system and a septic tank system and **buildings** and **structure** may be **erected** on the said lands and used for any one or more of the foregoing additional uses provided that the uses in clause I and j above shall be restricted to the disposal of wastes resulting from the other permitted uses carried on any part of the said lands and not for the disposal of wastes emanating elsewhere;

- (b) none of the provisions of sections 4.13 or 4.14 shall apply to prevent the **erection** and **use** of **accessory buildings** or **accessory structures** in any **front yard**, **side yard**, or **rear yard** of the said lands described in clause a and numbered 49 on Sheets A6, A7, C3 and D3 of Schedule "A", as amended, provided that any such **building** or **structure** is not erected in any required front yard, required side yard or required rear yard;

- (c) none of the provisions of section 4.19.1 shall apply to require the owner of a chemical plant **erected** on the said lands described in clause a and numbered 49 on Sheets A6, A7, C3 and D3 of Schedule "A", as amended, to provide and maintain 1 **parking space** for each 90 square metres of floor area of the said chemical plant, provided that the said owner shall provide and maintain entirely within the limits of the said lands a **parking area** or parking areas which shall have a sufficient number of parking spaces to accommodate all employee and visitor parking at all times and in no event shall such parking area or parking areas contain less than one parking space for each 3 employees;

- (d) none of the provisions of section 4.20.1 shall apply to require the owner of a chemical plant **erected** on the said lands described in clause a and numbered 49 on Sheets A6, A7, C3 and D3 of Schedule "A", as amended, to provide and maintain loading spaces to the extent prescribed in section 4.20.1;

19.1.50

Repealed by By-law No. 85-234.

- 81-62 19.1.51 Notwithstanding the PI designation, no person shall **use** the land on the east side of Stanley Avenue, north of Church's **Lane** designated **PI** and numbered 51 on Sheet C2 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon for any purpose except one or more of the uses enumerated in clauses a,b,e,f,h,j,m,n,o and p of section 11.1.1 subject to compliance with sections 11.1.1 and 11.1.2;
- 19.1.52 Notwithstanding the **LI** designation, no person shall **use** the land on the east side of Stanley Avenue north of Church's **Lane** designated **LI** and numbered 52 on Sheet C2 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon for any purpose except one or more of the uses enumerated in clauses a, b, c, d, e, f, g, h, l, l, m, q, s, t, x, y, z and aa of section 11.2.1 subject to compliance with sections 11.2.1 and 11.2.2;
- 81-62 19.1.53 None of the provisions of section 11.3.1 shall apply to prevent the **use** of the land on the west side of Victoria Avenue north of Bridge Street designated **GI** and numbered 53 on Sheet D3 of Schedule "A", as amended, or the **erection** or use of any **building** or **structure** thereon for any one or more of the following uses: cannery, paper and paper products plant, plastic products plant, textile and textile processing plant, wood products factory subject to compliance with section 11.3.2
- 81-62 19.1.54 None of the provisions of section 11.2.1 shall apply to prevent the **use** of the land on the east side of Victoria Avenue designated **LI** and numbered 54 on Sheet D3 of Schedule "A", as amended, or the **erection** or use of a **building** or **structure** thereon for the purpose of an **automobile service station** provided that all of the regulations in section 8.9.2, as amended, for an **automobile service station** in an **AS** Zone shall apply to such **automobile service station** on the said land;
- 81-179 19.1.55 Notwithstanding the **GI** and **HI** designations, no person shall **use** any of the land west of Stanley Avenue designated **GI** or **HI** and numbered 55 on #22 Sheets C6 and D6 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon for the purpose of cleaning, curing, storing or tanning of fresh or green hides;

- (a) in addition to the **uses** permitted by section 11.3.1 in **GI** Zones, the following uses shall be permitted on the land lying east of Dorchester Road designated **GI** and numbered 56 on Sheets C6 and C7 of Schedule "A", as amended:
- (a) manufacturing, refining and distillation of organic and inorganic chemicals and plastics
 - (b) bulk storage of coal, fuel, gasoline, oil and other petrochemicals and inflammable liquids or gases
 - (c) manufacturing gas
 - (d) refining petroleum or petroleum products and **buildings** and **structures** may be **erected** on the said land and **used** for any one or more of the foregoing additional uses;
- (b) none of the provisions of section 4.13 and 4.14 shall apply to prevent the **erection** and **use** of **accessory buildings** or **accessory structures** in any **front yard**, **side yard** or **rear yard** of the said lands described in clause a and numbered 56 on Sheets C6 and C7 of Schedule "A", as amended, provided that any such **building** or **structure** is not **erected** in any required front yard, required side yard or required rear yard;
- (c) none of the provisions of section 4.19.1 shall apply to require the owner of a chemical and plastics plant **erected** on the said land described in clause a and numbered 56 on Sheets C6 and C7 of Schedule "A", as amended, to provide and maintain 1 **parking space** for each 90 square metres of **floor area** of the said chemical and plastics plant, provided that the said owner shall provide and maintain not less than one parking space for each 200 square metres of **floor area** in such chemical and plastics plant or for each 4 employees, whichever is greater;
- (d) none of the provisions of section 4.20.1 shall apply to require the owner of a chemical and plastics plant **erected** on the said land described in clause a and numbered 56 on Sheets C6 and C7 of Schedule "A", as amended, to provide and maintain loading spaces to the extent prescribed in section 4.20.1;
- (e) the provisions of clause g of section 11.3.2 shall not apply to the **erection** or **use** on the lands described in clause a and numbered 56 on

Sheets C6 and C7 of Schedule "A", as amended, of the following types of **structures** and **buildings**: processing towers, processing equipment and industrial process **buildings**;

- 19.1.57 Repealed by By-law No. 89-266.
- 19.1.58 None of the provisions of section 11.3.1 shall apply to prevent the **use** of the land west of Stanley Avenue designated **G1** and numbered 58 on sheets C2 and C3 of Schedule "A", as amended, or the **erection** or use of any **building** or **structure** thereon for anyone or more of the following uses: cannery, paper and paper products plant, plastic products plant, textile and textile processing plant, wood products factory subject to compliance with section 11.3.2;
- 19.1.59 Refer to By-law No. 2010-101.
- 80-198 19.1.60 None of the provisions of section 7.7.2 shall apply to prevent the **use** of the land on the east side of Second Avenue designated **R2** and numbered 60 on Sheet D4 of Schedule "A", as amended, and the use of the **building** thereon for the purpose of a **one family detached dwelling** having a lesser **front yard, interior side yard** and **rear yard** and a greater maximum **lot coverage** than that specified in clauses c,d,e and g of said section 7.7.2 provided that the minimum front yard depth, minimum rear yard depth and minimum interior side yard width shall not be less than the following:
- | | | |
|-------|---|---|
| (i) | Minimum front yard depth | .15 metre |
| (ii) | Minimum rear yard depth | .1 metre |
| (iii) | Minimum interior side yard width | None required and further provided that the maximum lot coverage shall not exceed 95%. |
- 19.1.62 Repealed by By-law No. 96-214.
- 19.1.64 Shall no longer apply, see By-laws Nos. 87-12, 87-97 and 87-98.
- 19.1.67 Deleted by By-law 2008-174.
- 81-73 19.1.68 The **use** of the land on the south side of Lundy's **Lane** designated **OS** and

numbered 68 on Sheet A5 of Schedule "A" to By-law No. 79-200, as amended, and the **erection** and use of any **building** or **structure** thereon shall be subject to compliance with By-law No. 81-73

83-153 19.1.69 The provisions of clause g of section 8.6.2 shall not apply to prevent the **erection** or **use** of the land designated **TC** and numbered 69 on Sheet D4 of Schedule "A", as amended, of a 6 **storey hotel** and an atrium subject to compliance with By-law No. 83-153; (also see By-law 84-20).

19.1.71 Repealed by By-law No. 93-56.

81-181 19.1.72 None of the provisions of section 11.6.2 or section 16.1 shall apply to prevent the **use** of the land lying east of Thorold Town Line Road and north of Mountain Road designated A1 and A2 of Schedule "A", as amended, or the **erection** and **use** of **buildings** and **structures** on the said land for the purpose of a waste disposal site approved under The Environmental Protection Act, 1971 for the disposal of domestic waste, commercial waste and industrial waste, except (i) any such waste which is a hazardous waste as defined in Regulation 824 of Revised Regulations of Ontario 1970 made under The Waste Management Act (ii) hauled liquid industrial waste as defined in said Regulation 824.

81-199 19.1.73 None of the provisions of section 4.19.1 or of clause i of section 8.5.2 shall apply so as to require the owner or occupant of any **building** which is hereafter to be **erected** or to be extended or enlarged or to be materially altered on land within the area designated **CB** and numbered 73 on Sheet D3 of Schedule "A", as amended, for the purpose of any one or more of the **uses** permitted in clauses a, c, d, e, g, h, i, k, m, n, p, q, t, v, w, y, z, bb, dd, ee, ff, gg and hh of section 8.5.1 (which for the purpose of this section 19.1.73 are hereafter referred to as the "designated uses") to provide or maintain a **parking area** to the extend prescribed in said section 4.19.1 with respect to the following part or parts of any such new **building** to be **erected** or of any such extension or enlargement of an **existing building** or of any such material alteration of an **existing building**:

- (a) each of the first two **storeys** above the **basement** or **cellar**, provided that the whole of each such storey is **used** for one or more of the designated uses and the **basement** or **cellar** is not used for any of the designated uses other than storage in connection with the use or uses being carried

on above it, or

- (b) the **basement** or **cellar** if it is **used** for one or more of the designated uses other than storage in connection with the designated use or uses being carried on above it and the first **storey** above the **basement** or **cellar**, provided that the whole of such **storey** is also used for one or more of the designated uses, and
- (c) any **dwelling unit** on the one **storey** which is immediately above the upper storey described in either of the preceding clauses a and b provided the owner or occupant of such **building** provides and maintains a **parking area** to the extent prescribed in section 4.19.1 with respect to the remainder, if any, of such **building**. For the purpose of this section 19.1.73 and sections 19.1.74 and 19.1.75 "materially altered" and "material alteration" mean such alteration for which a **building** permit is required under The **Building** Code Act, 1974.

81-199 19.1.74
2008-23

None of the provisions of section 4.19.1 or of clause I of section 8.2.2 shall apply to as to require the owner or occupant of any **building** which is hereafter to be **erected** or to be extended or enlarged or to be materially altered on land within the area designated **GC** and numbered 74 on Sheet C4 of Schedule "A", as amended, for the purpose of any one or more of the **uses** permitted in clauses b, c, d, e, h, j, l, n, o, q, r, v, x, y, aa, bb, cc, ee, gg, hh, ii, jj, ll, qq and rr of section 8.2.1 (which for the purpose of this section 19.1.74 are hereafter referred to as the "designated uses") to provide or maintain a **parking area** to the extent prescribed in said section 4.19.1 with respect to the same part or parts of any such new **building** to be **erected** or of any such extension or enlargement of any **existing building** or of any such material alteration of an **existing building** as are specified in clauses a, b and c of section 19.1.73, the provisions of which shall apply to this section 19.1.74 except that for the purpose of this section "designated uses" shall mean the uses enumerated in this section, provided the owner or occupant of such **building** provides and maintains a parking area to the extent prescribed in section 4.19.1 with respect to the remainder, if any, of such **building**.

81-199 19.1.75

None of the provisions of section 4.19.1 or of clause i of section 8.6.2 shall apply so as to require the owner or occupant of any **building** which is hereafter to be

erected or to be extended or enlarged or to be materially altered on land within the area designated **TC** and numbered 75 on Sheet D4 of Schedule "A", as amended, for the purpose of any one or more of the **uses** permitted in clauses a,d,e,f,i,k,m,o,p,u,v,x,y,bb,cc,ee and ff of section 8.6.1 (which for the purpose of this section 19.1.75 are hereafter referred to as the "designated uses") to provide or maintain a **parking area** to the extent prescribed in said section 4.19.1 with respect to the same part or parts of any such new **building** to be **erected** or of any such extension or enlargement of an **existing building** or of any such material alteration of an **existing building** as are specified in clauses a, b and c of section 19.1.73, the provisions of which shall apply to this section 19.1.75 except that for the purpose of this section "designated uses" shall mean the uses enumerated in this section, provided the owner or occupant of such **building** provides and maintains a parking area to the extent prescribed in section 4.19.1 with respect to the remainder, if any, of such **building**.

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| 82-49 | 19.1.76 | No person shall use the land on the north side of Spring Street designated I and numbered 76 on Sheet C4 of Schedule "A" to By-law No. 79-200, as amended, or erect or use any building or structure thereon for any purpose except for either or both a private club and a community building , subject to compliance with By-law No. 82-49. |
| 81-255 | 19.1.77 | The provisions of clause g of section 8.6.2 shall not apply to prevent the erection and use on the land designated TC and numbered 77 on Sheet D4 of Schedule "A", as amended, of an hotel 18.8 metres in height subject to compliance with By-law No. 81-255. |
| 81-304 | 19.1.78 | None of the provisions of section 4.28 shall apply to prevent the erection of walls and enclosure and use of an existing exterior patio for a commercial purpose on the land on the east side of Victoria Avenue designated TC and numbered 78 on Sheet D4 of Schedule "A", as amended, provided that the area enclosed shall not exceed 37 square metres. |
| 81-283 | 19.1.79 | None of the provisions of subclauses (ii), (iii) and (iv) of clause b of section 14.2 shall apply to prevent the use of the land on the west side of Stanley Avenue and northwesterly side of Portage Road designated OS and numbered 77 on Sheets C1 and C2 of Schedule "A", as amended, having a lesser front yard depth, lot area or side yard width than specified in the said clauses subject to |

compliance with By-law No. 81-283.

- 82-2 19.1.80 None of the provisions of section 4.28 shall apply to prevent the **erection** of walls and enclosure and **use** of an **existing** porch for a commercial purpose on the land on the east side of Victoria Avenue designated **TC** and numbered 80 on Sheet D4 of Schedule "A", as amended, provided that the area enclosed shall not exceed 28 square metres.
- 81-305 19.1.81 None of the provisions of subclause iv of clause a, subclause vi of clause b or subclause ii of clause e of section 7.8.2 shall apply to prevent the **use** of the land on the south side of Morrison Street designated **R3** and numbered 81 on Sheet D3 of Schedule "A", as amended, or the alteration and use of the **existing dwelling** thereon for the purpose of a **triplex dwelling** having a lesser **side yard width** on the easterly side than 3 metres provided that the width of the said side yard is not less than 2.4 metres.
- 19.1.84 The extension or enlargement, to the extent hereinafter prescribed, of the land on the north side of Bridge Street hereinafter referred to and the garage **building erected** thereon and their **use** for the purpose of the sale and installation of tires and batteries for motor vehicles is hereby permitted, provided
- (i) the land to be **used** for the purpose aforesaid shall not extend beyond the limits of the land shown hatched and numbered 84 on Sheet D3 of Schedule "A", as amended,
 - (ii) the extension or enlargement of the said **building** shall not exceed the enclosure of an area 8 metres in width and 1 metre in depth on the southerly side of the said **building** and the **erection** of a canopy 10.5 metres in width and 2.5 metres in depth on the southerly side of the said **building**,
 - (iii) the said land and garage **building** as so extended or enlarged continue to be **used** in the same manner and for the same purpose as they were used on the 5th day of November, 1979, namely for the purpose of the sale and installation of tires and batteries for motor vehicles.
- 90-155 19.1.84 No **building** or **structure** shall be **erected** on the land shown hatched and

- (A) numbered 84A on said Sheet D3 of Schedule "A", as amended, and the said land shall be **used** only for the purpose of a **surface parking area** and **landscaped open space** and a storage area in conjunction with the use referred to in section 19.1.84 and in accordance with By-law No. 90-155.
- 19.1.85 Repealed by By-law No. 2004-136.
- 19.1.86 Repealed by By-law No. 99-106.
- 19.1.87 Repealed by By-law No. 89-318.
- 19.1.88 Repealed by By-law No. 99-106.
- 82-189 19.1.89 None of the provisions of sections 4.4 or 11.2.1 or clause n of section 11.2.2 shall apply to prevent the **use** of the land on the north side of Montgomery Street and the east side of Kalar Road designated **L1** and numbered 89 on Sheet B6 of Schedule "A", as amended, for outside storage in conjunction with the use of such land and of any **building** or **structure** to be **erected** thereon for the purpose of public service by Niagara Falls Hydro-Electric Commission subject to compliance with clauses a to m inclusive of section 11.2.2 and provided that no part of the said land which is closer
- (i) to the northerly boundary thereof than 3.5 metres,
 - (ii) to the westerly boundary thereof than 10 metres,
 - (iii) to the westerly 290 metres of the southerly boundary thereof than 3.5 metres,
 - (iv) to the remainder of the southerly boundary thereof than 7.5 metres shall be **used** for the purpose of outside storage or for the purpose of **structures** for the storage of fuel.
- 82-115 19.1.90 Nothing in sections 7.7.1 or 7.7.2 shall apply to prevent the **erection** on the land designated **R2** and numbered 90 on Sheet D3 of Schedule "A", as amended, of a monument subject to compliance with By-law No. 82-115.
- 83-192 19.1.92 (a) Notwithstanding the R3 designation or anything contained in section 7.8.1, no person shall **use** the land on the west side of Ottawa Avenue designated **R3** and numbered 92 on Sheet D4 of Schedule "A", as amended, or **erect** or use any **building** or **structure** on the said land for

any purpose except one **on street townhouse dwelling** containing not more than 4 **dwelling units**, subject to compliance with By-law No.83-192, or one or more of the uses enumerated in clauses a,b,c,g and h of said section 7.8.1;

- 83-192 (b) None of the provisions of clause a of section 4.19.1 or of subclause v of clause b or of subclause ii of clause e or of clause k of section 7.8.2 shall apply to prevent the **erection** and **use** of such **on street townhouse dwelling** on the aforesaid land, subject to compliance with said By-law No. 83-192.
- 82-237 19.1.93 Repealed by By-law No. 2009-184.
- 82-268B 19.1.94 None of the provisions of section 8.1.1 or of clauses c or e of section 8.1.2 shall apply to prevent the **use** of the said land on the south side of McLeod Road designated **NC** and numbered 94 on Sheet C5 of Schedule "A", as amended, or the **erection** and use of **structures** on such land for the purpose of a **gasoline bar** in conjunction with a **retail store** subject to compliance with By-law No. 82-268B. Notwithstanding clause f or any other provision of section 8.1.2, the maximum **lot coverage** of the land on the east side of Drummond Road designated **NC** and numbered 95 on Sheet C5 of Schedule "A", as amended, shall be 15% and **landscaped open space** shall be provided and maintained on the said land to the extent, at least of 30% of the area of the said land.
- 82-268B 19.1.95 See 19.1.94.
- 82-257 19.1.96 None of the provisions of sections 2.42, 2.49 or 8.6.1 shall apply to prevent the **use** of the land designated **TC** and numbered 96 on Sheet D5 of Schedule "A", as amended, or the **erection** or use of **buildings** or **structures** thereon for the purpose of a **miniature racing car amusement ride**, subject to compliance with By-law No. 82-257.
- 85-155 19.1.97 None of the provisions of section 8.8.1 or of clauses (a) or (b) of section 8.8.2 or of clause (c) or subclause (ii) of clause (e) of section 7.5.2 or of section 5 shall apply to prevent the **erection** of an addition to the **existing building** on the land on the southeasterly side of Lewis Avenue designated **DTC** and numbered 97 on Sheet D4 of Schedule "A", as amended, or the **use** of the said land,

building and addition thereto for the purpose of a **retail food store** with not more than one **dwelling unit** above the retail food store, subject to compliance with By-law No. 85-155.

- 19.1.98 Repealed by By-law No. 97-196.
- 84-3 19.1.99 Repealed by By-law No. 94-264.
- 83-151 19.1.100 None of the provisions of section 11.2.1 shall apply to prevent the **use** of the land on the west side of Beechwood Road designated **LI** and numbered 100 on Sheet A6 of Schedule "A", as amended, or the **erection** and use thereon of **buildings** or **structures** for the purpose of a **non-motorized bicycle race course** as defined in By-law No. 83-151 subject to compliance with such by-law.
- 19.1.101 Repealed by By-law No. 98-37.
- 84-238 19.1.102 No person shall **use** the land on the westerly side of Valley Way designated **R1C** and numbered 102 on Sheet C4 of Schedule "A" to By-law No. 79-200, as amended, for any purpose except for the purpose of a private landscaped passive park and no person shall **erect** or use any **building** or **structure** on the said land except as provided in By-law No. 84-238.
- 85-206 19.1.103 &None of the provisions of section 8.9.1 or of clause e of section 8.9.2 or of clause e, g or h of section 8.9.3 shall apply to prevent the **use** of the said land on the north side of McLeod Road designated **AS** and numbered 103 on Sheet C5 of Schedule "A", as amended, or the **erection** or use of **buildings** and/or **structures** on such land for any of the following purposes in conjunction with an **automobile service station** or a **gasoline bar**, subject to compliance with By-law No. 85-206
- 19.1.103A (a) bake shop;
(b) **personal service shop**;
(c) **retail store**;
(d) **service shop**;
- Notwithstanding clause g or any other provision of section 8.9.3, the maximum **lot coverage** of the said land on the north side of McLeod Road designated **AS** and numbered 103 on Sheet C5 of Schedule "A", as amended, shall be 20%.

- 84-19 19.1.104 None of the provisions of sections 4.4 or 14.1 shall apply to prevent the **use** of the land in Township **Lot** 191 of the former Township of Stamford designated **OS** and numbered 104 on Sheet D6 of Schedule "A", as amended, for outside storage of materials, supplies, equipment and vehicles by Ontario Hydro for the purpose of public service, provided that no part of such land shall be used for the storage of transformers, explosives, or bulk storage of gasoline, oil or other inflammable liquids or gases.
- 85-108 19.1.105 No person shall **use** the land on the west side of Montrose Road designated **I** and numbered 105 on Sheets B4 and B5 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon for any purpose except for one or more of the uses permitted in and subject to compliance with By-law No. 85-108.
- 84-23 19.1.106 None of the provisions of clause a of section 4.19.1 or of clauses a,c,i,j and k of section 4.25 or of clause L of section 8.6.2 shall apply so as to prevent the **erection** and **use** of a **motel** containing not more than 9 **motel units** on the land on the southeasterly side of Ellen Avenue designated **TC** and numbered 106 on Sheet D4 of Schedule "A", as amended, with a lesser **lot frontage** than 40 metres and a lesser **front yard depth** than 3 metres or so as to require the owner or occupant of such motel to provide and maintain a **parking area** containing all of the **parking spaces** prescribed by the aforesaid section 4.19.1 in respect of such motel on the same **lot** occupied by such motel, provided that such owner or occupant shall provide and maintain parking areas containing, in the aggregate, parking spaces for such motel to the extent at least prescribed in Table 1 of the aforesaid section 4.19.1 on the said land designated **TC** and numbered 106 and on the land on the northwesterly side of Ellen Avenue designated **P** and numbered 106 on said Sheet D4 of Schedule "A", as amended, and further provided that no part of such motel shall be **erected** closer to the southeasterly limit of Ellen Avenue than 1.5 metres.
- 84-21 19.1.107 None of the provisions of sections 9.1 or 9.2 shall apply to prevent the **use** of the **existing dwelling** on the land on the north side of Biamonte Parkway designated **I** and numbered 107 on Sheet C4 of Schedule "A" to By-law No. 79-200, as amended, for the purpose of a **clinic** or the use of the northerly 21 metres of the said land for a **parking area** for the said **clinic** and an **existing clinic** on lands to the west, subject to compliance with By-law No. 84-21.

	19.1.108	Repealed by By-law No. 89-232.
86-27 95-35	19.1.109	<p>None of the provisions of section 8.1.1 shall apply to prevent the use of the land on the westerly side of Portage Road designated NC and numbered 109 on the Sheet C4 of Schedule "A", as amended, for either but not both, of the following alternative uses:</p> <p>Alternative 1 the use of the existing building on part of the said land for the purpose of a variety store and/or a shop selling prepared foods and the use of the remainder of the land for the purpose of a surface parking area, or</p> <p>Alternative 2 the erection and use on part of the said land of one building for the purpose of a clinic and the use of the remainder of the said land for a surface parking area in connection with the said clinic subject to compliance with By-law No. 86-27, as amended by By-law No. 95-35.</p>
84-176	19.1.110	None of the provisions of section 7.7.1 or of clauses a or b or subclause ii of clause e of section 7.7.2 shall apply to prevent the use of the land on the north side of Armoury Street designated R2 and numbered 110 on Sheet D4 of Schedule "A", as amended, or the alteration and use of the one family detached dwelling thereon for the purpose of a dwelling containing 2 dwelling units and having a lesser side yard width on each side than 1.8 metre provided that the width of each side yard is not less than 1.1 metre.
84-177	19.1.111	None of the provisions of section 8.3.1 shall apply to prevent the use of the existing garage building on the land on the west side of Carroll Avenue designated DC and numbered 111 on Sheet C3 of Schedule "A", as amended, for the purpose of a service shop for the repairing of radios, televisions and electronic apparatus, subject to compliance with By-law No. 84-177.
84-220	19.1.112	None of the provisions of section 8.9.1 shall apply to prevent the use of the land located on the north side of Bridge Street designated AS and numbered 112 on Sheet D3 of Schedule "A", as amended, or the erection and use of buildings or structures thereon for the purpose of the keeping for sale and selling at retail of either or both diesel fuel and propane in addition to gasoline, subject to compliance with By-law No. 84-220.

84-252	19.1.114	Repealed by By-law No. 2001-90.
84-245	19.1.115	None of the provisions of sections 10.1 or 10.2 shall apply to prevent the use of an existing building on the land located on the east side of Montrose Road designated LI and numbered 115 on Sheet B3 of Schedule "A" as amended for the keeping for sale and selling at retail of flooring products, carpet products and bathroom fixtures subject to compliance with By-law No. 84-245
84-229	19.1.116	None of the provisions of section 8.6.1 of clause a of section 4.19.1 or clauses g and l of section 8.6.2 shall apply to prevent the erection or use on the land on the north side of Ferry Street between Ellen Avenue and Victoria Avenue, designated TC and numbered 116 on Sheet D4 of Schedule "A", as amended, of one building not exceeding 6 storeys in height for the purpose of a hotel or so as to require the owner or occupant of such hotel to provide and maintain a parking area containing all of the parking spaces prescribed by the aforesaid section 4.19.1 in respect of such hotel on the same lot occupied by such hotel , provided that such owner or occupant shall provide and maintain a parking area containing, in the aggregate, parking spaces for such hotel to the extent at least prescribed in Table 1 of the aforesaid section 4.19.1 on the said land designated TC and numbered 116 and on the land on the northwesterly side of Ellen Avenue designated P and numbered 116 on said Sheet D4 of Schedule "A", as amended, subject to compliance of By-law No. 84-229.
84-240	19.1.117	None of the provisions of clauses b, d or e of section 7.9.2 shall apply to prevent the erection or use of group dwellings containing in aggregate not more than 45 dwelling units and having a minimum lot frontage of 12 metres on the land on the north side of Prospect Street designated R4 and numbered 117 on Sheet C4 of Schedule "A" as amended subject to compliance with By-law No. 84-240.
	19.1.118	Repealed by By-law No. 87-140.
85-77	19.1.119	(a) none of the provisions of section 12.1 shall apply to prevent the use of the land designated "A", as amended, for the purpose of a golf course or to prevent the erection or use of accessory buildings and accessory structures thereon for the purpose of a golf course, subject to compliance with By-law No. 85-77;

		(b) notwithstanding sections 16.1 and 16.2, no person shall use the land designated HL and numbered 119 on Sheets A3 and A4 of Schedule "A", as amended, for any purpose except for the purpose of a golf course and no person shall erect or use any building or structure of any nature or kind on the said land for the purpose of a golf course or for any other purpose.
85-226	19.1.120	Notwithstanding clause (d) of section 7.4.2 or clauses (c) and (d) of section 7.5.2 no person shall erect or use any building or structure on any lot abutting on the most northerly boundary of the land numbered 120 on Sheet B3 of Schedule "A", as amended, closer to such most northerly boundary than 10 metres or erect or use any building or structure on any lot designated R1E lying within the area of the said land numbered 120 having a lesser front yard depth than 6 metres.
85-133	19.1.122	Deleted by By-law No. 88-28.
85-133	19.1.123	None of the provisions of section 7.10.1 or of clauses d, e, h and j of section 7.10.2 shall apply so as to prevent the erection and use on the land designated R5A and numbered 123 on Sheet B3 of Schedule "A", as amended, of not more than five apartment dwellings containing a combined total of 150 dwelling units and a parking structure and with or without other accessory buildings and accessory structures , and having a lesser interior rear yard depth than 10 metres, lesser interior side yard widths than one-half the height of the apartment dwellings , a greater height than 10 metres for the apartment dwellings and more than one apartment dwelling on one lot or block, subject to compliance with By-law No. 85-133.
85-130	19.1.124	Repealed by By-law No. 96-107.
85-154	19.1.125	The provisions of clause g of section 8.6.2 shall not apply to prevent the erection or use on the land on the northwesterly side of Victoria Avenue and the southeasterly side of Ellen Avenue designated TC and numbered 125 on Sheet D4 of Schedule "A", as amended, of a hotel 7 storeys in height subject to compliance with By-law No. 85-154.
	19.1.127	Repealed by By-law No. 98-204

85-234	19.1.128	Repealed by By-law No. 95-200
86-43	19.1.129	The provisions of clause (c) of section 7.2.2 shall not apply to prevent the erection and use on the land designated R1B and numbered 129 on Sheet C4 of Schedule "A", as amended, of one family detached dwellings having a lesser front yard depth than 7.5 metres provided that the front yard depth shall not be less than 6 metres.
86-45 92-113 92-182	19.1.130	Notwithstanding the GC designation or anything contained in sections 8.2.1 and 8.2.2 no person shall use the land on the south side of McLeod Road designated GC and numbered 130 on Sheet C5 on Schedule "A", as amended, or erect or use any building or structure on the said land for any purpose except one or more of the uses set out in By-law No. 86-45 and except in compliance with the regulations set out in said By-law No. 86-45, as amended by By-law No. 92-113 and By-law No. 92-182.
86-36	19.1.131	None of the provisions of section 8.1.1 shall apply to prevent the use of the existing motel building on the land on the northerly side of McLeod Road and designated NC and numbered 131 on Sheet C5 of Schedule "A", as amended, or the conversion and use of the said motel building and any addition thereto for the purpose of an outlet for the sale or rental of video cassettes and recorders and certain additional Neighbourhood Commercial uses specified in By-law No. 86-36 subject to compliance with said By-law No. 86-36.
86-48	19.1.132	Repealed by By-law No. 99-259.
86-72	19.1.133	(a) none of the provisions of subclause (iii) or clause (a), subclause (v) of clause (b) or of subclause (ii) of clause (e) or of clause (f) of section 7.8.2 shall apply to prevent the erection and use of one on-street townhouse dwelling containing not more than 3 dwelling units on the land at the northeasterly corner of Murray Street and Drummond Road designated R3 and numbered 133 on Sheet C5 of Schedule "A", as amended, and having a lesser interior side yard width than 3 metres and lesser exterior side yard width than 4.5 metres, provided that such yards are not less than 1.8 metres and 3 metres, respectively, subject to compliance with By-law No. 86-72.

86-72	(b)	notwithstanding the R3 designation or anything contained in section 7.8.1, no person shall use the aforesaid land or erect or use any building or structure thereon for any purpose except one on-street townhouse dwelling containing not more than 3 dwelling units subject to compliance with said By-law No. 86-72
86-82	19.1.134	None of the provisions of section 4.14 or clause (f) of section 7.11.2 shall apply to prevent the erection and use on the land on the easterly side of Portage Road and northerly side Valley Way designated R5B and numbered 134 on Sheet C4 of Schedule "A", as amended, of an apartment dwelling containing not more than 15 dwelling units having covered balconies which project into the exterior side yard a distance of not more than 1.83 metres, subject to compliance with By-law No. 86-82.
	19.1.135	Repealed by By-law No. 94-180.
86-90	19.1.136	Repealed by By-law No. 98-176.
86-113	19.1.137	None of the provisions of clauses (b), (d) or (k) of section 7.11.2 shall apply to prevent the erection or use on the land on the northerly side of Dunn Street designated R5B and numbered 137 on Sheet C5 of Schedule "A", as amended, of an apartment dwelling containing not more than 7 dwelling units and having lesser rear yard depth than 10 metres and less than 10 parking spaces subject to compliance with By-law No. 86-113.
86-112	19.1.138	None of the provisions of section 7.8.1 or of clauses (a) or (i) of section 7.8.2 shall apply to prevent the use of the land on the south side of Ker Street designated R3 and numbered 138 on Sheet C4 of Schedule "A", as amended, or the alteration and use of the existing dwelling thereon for the purpose of a dwelling containing 3 dwelling units subject to compliance with By-law No. 86-112.
88-107	19.1.139	Repealed by By-law No. 88-107; repealed by By-law No. 96-04.
87-155	19.1.140	Notwithstanding the P designation or any of the provisions of section 17.1, no person shall use the land on the westerly side of Drummond Road designated P and numbered 140 on Sheet C3, as amended, for any purpose except a

parking lot consisting only of a **surface parking area** and subject to compliance with By-law No. 87-155

- 86-164 19.1.142 Notwithstanding the **GC** designation or anything contained in sections 8.2.1 and 8.2.2 no person shall **use** the land on the west side of Stanley Avenue and the southerly side of Valley Way designated **GC** and numbered 142 on Sheet D4 on Schedule "A", as amended, or **erect** or use any **building** or **structure** on the said land for any purpose except one or more of the uses set out in By-law No. 86-164 and except in compliance with the regulations set out in said By-law No. 86-164.
- 19.1.143 Repealed by By-law No. 88-134.
- 19.1.144 Repealed by By-law No. 94-151.
- 19.1.145 Repealed by By-law No. 97-100.
- 88-26 19.1.146 None of the provisions of section 8.5.1 shall apply to prevent the **use** of the land on the southerly side of Bridge Street, designated **CB** and numbered 146 on Sheet D3 of Schedule "A", as amended, or the **erection** or use of **buildings** or **structures** thereon or the purpose of either or both a **used car lot** and **new car agency**, subject to compliance with section 8.5.2.
- 87-55 19.1.147 The provisions of section 7.9.1, subclause (i) of clause d of section 7.9.2 and subclause (iii) of clause c of section 7.9.3 shall not apply to prevent the **use** of the land on the westerly side of Portage Road designated **R4** and numbered 147 on Sheet C3 of Schedule "A", as amended, or the **erection** or use thereon of four **townhouse dwellings** containing, in the aggregate, not more than 16 **dwelling units** or the alteration or use of an **existing dwelling** for the purpose of a **semi-detached dwelling**, subject to compliance with By-law No. 87-55
- 86-224 19.1.148 The provisions of clause b of section 7.9.2 shall not apply to prevent the **use** of the land on the easterly side of Ailanthus Avenue designated **R4** and numbered 148 on Sheet C5 of Schedule "A", as amended, or the **erection** or use thereon of either one **apartment dwelling** containing no more than 12 **dwelling units** or two or more **townhouse dwellings** containing, in the aggregate, not more than 10 **dwelling units**, subject to compliance with By-law No. 86-224.

86-254	19.1.149	The provisions of subclause (i) of clause b of section 7.9.2 shall not apply to prevent the use of the land on the easterly side of Montrose Road designated R4 and numbered 149 on Sheet B5 of Schedule "A", as amended, or the erection or use thereon of one apartment dwelling containing no more than 16 dwelling units , subject to compliance with By-law No. 86-254.
87-13	19.1.150	None of the provisions of sections 5.9 or 7.7.1 or of clause (c) of section 7.7.2 shall apply to prevent the temporary use for a period not exceeding two years of the land on the southerly side of Jepson Street designated R2 and numbered 150 on Sheet D4 of Schedule "A", as amended, for the purpose of an adult community mental health home subject to compliance with By-law No. 87-13.
87-11	19.1.151	(a) the extension, to the extent hereinafter prescribed, of the land shown hatched and numbered 151 on Sheet C4 of Schedule "A", as amended, and the use thereof for the purpose of a club house and playground for carrying on the activities of Boy Scouts and Girl Guides and their respective groups and divisions is hereby permitted subject to the provisions of By-law No. 87-11. (b) the land to be used for the purpose aforesaid shall not be extended beyond the limits of the land shown hatched and numbered 151 and 152 on said Sheet C4 of Schedule "A", as amended.
87-11	19.1.152	No building or structure shall be erected on the land shown hatched and numbered 152 on said Sheet C4 of Schedule "A", as amended, but otherwise the said land may be used for the purpose described in section 19.1.151
89-208	19.1.153	None of the provisions of section 16.1 shall apply to prevent the erection or use of one one-family detached dwelling with an attached garage on the land on the southeasterly side of Lundy's Lane designated HL and numbered 153 on Sheet A5 of Schedule "A", as amended, subject to compliance with By-law No. 89-208.
87-47	19.1.154	Repealed by By-law No. 99-233.
	19.1.155	Repealed by By-law No. 2000-195.

- 87-79 19.1.156 Notwithstanding the **R5C** designation or anything contained in section 7.12.2, no person shall **use** the land on the easterly side of Dorchester Road designated **R5C** and numbered 156 on Sheet C4 of Schedule "A", as amended, for any purpose except one **apartment dwelling** containing not more than 77 **dwelling units**, subject to compliance with By-law No. 87-79.
- 87-81 19.1.157 Notwithstanding the **R4** designation or anything contained in sections 7.9.1, 7.9.2 and 7.9.3, no person shall **use** the land on the easterly side of Dorchester Road designated **R4** and numbered 157 on Sheet C4 of Schedule "A", as amended, for any purpose except for 5 **townhouse dwellings** containing, in the aggregate, no more than 30 **dwelling units**, subject to compliance with By-law No. 87-81
- 87-81 19.1.158 Repealed by By-law No. 2000-243.
- 87-140 19.1.159 No person shall **use** the land on the north side of Morrison Street designated **GC** and numbered 159 on Sheet C3 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon for any purpose except one **building** for the purpose of medical **offices** with or without ancillary uses, subject to compliance with By-law No. 87-140.
- 87-144 19.1.160 None of the provisions of section 7.7.1 shall apply to prevent the **use** of the land on the east side of Second Avenue north of Bridge Street designated **R2** and numbered 160 on D3 of Schedule "A", as amended, or the use of the **existing dwelling** thereon for the purpose of a **dwelling** containing not more than three **dwelling units**
- 86-259 19.1.161 No person shall **use** the land on the southeasterly side of Lewis Avenue, being **Lots** 23, 24, 25, 26 and 27 according to Registered Plan No. 1063 for the Town of Niagara Falls, now known as Plan 11, designated **TC** and numbered 161 on Sheet D4 of Schedule "A", as amended, by By-law No. 86-259 and this order, except in accordance with the provisions of sections 8.6.1 and 8.6.2 and the plan added as Schedule 2 to said By-law No. 86-259 by this order.
- 19.1.162 Repealed by By-law No. 89-301.
- 19.1.163 Repealed by By-law No. 97-50.

88-207	19.1.164	None of the provisions of section 8.2.1 shall apply to prevent the use of the existing building on the land on the southerly side of Robinson Street and easterly side of Main Street designated GC and numbered 164 on Sheet C5 of Schedule "A", as amended, for the purpose of a rooming house or boarding house for the accommodation of not more than 10 persons, exclusive of the owner and his or her family , subject to compliance with By-law No. 88-207.
	19.1.165	Repealed by By-law No. 90-126.
	19.1.166	Repealed by By-law No. 94-263.
92-01	19.1.167	Notwithstanding clause (c) of section 7.3.2 and except for Lot 45 according to Registered Plan 59M-138 for the City of Niagara Falls, no person shall erect or maintain any fence or wall on the land designated R1C and numbered 167 on Sheet B3 of Schedule "A", as amended, closer to the northerly limit of Thorold Stone Road than 8 metres.
87-222	19.1.168	Deleted by By-law No. 2003-180.
	19.1.169	Repealed by By-law No. 90-216.
88-40	19.1.170	The enlargement by an aggregate floor area of 410 square metres on the westerly side of the building now erected on the land shown hatched and designated R5A and numbered 170 on Sheet C3 of Schedule "A", as amended, and the use thereof for the purpose of a restaurant with two dwelling units above it is hereby permitted subject to the provisions of By-law No. 88-40.
87-243	19.1.171	<p>(a) the extension, to the extent hereinafter prescribed, of the land shown hatched and numbered 171 on Sheet C4 of Schedule "A", as amended, and the use thereof for the purpose of a club house and grounds for carrying on the activities of Knights of Columbus is hereby permitted subject to the provisions of By-law No. 87-243.</p> <p>(b) the land to be used for the purpose aforesaid shall not be extended beyond the limits of the land shown hatched and numbered 171 and 172 on said Sheet C4 of Schedule "A", as amended.</p>

87-243	19.1.172	No building or structure shall be erected on the land shown hatched and numbered 172 on said Sheet C4 of Schedule "A", as amended, but otherwise the said land may be used for the purpose described in section 19.1.171
88-030	19.1.173	Repealed by By-law No. 2001-265.
87-269	19.1.174	Notwithstanding the R4 designation or anything contained in sections 7.9.1, 7.9.2 and 7.9.3, no person shall use the land on the easterly side of Mewburn Road designated R4 and numbered 174 on Sheet B2 of Schedule "A", as amended, for any purpose except for 5 townhouse dwellings containing, in the aggregate, no more than 28 dwelling units , subject to compliance with By-law No. 87-269.
88-48	19.1.175	None of the provisions of sections 10.1, 10.2 or 11.1.1 shall apply so as to prevent the use on the land on the westerly side of Stanley Avenue, designated PI and numbered 175 on Sheet C3 of Schedule "A", as amended, or part or parts of the industrial mall building erected thereon for the purpose of a contractor's or tradesman's shop or the use of not more than 30% or 93 square metres, whichever is the lesser, of the gross floor area of any unit in the said industrial mall building for retail purposes, subject to compliance with By-law No. 88-48.
96-04	19.1.176	Repealed by By-law No. 99-268.
88-165	19.1.177	The provisions of clause (g) of section 8.6.2 shall not apply to prevent the erection or use on the land on the northwesterly side of Victoria Avenue, designated TC and numbered 177 on Sheet D4 of Schedule "A", as amended, of a hotel not exceeding 9 storeys in height , subject to compliance with By-law No. 88-165.
88-28 92-01	19.1.178	(a) The provisions of clause (j) of section 7.2.2 shall not apply to prevent the erection and use on the land designated R1B and numbered 178 on Sheet B3 of Schedule "A", as amended, of not more than 26 one-family detached dwellings , subject to compliance with By-law 88-28, and By-law 92-01
88-31	19.1.179	Notwithstanding the OS designation or anything contained in sections 14.1 and

- 88-110 14.2, no person shall **use** the land on the easterly side of Portage Road, designated **OS** and numbered 179 on Sheet C3 of Schedule "A", as amended, for any purpose except for one or more of a **mausoleum**, which may contain a chapel and a **columbarium**, subject to compliance with By-law No. 88-31.
- 88-149 19.1.180 The provisions of clause (g) of section 8.6.2 shall not apply to prevent the **erection** or **use** on the land on the northerly side of Lundy's **Lane** and the easterly side of Belmont Avenue, designated **TC** and numbered 180 on Sheet B4 of Schedule "A", as amended, of a **hotel** not exceeding 6 **storeys** in **height**, subject to compliance with By-law No. 88-149.
- 88-163 19.1.182 Notwithstanding the **P** designation or any of the provisions of section 17.1, no person shall **use** the land lying east of Drummond Road and north of Toby Crescent, designated **P** and numbered 182 on Sheet C5 of Schedule "A", as amended, for any purpose except a **parking lot** consisting only of a **surface parking area** and subject to compliance with By-law No. 88-163.
- 88-78 19.1.183 Notwithstanding clauses (d) and (i) of section 7.2.2, no person shall **erect** or **use** any **dwelling** having a **floor area** of less than 139 square metres on the land designated **R1B** and numbered 183 on Sheet C2 of Schedule "A", as amended, and no such **dwelling** shall be **erected** closer to the most westerly boundary of the said land than 12 metres and a close board type fence shall be **erected** and maintained along the whole of the said most westerly boundary, all in compliance with By-law No. 88-78.
- 88-151 19.1.184 No person shall **use** the land on the northwesterly side of Main Street and the southeasterly side of Bridgewater Street designated **R1C** and numbered 184 on Sheet E6 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon for any purpose except for the purpose of a **senior citizens' residence** as defined in By-law 88-151, subject to compliance with such by-law.
- 88-101 19.1.185 None of the provisions of section 7.9.1 or of clause (b) of section 7.9.2 shall apply so as to prevent the **erection** or **use** of a **quadruplex dwelling** on the land designated **R4** and numbered 185 on Sheet C5 of Schedule "A", as amended, subject to compliance with By-law No. 88-101.
- 88-108 19.1.186 Notwithstanding the **P** designation or any of the provisions of sections 17.1 and

17.2, no person shall **use** the land on the southerly side of Spring Street, designated **P** and numbered 186 on Sheet C4 of Schedule "A", as amended, for any purpose except a **surface parking area** and subject to compliance with By-law No. 88-108.

88-102	19.1.187	Deleted By-law No. 2003-180.
88-116 90-310	19.1.188	Notwithstanding the GC designation or anything contained in sections 8.2.1 and 8.2.2, no person shall use the land on the west side of Drummond Road designated GC and numbered 188 on Sheet C3 on Schedule "A", as amended, or erect or use any building or structure on the said land for any purpose 90-310 except a retail store and one or more of the uses set out in By-law No. 88-116 and except in compliance with the regulations set out in said By-law No. 88-116.
	19.1.189	Repealed by By-law No. 89-288.
88-134	19.1.190	None of the provisions of section 7.10.1 or of clauses (c), (d), (e) and (j) of section 7.10.2 shall apply so as to prevent the erection and use on the land designated R5A and numbered 190 on Sheet B3 of Schedule "A", as amended, of not more than 2 apartment dwellings containing a combined total of not more than 30 dwelling units and having a lesser front yard depth from the centre line of Thorold Stone Road than 34.02 metres, a lesser interior rear yard depth than 10 metres and a lesser interior side yard width on the easterly side than one-half the height of the more easterly apartment dwelling , subject to compliance with By-law 88-134.
	19.1.191	Repealed by By-law No. 95-53.
88-182	19.1.192	Notwithstanding the R5A designation or the provisions of section 7.10.2, no person shall use the land on the southwesterly side of Terrace Avenue designated R5A and numbered 192 on Sheet D3 of Schedule "A", as amended, or erect or use any building or structure thereon for any purpose other than one apartment dwelling not exceeding 2 storeys in height and containing not more than 6 dwelling units , subject to compliance with By-law No. 88-182.
88-184	19.1.192	The land on the westerly side of Montrose Road, designated R1B and numbered

192 on Sheet B3 of Schedule "A", as amended, shall be subject to the additional **lot frontage** and exterior side yard requirements and the **landscaped open space** requirement of at least 40% of the area of each **lot** contained in By-law No. 88-184.

88-184 19.1.193 The land on the westerly side of Montrose Road designated R1A and numbered 193 on Sheet B3 of Schedule "A", as amended, shall be subject to the additional **lot frontage** and yard requirements and the **landscaped open space** requirement of at least 40% of the area of each **lot** contained in By-law No. 88-184.

88-184 19.1.194 The land lying west of Montrose Road designated R1A and numbered 194 on Sheet B3 of Schedule "A", as amended, shall be subject to the additional **lot frontage, yard** and minimum **floor area** requirements and the **landscaped open space** requirement of at least 40% of the area of each **lot** contained in By-law No. 88-184.

88-184 19.1.195 The land on the westerly side of Montrose Road designated R1A and numbered 195 on Sheet B2 of Schedule "A", as amended, shall be subject to the additional **lot frontage, yard** and minimum **floor area** requirements and the **landscaped open space** requirement of at least 40% of the area of each **lot** contained in By-law No. 88-184.

88-184 19.1.196 Notwithstanding the R4 designation or anything contained in sections 7.9.1, 7.9.2 and 7.9.3, no person shall **use** the land on the westerly side of Montrose Road designated R4 and numbered 196 on Sheet B2 of Schedule "A", as amended, for any purpose except for **townhouse dwellings** not more than one **storey** in **height** containing, in the aggregate, no more than 25 **dwelling units**, subject to the additional **yard** and minimum **floor area** requirements and the additional **landscaped open space** requirement of at least 40% of the area of the said land contained in By-law No. 88-184.

88-184 19.1.197 Repealed by By-law No. 2002-091
2002-091

89-266 19.1.202 None of the provisions of section 4.8 or section 11.4.1 shall apply so as to prevent the **use** of the land on the easterly side of Thorold Town Line Road and the northerly side of Brown Road designated H1 and numbered 202 on Sheet A6

of Schedule "A", as amended, or the **erection** and use of **buildings** or **structures** thereon for either or both of the following purposes:

- (a) a metal scrap yard, subject to compliance with By-law No. 89-266,
- (b) not more than one **one-family detached dwelling** provided that all of the regulations in clauses (c),(d),(e) and (f) of section 7.3.2 or a **one family detached dwelling** in an **R1C** Zone shall apply to the said land.

89-33	19.1.203	None of the provisions of clause (a) of section 4.19.1 and of clauses (h) and (j) of section 9.2 shall apply to prevent the erection or use of an addition to the existing place of worship on the land designated I and numbered 203 on Sheet C2 of Schedule "A", as amended, having a greater height than 10 metres and providing a lesser number of parking spaces than specified in the aforesaid clauses, subject to compliance with By-law No. 89-33.
88-246 94-130	19.1.204	None of the provisions of sections 10.1, 10.2, 11.1.1 or clause (c) of section 11.1.2 shall apply so as to prevent the use of the land on the westerly side of Stanley Avenue, designated PI and numbered 204 on Sheet C3 of Schedule "A", as amended, or part or parts of the industrial mall building erected thereon for the purpose of a dance studio, contractor's or tradesman's shop or the use of not more than 30% or 93 square metres, whichever is the lesser, of the gross floor area of any unit in the said industrial mall building for retail purposes, or the erection or use of a part of the said building closer to the southwesterly limit of Stanley Avenue than 10 metres, subject to compliance with By-law No. 88-246.
89-09	19.1.205	Notwithstanding the provisions of clauses (a) and (b) of section 7.10.2, no person shall use the land designated R5A and numbered 205 on Sheet B3 of Schedule "A", as amended, or erect or use any building thereon for any purpose other than one apartment dwelling containing not more than 18 dwelling units .
95-109	19.1.207	None of the provisions of sections 8.7.1 and 8.7.2 shall apply to prevent the use of the land on the northerly side of Lundy's Lane designated CE and numbered 207 on Sheet B4 of Schedule "A", as amended, for the placement and use thereon of not more than 26 trailers or structures to be used for occupancy on a year-round basis.
88-291	19.1.208	The provisions of clauses (e) and (g) of section 8.6.2 shall not apply to prevent the erection or use on the land on the westerly side of Buchanan Avenue,

northerly side of Spring Street and easterly side of Stanley Avenue, designated TC and numbered 208 on Sheet D4 of Schedule "A", as amended, of a **hotel** not exceeding four **storeys** or 14.6 metres in **height**, whichever is the lesser, or a one storey addition to an **existing restaurant building** without such addition having any setback from the northerly limit of Spring Street, subject to compliance with By-law No. 88-291

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| 89-17 | 19.1.209 | Repealed by By-law No. 2003-75. |
| | 19.1.210 | Repealed by By-law No. 90-222. |
| 89-122 | 19.1.211 | The provisions of subclause (ii) of clause (a) of section 7.7.2 shall not apply so as to prevent the use of the land on the northwesterly side of Palmer Avenue designated R2 and numbered 211 on Sheet D4 of Schedule "A", as amended, or the erection or use thereon of not more than four semi-detached dwellings , provided that no part of any such dwelling shall be erected on the said land closer to the northwesterly limit of Palmer Avenue than 6 metres. |
| | 19.1.212 | Repealed by By-law No. 96-94. |
| 89-52 | 19.1.213 | None of the provisions of clause (a) of section 4.19.1 or clauses (g) and (i) of section 8.6.2 shall apply so as to prevent the erection and use of a 10 storey hotel containing not more than 108 rooms for guests on the land on the southwesterly corner of Victoria Avenue and Roberts Street, designated TC and numbered 213 on Sheet D4 of Schedule "A", as amended or so as to require the owner or occupant of such hotel to provide and maintain a parking area containing all of the parking spaces prescribed by the aforesaid clause (a) of section 4.19.1 in respect of such hotel on the same lot occupied by such hotel , provided that such owner or occupant shall provide and maintain parking areas containing, in the aggregate, parking spaces for such hotel to the extent at least prescribed in Table 1 of the aforesaid clause (a) of section 4.19.1 on the said land designated TC and numbered 213 and on the land on the southerly side of Roberts Street and northerly side of Kitchener Street designated P and numbered 213 on said Sheet D4 of Schedule "A", as amended, subject to compliance with By-law No. 89-52. |
| | 19.1.215 | Repealed by By-law No. 97-197. |

89-44	19.1.216	The provisions of subclause (ii) of clause (a) of section 7.7.2 shall not apply so as to prevent the erection or use of two semi-detached dwellings or two duplex dwellings or one semi-detached dwelling and one duplex dwelling on the land designated R2 and numbered 216 on Sheet E6 of Schedule "A", as amended, subject to compliance with By-law No. 89-44.
	19.1.217	Repealed by By-law No. 2001-21.
	19.1.218	Repealed by By-law No. 98-157.
	19.1.219	Repealed by By-law No. 98-157.
89-65	19.1.220	None of the provisions of clauses (a),(c),(d),(e),(h) and (m) of section 7.11.2 or of clauses (a) and (d) of section 4.27.1 shall apply so as to prevent the erection or use on the land designated R5B and numbered 220 on Sheet C3 of Schedule "A", as amended, of a sixteen unit apartment building , subject to compliance with By-law No. 89-65.
89-116	19.1.221	The provisions of clause (g) of section 4.25 shall not apply to prevent the erection or use on the land on the easterly side of Stanley Avenue and westerly side of Buchanan Avenue designated TC and numbered 221 on Sheet D4 of Schedule "A", as amended, of a motel not exceeding 12 metres in height , subject to compliance with By-law No. 89-116.
90-20	19.1.222	The provisions of clause (k) of section 7.9.2 shall not apply so as to prevent the erection or use on the land on the easterly side of Montrose Road designated R4 and numbered 222 on Sheet B3 of Schedule "A", as amended, of one apartment dwelling having a lesser number of parking spaces than prescribed in clause (a) of section 4.19.1, subject to compliance with By-law No. 90-20.
90-94	19.1.223	Notwithstanding clause (m) of section 7.9.2, no person shall use the land on the east side of Montrose Road designated R4 and numbered 223 on B2 of Schedule "A", as amended, except in compliance with By-law No. 90-94.
89-118	19.1.224	The land on the westerly side of Montrose Road designated R1B and numbered 224 on Sheet B3 of Schedule "A", as amended, shall be subject to the additional lot frontage and exterior side yard requirements and the landscaped open space requirement of at least 40% of the area of each lot contained in By-law No. 89-118.

89-133	19.1.225	The provisions of clause (h) of section 7.9.2 shall not apply so as to prevent the erection and use on the land on the north side of Thorold Stone Road designated R4 and numbered 225 on Sheet B3 of Schedule "A", as amended, of not more than 2 apartment dwellings containing a combined total of not more than 60 dwelling units and having a greater height than 10 metres, subject to compliance with By-law No. 89-133.
89-145	19.1.226	The land lying west of Montrose Road and north of Thorold Stone Road designated R1C and R1D and numbered 226 on Sheet B3 of Schedule "A", as amended, shall be subject to the additional lot coverage requirements and the landscaped open space requirement of at least 40% of the area of each lot contained in By-law No. 89-145.
89-235	19.1.227	Repealed by By-law No. 2008-102.
89-228	19.1.228	Repealed in whole by the Ontario Municipal Board.
	19.1.229	Repealed by By-law No. 96-213.
	19.1.230	Repealed by By-law No. 96-213.
89-280 96-213	19.1.231	The land on the easterly side of Kalar Road designated R1A and numbered 231 on Sheet B2 of Schedule "A", as amended, shall be subject to the additional lot frontage and yard requirements and the landscaped open space requirement of at least 40% of the area of each lot contained in By-law No. 89-280; amended by By-law 96-213.
89-280	19.1.232	The land lying west of Montrose Road designated R1A and numbered 232 on Sheet B2 of Schedule "A", as amended, shall be subject to the additional lot frontage, yard and minimum floor area requirements and the landscaped open space requirement of at least 40% of the area of each lot contained in By-law No. 89-280.
89-280	19.1.233	The land on the east side of Kalar Road designated R1A and numbered 233 on Sheet B3 of Schedule "A", as amended, shall be subject to the additional lot frontage, yard and minimum floor area requirements and the landscaped open space requirement of at least 40% of the area of each lot contained in By-law No. 89-280.

89-288	19.1.234	None of the provisions of clauses (c) and (h) of section 8.1.2 or of clause (d) of section 4.27.1 shall apply so as to prevent the erection or use on the land on the southerly side of Thorold Stone Road, being part of Township Lot No. 78 of the former Township of Stamford designated NC and numbered 234 on Sheet C3 of Schedule "A" of any building or structure for the purpose of one or more of the uses enumerated in clauses (a),(b),(c),(e),(f),(h) and (i) of section 8.1.1 and the one restaurant in existence on the said land on the date of the passing of By-law No. 89-288, subject to compliance with By-law No. 89-288.
90-166	19.1.235	Notwithstanding clause c of Section 7.7.2, no person shall erect or use any dwelling having a front yard depth of less than 5.5 metres on the land designated R2 and numbered 235 on Sheets C6 and D6 of Schedule "A", as amended, all in compliance with By-law No. 90-166.
89-258	19.1.236	<p>(a) The extension, the extent hereinafter prescribed, of the land shown hatched and numbered 236 on Sheet D4 of Schedule "A", as amended, and the use thereof for the purpose of a general contractor's office and storage for an aluminum siding business is hereby permitted, subject to the provisions of By-law No. 89-258.</p> <p>(b) The land to be used for the purpose aforesaid shall not be extended beyond the limits of the land shown hatched and numbered 236 and 237 on said Sheet B4 of Schedule "A", as amended.</p>
89-258	19.1.237	No building or structure shall be erected on the land shown hatched and numbered 237 on said Sheet D4 of Schedule "A", as amended, and the said land shall not be used for any purpose other than a surface parking area , landscaped open space and placing of one metal refuse bin.
89-255 92-285	19.1.238	Repealed by By-law No. 2008-54.
90-23	19.1.239	The provisions of clause (g) of section 8.6.2 shall not apply to prevent the erection or use on the land on the southwest corner of Stanley Avenue and Dunn Street designated TC and numbered 239 on Sheet D5 of Schedule "A", as amended, of a hotel 13 storeys in height subject to compliance with By-law No. 90-23.

- 90-81 19.1.240 None of the provisions of clause (a) of section 4.19.1 or clause (i) of section 8.6.2 shall apply so as to prevent the **erection** and **use** of a 4 **storey hotel** containing not more than 96 rooms for guests on the land on the southwesterly corner of River Road and Ferguson Street designated **TC** and numbered 240 on Sheet D3 of Schedule "A", as amended, or so as to require the owner or occupant of such **hotel** to provide and maintain a **parking area** containing all of the **parking spaces** prescribed by the aforesaid clause (a) of section 4.19.1 in respect of such **hotel** on the same **lot** occupied by such **hotel**, provided that such owner or occupant shall provide and maintain parking areas containing, in the aggregate, parking spaces for such **hotel** to the extent at least prescribed in Table 1 of the aforesaid clause (a) of section 4.19.1 on the said land designated TC and numbered 240 and on the land on the northwesterly corner of Ferguson Street and Glenview Avenue designated P and numbered 240 on said Sheet D3 of Schedule "A", as amended, subject to compliance with By-law No. 90-81.
- 19.1.242 Repealed by By-law No. 95-260.
- 19.1.243 Repealed by By-law No. 95-260.
- 19.1.244 Repealed by By-law No. 95-260.
- 19.1.245 Repealed by By-law No. 95-146.
- 19.1.246 Repealed by By-law No. 94-116.
- 89-318 19.1.247 Notwithstanding the **P** designation or any of the provisions of Section 17.1, no person shall **use** the land being part of **Lots** 15 and 16 according to the Major Leonard Plan in the former Township of Stamford, now in the City of Niagara Falls, now known as Plan 2, located on the west side of Leonard Avenue, designated **P** and numbered 247 on Sheet C4 of Schedule "A", as amended, for any purpose except a **parking lot** consisting only of a **surface parking area** and subject to compliance with By-law No. 89-318.
- 90-67 19.1.248 None of the provisions of section 8.1.1 or of clauses a, b, d, e, f and h of section 8.1.2 shall apply to prevent the **use** of the land designated **NC** and numbered 248 on Sheet B5 of Schedule "A", as amended, for the purpose of a convenience store, subject to compliance with the provisions of By-law No.

90-67.

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| 90-44 | 19.1.249 | None of the provisions of section 11.2.1 shall apply to prevent the land on the northwest corner of Kister Road and Don Murie Street, designated LI and numbered 249 on Sheets C6 and C7 of Schedule "A", as amended, to be used for one or more of the uses set out in By-law No. 90-44 and except in compliance with the regulations set out in said By-law No. 90-44. |
| 90-82 | 19.1.250 | No person shall use the land on the north side of Ferguson Street designated P and numbered 250 on Sheet D3 of Schedule "A", as amended, or erect or use any building or structure thereon except in compliance with By-law No. 90-82. |
| 90-93 | 19.1.251 | The provisions of clause (g) of section 8.6.2 shall not apply to prevent the erection or use on the land on the southwest corner of Emery Street and Stanley Avenue designated TC and numbered 251 on Sheet D4 of Schedule "A", as amended, of a hotel 8 storeys in height , subject to compliance with By-law No. 90-93. |
| 91-251 | 19.1.252 | Repealed by By-law No. 91-251. |
| 93-29 | 19.1.253 | None of the provisions of section 8.5.1 shall apply to prevent the use of the land on the westerly side of Buckley Avenue, designated CB and numbered 253 on Sheet D3 of Schedule "A", as amended, or the erection or use of any buildings or structures thereon for either or both a used car lot and automotive car care centre , except in compliance with By-law No. 93-29 . |
| 90-31 | 19.1.254 | No person shall use the land on the south side of Lundy's Lane designated I and numbered 254 on Sheet B4 of Schedule "A", as amended, or erect or use any building or structure thereon for any purpose except for the purpose of a senior citizens' residence as defined in By-law No. 90-31, subject to compliance with such by-law. |
| 90-152
95-81 | 19.1.255 | Notwithstanding sections 8.4.1 or 8.4.2, no person shall use the land on the east side of Montrose Road designated as SC and numbered 255 on Sheet B3 of Schedule "A", as amended, except in compliance with By-law No. 90-152, as amended by By-law No. 95-81. |
| 90-296 | 19.1.256 | The provisions of clause (g) of Section 8.6.2 shall not apply to prevent the |

erection or **use** on the land on the southwest corner of Niagara River Parkway and Rapids View Drive, designated **TC** and numbered 256 on Sheet E6 of Schedule "A", as amended, one **building** having a **height** of more than 12 metres for the purposes of a **hotel**, subject to compliance with By-law No. 90-296.

- 90-126 19.1.257 None of the provisions of subclause ii of clause e of section 7.8.2 or of clause a of section 4.19.1 shall apply to prevent the **erection** or **use** on the land on the southwesterly side of Epworth Circle designated R3 and numbered 257 on Sheet D4 of Schedule "A", as amended, or an **on-street townhouse dwelling** having an **interior side yard depth** of less than 3 metres or to require the owner of such on-street **townhouse dwelling** to provide and maintain more than one individual **parking space** per **dwelling unit**, subject to compliance with By-law No. 90-126.
- 19.1.258 Repealed by By-law No. 95-175
- 90-179 19.1.259 None of the provisions of clauses (a), (b), (c), (d), (e), (f) and (g) of section 7.12.1 shall apply to prevent the **erection** or **use** on the land on the west side of Montrose Road designated **R5C** and numbered 259 on Sheet B4 of Schedule "A", as amended, of one 140 unit six **storey apartment building**, subject to compliance with By-law No. 90-179.
- 90-211 19.1.260 None of the provisions of sections 9.1 or 9.2 shall apply to prevent the **use** of the land on the north side of Biamonte Parkway designated **I** and numbered 260 on Sheet C4 of Schedule "A" to By-law No. 79-200, as amended, to be used for the purpose of a **single family dwelling**, subject to compliance with By-law No. 90-211.
- 90-136 19.1.261 Notwithstanding clauses (d) and (i) of section 7.2.2, no person shall **erect** or **use** any **dwelling** having a **floor area** of less than 139 square metres on the land designated **R1B** and numbered 261 on Sheet C2 of Schedule "A", as amended, and no such **dwelling** shall be **erected** closer to the most westerly boundary of the said land than 12 metres and a close board type fence shall be **erected** and maintained along the whole of the said most westerly boundary, all in compliance with By-law No. 90-136.

90-167	19.1.262	Repealed by By-law No. 98-181.
90-289	19.1.263	Notwithstanding the P designation or any of the provisions of section 17.1, no person shall use the land for any purpose except for a parking lot consisting only of a surface, providing not less than 35 parking spaces to be used by the hotel located on the land designated TC and numbered 180 on Sheet B4 of Schedule "A", as amended, except in compliance with By-law No. 90-289.
91-319	19.1.264	None of the provisions of clause (b) of section 5 or subclause (iv) of clause (b) of section 7.7.2 shall apply so as to prevent the use of the existing building erected on the land designated R2 and numbered 264 on Sheet C3 of Schedule "A", as amended, or to prevent the erection and use of an addition to the said building for the purpose of a two-family dwelling , subject to compliance with By-law No. 91-319.
90-303	19.1.265	For the purpose of this by-law, the land on the west side of St. Paul Avenue, being part of Township Lot 36, former Township of Stamford, now in the City of Niagara Falls, shown hatched and designated R1C and numbered 265 on Sheet C2 of Schedule "A", as amended, any lot having a lot line abutting the north and east boundary between the points marked (a), (b) and (c) shall be deemed to be the rear lot line of said lot .
90-216	19.1.266	None of the provisions of section 11.2.1 shall apply to prevent the erection or use on the land designated LI and numbered 266 on Sheet B3 of Schedule "A", as amended, of a restaurant providing that the number of seats for patrons shall not exceed 40 and subject to compliance with By-law No. 90-216.
90-278	19.1.267	None of the provisions of section 12.2 shall apply to prevent the erection or use of a single family dwelling on the land on the west side of Kalar Road, designated A and numbered 267 on Sheet B4 of Schedule "A" to By-law 79-200, as amended, subject to compliance with By-law No. 90-278.
90-222	19.1.268	None of the provisions of sections 7.9.1 or 7.9.2 shall apply so as to prevent the erection or use of the land on the northerly side of McLeod Road designated R4 and numbered 268 on Sheet B5 of Schedule "A", as amended, of group dwellings for senior citizens having a height of one of the group dwellings greater than 10 metres and having a lesser number of parking spaces than prescribed in clause (1) of section 4.19.1 or the use of a part of one of such

group dwellings for a local convenience commercial store, or the use of a part of one of such **group dwellings** for a **day nursery**, subject to compliance with By-law No. 90-222.

- 95-176 19.1.269 Repealed by By-law No. 2001-85.
- 2007-120 19.1.270 Notwithstanding the provisions of clauses (c), (d), (e), (f) and (h) of section 8.1.2 of By-law No. 79-200, no person shall use the land on the southwest corner of Thorold Stone Road and Dorchester Road, designated **NC** and numbered 270 on Sheet C3 of Schedule "A", or **erect** or use any **building** or **structure** thereon, except in compliance with By-law No. 2007-120.
- 90-220 19.1.271 Notwithstanding the **R4** designation of anything contained in section 7.9.1 and 7.9.2, no person shall use the land located on the west side of Dorchester Road designated **R4** and numbered 271 on Sheet C3 of Schedule "A", as amended, so as to prevent the **erection** or **use** of any **building** or **structure** for any purpose except for a **townhouse dwelling** containing not more than **8 dwelling units** and not more than **15 dwelling units** in the total aggregate, subject to **lot frontage, yard** and boundary requirements
- 90-215 19.1.272 Notwithstanding clauses (c) or (f) of section 8.6.2 or of section 4.15, nothing shall apply to prevent the **erection** or **use** on the land on the north corner of Centre Street and Victoria Avenue, designated **TC** and numbered 272 on Sheet D4 of Schedule "A", as amended, except in compliance with By-law No. 90-215.
- 90-217 19.1.273 Notwithstanding the **R4** designation or anything contained in sections 7.9.1,
95-238 7.9.2 and 7.9.3, no person shall **use** the land lying east of Montrose Road designated **R4** and numbered 273 on Sheets B2 and B3 of Schedule "A", as amended for any purpose except for **townhouse dwellings** or **apartment dwelling**, subject to the additional **yard** and additional **landscaped open space** requirement of at least 50% of the area of the said land contained in By-law No. 90-217; amended by By-law 95-238.
- 19.1.274 Repealed by By-law No. 91-69.
- 90-276 19.1.275 None of the provisions of section 8.5.1 shall apply to prevent the use of the land on the northwest corner of Zimmerman Avenue and Huron Street, designated **CB** and numbered 275 on Sheets B3 of Schedule "A", as amended, or the

conversion or use of an **existing building** thereon for the purpose of providing six rooms for tourist accommodation, subject to compliance with section 8.5.2.

- 19.1.276 Refer to By-law No. 2010-102.
- 91-270 19.1.277 The provisions of clause (g) of section 8.2.2 shall not apply to prevent the **erection** or **use** on the land on the south side of Ferry Street, designated **GC** and numbered 277 on Sheet C4 of Schedule "A", as amended, of a **hotel 10 storeys in height**, subject to compliance with By-law No. 91-270.
- 92-123 19.1.278 Repealed by By-law No. 2009-03.
- 90-314 19.1.279 None of the provisions of section 7.7.1 or of section 7.8.2 shall apply to prevent the **use** of the land on the north side of Jepson Street designated **R2** and numbered 279 on Sheet D4 of Schedule "A", as amended, or the alteration and use of the **existing building** thereon for the purpose of a **dwelling** containing not more than 3 **dwelling units**, subject to compliance with By-law No. 90-314.
- 91-68 19.1.280 Notwithstanding clause (c) of section 7.7.2, no person shall **erect** or **use** any **dwelling** having a **front yard depth** of less than 5.5 metres on the land designated **R2** and numbered 280 on Sheet B5 of Schedule "A", as amended, except in compliance with By-law 91-68.
- 95-50 19.1.281 None of the provisions of section 11.3.1 shall apply to prevent the **use** of the land on the southeasterly corner of Kalar Road and Beaverdams Road, designated **GI** and numbered 281 on Sheet B4 of Schedule "A", as amended, or the use of an **existing building** thereon to be used for a transportation centre for the purpose of dispatching and servicing taxis, limousines and tow trucks and a vehicular compound yard.
- 91-66 19.1.283 None of the provisions of clauses (d), (e), (h) and (m) of section 7.11.2 shall apply so as to prevent the **erection** or **use** on the land designated **R5B** and numbered 283 on Sheet C3 of Schedule "A", as amended, of a thirty-six unit **apartment building**, except in compliance with By-law No. 91-66.
- 91-69 19.1.284 The land on the easterly side of Montrose Road designated **R2** and numbered 284 on Sheets B2 and B3 of Schedule "A", as amended, shall be subject to the

additional **front yard**, **side yard** and **exterior side yard** requirements, minimum **floor area** requirements, attached garage requirements, lesser maximum **lot coverage** and the additional requirements of providing a minimum **landscaped open space** requirement of at least 50% of the area of each **lot** contained in By-law 91-69.

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| 91-111 | 19.1.285 | Replaced by By-law No. 2007-248. |
| 91-294 | 19.1.286 | Notwithstanding the R5C designation, no person shall use the land designated R5C and numbered 286 on Sheet B5 of Schedule "A", as amended, or erect or use any building or structure thereon for any purpose except for one apartment building having a total aggregate of not more than 120 dwelling units or two apartment dwellings each providing for not more than 60 dwelling units , except in compliance with By-law No. 91-294. |
| 91-294 | 19.1.287 | Notwithstanding the R4 designation, no person shall use the land designated R4 and numbered 287 on Sheet B5 of Schedule "A", as amended, or erect or use any building or structure thereon for any purpose except for townhouse dwellings having a total aggregate of not more than 36 townhouse dwelling units , except in compliance with By-law 91-294. |
| 91-149 | 19.1.288 | None of the provisions of sections 4.13 and 2.3 and clause (d) of section 8.7.2 shall apply so as to prevent unserviced cabins from being placed on the lands designated CE and numbered 288 on Sheet B7 for schedule "A", as amended, except in compliance with By-law No. 91-149. |
| 92-07 | 19.1.289 | Notwithstanding the R4 designation or any of the provisions of section 7.9.2, no person shall use the land lying on the east corner of Main Street and Lamont Avenue, being part of Lot 23 , Concessions 1 and 2 and part of the original unopened road allowance between Concessions 1 and 2 and part of Lot 289 , Plan 252, all in the former Village of Chippawa, now in the City of Niagara Falls, designated R4 and numbered 289 on Sheet E6 of Schedule "A", as amended, for any purpose except for townhouse dwellings not more than 1 ½ storeys in height , containing in the aggregate 25 dwelling units , except in compliance with By-law No. 92-07. |
| 91-186 | 19.1.290 | None of the provisions of sections 2.3 and 4.13 and clause (d) of section 8.7.2 shall apply so as to prevent unserviced cabins from being placed on the lands |

pool room having a total **floor area** of not more than 248 square metres, except in compliance with By-law No. 91-148.

- 19.1.297 Repealed by By-law No. 95-53.
- 92-31 19.1.299 None of the provisions of clauses (a), (b), (c), and (h) of section 7.11.2 shall apply to prevent the **erection** or use on the land on the northwest corner of McLeod Road and Alex Avenue designated R5B and numbered 299 on Sheet C5 of Schedule "A", as amended, of one 18 unit **apartment dwelling**, except in compliance with By-law No. 92-31.
- 90-308 19.1.300 Notwithstanding the **R5A** designation or the provisions of section 7.10.2, no person shall **use** the land on the easterly side of Pettit Avenue designated **R5A** and numbered 300 on Sheet C3 of Schedule "A", as amended, for any purpose except one **apartment dwelling** containing not more than 69 **dwelling units**, subject to compliance with By-law No. 90-308.
- 92-02 19.1.301 Notwithstanding the **I** designation or **use** of the provisions of section 9.1, no person shall **use** the land, on the west side of Montrose Road designated **I** and numbered 301 on Sheet B5 of Schedule "A", as amended, and none of the provisions of clauses (a), (d), (e), (f), (g), (h) and (i) of section 9.2 shall apply to prevent the **erection** or use on the land of one **building** for the purpose of a place of worship, except in compliance with By-law No. 92-02.
- 19.1.303 Repealed by By-law No. 98-122.
- 92-21 19.1.304 Sheets A2 and A3 of Schedule "A", to By-law 79-200, as amended, are
92-289 amended by rezoning lands from **Agricultural (A)** and **Hazard Land (HL)** to **Extractive Industrial** and numbering 304 (EI-304) and Hazard Land (HL), the land being Part **Lots** 49 and 50 and **Lot** 66, former Township of Stamford, now the City of Niagara Falls, as contained in By-law 92.21 and By-law 92-289.
- 91-274 19.1.305 None of the provisions of section 12.3 shall apply to prevent the **erection** or **use** of the land on the west side of Beechwood Road designated "**A**" and numbered 305 on Sheet A4 of Schedule "A", as amended, for a purpose as set out in section 12.1 except in compliance with By-law No. 91-274.
- 19.1.306 Repealed by By-law No. 93-239.

92-41	19.1.307	Notwithstanding the R5D designation or anything contained in section 7.13.2, no person shall use the land on the east side of Valley Way designated R5D and numbered 307 on Sheet D3 of Schedule "A", as amended, or erect or use any building or structure thereon for any purpose except for one apartment dwelling not more than 3 storeys in height and having a total of not more than 20 dwelling units , except in compliance with By-law No. 92-41
95-209	19.1.308	Notwithstanding clause (g) of section 7.5.2, no person shall use the land on the easterly side of Montrose Road designated R1E and numbered 308 on Sheet B2 of Schedule "A", as amended, for any purpose except single family dwellings in accordance with the additional lot coverage requirements and the landscaped open space requirement of at least 50% of the area of each lot as contained in By-law No. 95-209.
95-209	19.1.309	Notwithstanding the R4 designation or anything contained in sections 7.9.1, 7.9.2 and 7.9.3, no person shall use the land on the easterly side of Montrose Road designated R4 and numbered 309 on Sheet B2 of Schedule "A", as amended, for any purpose except townhouse dwellings or apartment dwellings , subject to the additional front yard requirement and additional landscaped open space requirement of at least 50% of the lot area as contained in By-law No. 95-209.
92-25	19.1.310	None of the provisions of sections 8.2.1 or 2.42 shall apply to prevent the use of the land on the northeast corner of Lundy's Lane and Kalar Road designated GC and numbered 310 on Sheet B4 of Schedule "A", as amended, from using part of an existing building therefor for the purpose of a billiard or pool room, as set out in By-law No. 92-25
92-79	19.1.311	Notwithstanding clause (c) of section 7.7.2, no person shall erect or use any dwelling having a front yard depth of less than 5.5 metres on the land designated R2 and numbered 311 on Sheet B4 of Schedule "A", as amended, except in compliance with By-law No. 92-79
92-149	19.1.312	None of the provisions of section 11.3.1 shall apply to prevent the land on the south side of Oldfield Road, west side of Drummond Road (closed), except for such parts thereof required for road widening, designated G1 and numbered 312 on Sheet C6 of Schedule "A", as amended, to be used for the purpose of a Distribution Centre for the storage, blending and distribution of sulphuric acid

and oleum, except in compliance with By-law No. 92-149.

92-80	19.1.313	None of the provisions of sections 8.2.1 or 2.42 shall apply to prevent the use of the land on the east side of Portage Road designated GC and numbered 313 on Sheet C3 of Schedule "A", as amended, from using part of an existing building therefor for the purpose of a billiard or pool room, refer for By-law No. 92-80.
94-120	19.1.314	None of the provisions of section 12.1 shall apply to prevent the land on the southwest corner of Upper's Lane and Beechwood Road, designated A and numbered 314 on Sheet A4 of Schedule "A", as amended, or prevent a building to be erected and used thereon for a place of worship and accessory uses and accessory building and structures thereon for the purposes of providing for a, <ul style="list-style-type: none">- one family detached dwelling- Sunday school- transportation services- offices and duplicating services only to the extent required to maintain the principal use and accessory uses- rooms to holding meetings- Day school providing only for those students whose family are members of the congregation- gymnasium and outdoor recreational fields, all of which are solely for the use of the congregation and students, except in compliance with By-law No. 94-120.
93-84	19.1.316	Repealed by By-law 93-84.
92-160	19.1.317	None of the provisions of clause c(i) of section 8.5.2 shall apply to prevent the use of an existing building on the land, shown hatched and designated CB and numbered 317 on Sheet D3, Schedule "A", having a rear yard of less than 10 metres from being used for residential purposes by converting the second floor of the existing building into dwelling units , subject to compliance with By-law No. 92-160.
92-134 2007-120	19.1.318	Notwithstanding section 17.1, no person shall use the land on the south side of Thorold Stone Road being part of Township Lot 79 of the former Township of Stamford, now in the City of Niagara Falls, designated P and numbered 318 on

Sheet C3 of Schedule "A", as amended, for any purpose except a **parking lot**, consisting of a **surface parking area** to be **used** in conjunction with the land shown hatched and designated **NC** and numbered 270 on plan Schedule 1 to By-law No. 2007-120, except in compliance with By-law No. 92-134.

- 92-158 19.1.320 Notwithstanding clause (c) of section 7.7.2, no person shall **erect** or **use** any **dwelling** having a **front yard depth** of less than 6 metres on the land designated **R2** and numbered 320 on Sheet B3 of Schedule "A", as amended, except in compliance with By-law No. 92-158.
- 92-175 19.1.321 None of the provisions of section 11.1.1 shall apply to prevent the land being the south half of **Lot 2** according to Registered Plan 144, designated **PI** and numbered 321 on Sheet B6 of Schedule "A", as amended, to be **used** for one or more of the uses as set out in section 2 of this by-law except in compliance with By-law No. 92-175.
- 92-238 19.1.322 Repealed by By-law No. 2006-202.
- 93-96 19.1.323 Repealed by B-law No. 2006-18.
- 92-240 19.1.324 Notwithstanding the R5B designation or anything contained in section 7.11.2, no person shall use the land on the west side of Montrose Road designated R5B and numbered 324 on Sheet B4 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon, except in compliance with By-law No. 92-240.
- 19.1.325 Repealed by By-law No. 95-53
- 92-228 19.1.326 Notwithstanding clauses (g) and (i) of section 7.4.2, the maximum **lot coverage** for each **lot** shall be 35% and the minimum **floor area** for each **dwelling** shall be 185 square metres and, in addition, **landscaped open space** shall be provided and maintained on each **lot** to the extent of at least 40% of the area of each such **lot** on the land, being part of Township **Lot 70**, designated as **R1D** and numbered 326 on Sheet B3 of Schedule "A", as amended, subject to compliance with By-law No. 92-228.
- 93-37 19.1.327 Repealed by By-law No. 2003-36.
2003-36

96-56	19.1.328	Notwithstanding clause (c) of section 7.3.2, no person shall use the land or erect or use any building or structure on the land on the west side of Sodom Road and the south side of Lyon's Creek Road designated R1C and numbered 328 on Sheet D7 of Schedule "A", as amended, having a front yard depth of less than 10 metres, except in compliance with By-law No. 92-262; as amended by By-law 96-56.
96-56	19.1.329	Notwithstanding the provisions of clauses (b) and (c) of section 7.9.1 or anything contained in section 7.9.2, no person shall use the land on the west side of Sodom Road and the south side of Lyon's Creek Road designated R4 and numbered 329 on Sheet D7 of Schedule "A", as amended, or erect or use any building or structure thereon for any purpose except townhouse dwellings , not more than one storey in height and containing, in the aggregate, not more than 16 dwelling units on the whole of the lands, subject to the front yard and interior side yard requirements, except in compliance with By-law No. 92-262; as amended by By-law 96-56
	19.1.330	Refer to By-law No. 92-237.
92-288	19.1.331	Repealed by by-law No. 2007-62.
93-39	19.1.332	Notwithstanding clause (c) of section 7.5.2 or clause (c) of section 7.7.2, no person shall erect or use any dwelling on the land on the east side of Montrose Road having a minimum front yard depth of less than 6 metres for each lot on the land designated R1E and numbered 332 and R2 and numbered 332 on Sheets B4 and B5 of Schedule "A", as amended, except in compliance with By-law No. 93-39.
93-61	19.1.333	None of the provisions of clauses (a), (c), (l) and (m) of section 7.12.2 shall apply to prevent the existing building on the land on the south side of Perkins Street, being part of Township Lot 90, designated R5C and numbered 333 on Sheet C3 of Schedule "A", as amended, from being used for the purpose of an apartment dwelling , except in compliance with By-law No. 93-61.
93-56 94-115	19.1.334	None of the provisions of section 11.1.1 shall apply to prevent the land being part of Township Lot 107 on the south side of Morrison Street, designated PI and numbered 334 on Sheet C3 of Schedule "A", as amended, or erection or use of any building or structure from being used for one or more of the uses

as set out in paragraph 2 of this by-law except in compliance with By-law No. 93-56 or the **erection** or use of any **building** or **structure** from being used for one or more of the uses as set out in paragraph 2 of and in compliance with By-law 94-115.

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| 93-92 | 19.1.335 | Notwithstanding the NC designation, no person shall use the land designated NC and numbered 335 on Sheet C3 of Schedule "A", as amended, or erect or use any building or structure thereon for any purpose except a retail store provided the said retail store is not used for the purposes of a convenience/variety store and for the purpose of dwelling units provided there are not more than 2 dwelling units contained therein, except in compliance with By-law No. 93-92. |
| 93-154 | 19.1.336 | See By-law No. 2003-180. |
| 93-141
94-256 | 19.1.337 | None of the provisions of section 11.1.1 or clause (b)(i) of section 11.6.3 shall apply to prevent the land on the east side of St. Paul Avenue, designated EI and numbered 337 on Sheets C1 and C2 of Schedule "A", as amended, from being used for the purpose of a golf driving range, a golf course, or both without accessory buildings having a gross floor area of not more than 840 square metres provided that such accessory buildings will be removed when the closure of the said golf driving range and golf course use takes place, and subject to compliance with By-law No. 93-141, as amended by By-law No. 94-256. |
| 93-182 | 19.1.339 | Repealed by By-law No. 2000-230. |
| 93-168 | 19.1.340 | Notwithstanding the R5A designation, no person shall use the land designated R5A and numbered 340 on Sheet C5 of Schedule "A", as amended, or erect or use any building or structure on the said land for any purpose except for the purpose of an apartment dwelling which shall not exceed 3 storeys and not more than 14 metres in height and having a total aggregate of not more than 60 dwelling units , except in compliance with By-law No. 93-168. |
| 93-170 | 19.1.341 | Notwithstanding the R5A designation, no person shall use the land designated R5A and numbered 341 on Sheet C5 of Schedule "A", as amended, or erect or use any building or structure on the said land for any purpose except an apartment dwelling which shall not exceed 4 storeys or 14 metres, whichever |

is lesser, in **height** and have a total aggregate of not more than 40 **dwelling units**, except in compliance with By-law No. 93-170.

- 93-207 19.1.342 None of the provisions of sections 8.2.1 or 2.42 shall apply to prevent the **use** of the land on the east side of Willoughby Drive, approximately 39 metres south of Cattell Drive, designated **GC** and numbered 342 on Sheet E6 of Schedule "A", as amended, or part of an **existing building** thereon from being used for the purpose of a billiard hall or pool room and a do-it-yourself brewery, refer to By-law 93-207.
- 19.1.343 Repealed by By-law No. 2004-72.
- 19.1.344 Repealed by By-law No. 2000-226.
- 93-260 19.1.345 None of the provisions of section 7.9.1 shall apply to prevent the **existing building erected** on the land on the southerly side of Dunn Street, designated as **R4** and numbered 345 on Sheet C5 of Schedule "A", as amended, being **used** for the purpose of a **rooming house or boarding house** for the accommodation of not more than six (6) roomers, each provided with their own bedroom which shall be solely occupied by the roomer, and not less than 6 individual **parking spaces** are to be provided and maintained, subject to compliance with By-law 93-260.
- 94-39 19.1.347 Expired 1996.
- 95-200 19.1.348 None of the provisions of clauses (a) and (f) of section 7.10.2 shall apply to prevent the **use** of the land on the southwest corner of Culp Street and Pinegrove Avenue, designated R5A and numbered 348 on Sheet C5 of Schedule "A", as amended, and the use of the **existing building** thereon from being used for the purpose of an **apartment dwelling** provided that the number of **dwelling units** in the **existing apartment dwelling** shall not exceed 9 units; and the **exterior side yard** width shall not be less than the distance as presently established by the **existing building**, except in compliance with By-law No. 95-200.
- 95-200 19.1.349 None of the provisions of clause (b) of section 7.5.2 or section 5.3, shall apply to prevent the **use** of the land on the southwest corner of Culp Street and Pinegrove Avenue, designated R1E and numbered 349 on Sheet C5 of

Schedule "A", as amended, from being used for the purposes as permitted to do so in section 7.5.1 of By-law No. 79-200, as amended, except in compliance with By-law No. 95-200.

94-151	19.1.350	Repealed by By-law No. 2000-250.
94-151 94-305	19.1.351	Repealed by By-law No. 2000-250.
94-200 2005-55	19.1.352	Repealed by By-law No. 2005-55.
94-116	19.1.353	No person shall use the land, being part of Township Lot 46 of the former Township of Stamford, designated R1B and numbered 353 on Sheet B2 of Schedule "A" to By-law No. 79-200, as amended, or erect or use any building or structure thereon for any purpose except for the purpose of a residential single family building lot , subject to compliance with By-law No. 94-116.
94-116	19.1.354	No person shall use the land, being part of Township Lots 46 and 53 of the former Township of Stamford, designated R1C and numbered 354 on Sheet B2 of Schedule "A" to By-law No. 79-200, as amended, or erect or use any building or structure thereon except for the purpose of a residential single family building lot , subject to compliance with By-law No. 94-116.
94-129 2000-127	19.1.355	None of the provisions of sections 8.6.1 or 2.2 shall apply to prevent the use of the land on the southwest corner of Dunn Street and Oakes Drive, designated TC and numbered 355 on D5 of Schedule "A", as amended, or an existing building thereon from being used for the purpose of permitting pinball and electronic game machines to be established and used as an accessory to one or more of the permitted uses described in section 8.6.1 and subject to compliance with By-law No. 2000-127.
	19.1.356	Repealed by By-law No. 95-192
94-171	19.1.357	None of the provisions of section 7.7.1 or clause (e) of section 7.7.2 shall apply to prevent the use of the land on the northwest corner of River Road and Otter Street, designated R2 and numbered 357 on Sheet D4 of Schedule "A", as amended, or the conversion or use of an existing dwelling thereon or an

addition to said **dwelling** from being used for the purpose of providing a total aggregate of not more than 8 rooms for tourist and providing an easterly **side yard** of not less than 0.79 metres, except in compliance with By-law No. 94-171.

94-185 19.1.358 Notwithstanding clauses (h), (f) and (c) of section 8.2.2, no person shall **use** the land designated **GC** and numbered 358 on Sheet C5 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon having a total maximum **floor area** of not more than 1,395 square metres (15,000 square feet), providing for a minimum **landscaped open space** of not less than 13 percent of the **lot area**, the maximum **lot coverage** shall not exceed 21 percent of the **lot area** and the minimum **rear yard depth** shall be 10.6 metres, and subject to compliance with By-law No. 94-185.

19.1.359 Repealed by By-law No. 96-96.

94-212 19.1.360 None of the provisions of clause (a) of section 4.19.1 or clauses (c)(ii), (f) and (i) of section 8.6.2 shall apply so as to prevent an addition to the **existing building** on the lands located on the southwesterly side of Centre Street designated **TC** and numbered 360 on Sheet D4 of Schedule "A", as amended, or to require the owner or occupant of such **building** to provide and maintain a **parking area** containing all of the **parking spaces** prescribed by aforesaid clause (a) of section 4.19.1 with respect to the addition to such **existing Tourist Commercial building** on the same **lot** occupied by such **building**, provided that such owner or occupant of such **building** shall provide and maintain parking areas on the land located on the northwesterly side of Ellen Avenue designated **P** and numbered 360 on said Sheet D4 of Schedule "A", as amended, subject to compliance with By-law No. 94-212.

94-292 19.1.361 None of the provisions of section 7.4.1 shall apply to prevent part of the **existing dwelling** on the land on the southeast corner of Graham Street (unopened) and Montrose Road, designated **R1D** and numbered 361 on Sheet B5 of Schedule "A", as amended, from being **used** for the purpose of preparation of food for catering and food take-out business provided,

(a) the food preparation and business is operated only in conjunction with the **dwelling**;

(b) the **basement** or **cellar** of the **existing dwelling** is the only area to be

used for the food preparation;

- (c) no additional asphalt area will be added or other area established or used in the front yard of the **dwelling** for the parking of vehicles, except in compliance with By-law No. 94-292.

94-264	19.1.362	None of the provisions of clause (a) of section 4.19.1, clause (n) of section 9.1 and clauses (d), (e) and (j) of section 9.2 shall apply to prevent the erection or use of an addition on the westerly side of the Christian Education Wing of the existing church building closer to the southerly limit of the said land than 5 metres, or to prevent two existing single dwelling units to be located on the same lot as the principal use, or to provide and maintain a parking area on the land which shall contain less than 62 parking spaces and to recognize the exterior side yard as presently established by the two existing dwellings , on the land located on the southwest corner of McMicking Street and St. Paul Avenue, designated I and numbered 362 on Sheet C2 of Schedule "A", as amended, subject to compliance with By-law No. 94-264.
95-140	19.1.364	Notwithstanding the GC designation, no person shall use the land designated GC and numbered 364 on Sheet B3 of Schedule "A", as amended, or erect or use any building or structure thereon having a total maximum floor area of more than 2,975 square metres, except in compliance with By-law No. 95-140.
95-53 98-186 2007-249	19.1.365	Notwithstanding sections 11.2.1 and 11.2.2, no person shall use the land on the southeast corner of Montrose Road designated LI and numbered 365 on Sheet B3 of Schedule "A", as amended, for any purpose except one or more of the uses permitted in and subject to compliance with By-law No. 95-53, except for such parts thereof as are required for road widenings.
	19.1.366	Repealed by By-law No. 2010-135.
94-305	19.1.367	Repealed by By-law No. 99-259.
95-96	19.1.368	No person shall use the land on the southwest corner of Stanley Avenue and Lyon's Creek Road, designated R1A and numbered 368 on Sheet D7 of Schedule "A" to By-law No. 79-200, as amended, or erect or use any building or structure on the lands for any purpose except one single-detached dwelling with or without accessory buildings and subject to compliance with

By-law No. 95-96.

95-96	19.1.369	No person shall use the land on the southwest corner of Stanley Avenue and Lyon's Creek Road, designated HL and numbered 369 on Sheet D7 of Schedule "A" to By-law No. 79-200, as amended, except in accordance with the requirements of the Niagara Peninsula Conservation Authority, the Ministry of Natural Resources and is subject to compliance with By-law No. 95-96.
	19.1.370	Repealed by By-law No. 97-174
	19.1.371	Repealed by By-law No. 97-174.
	19.1.372	Repealed by By-law No. 97-174.
	19.1.373	Repealed by By-law No. 97-174.
	19.1.374	Repealed by By-law No. 97-174.
95-17	19.1.375	None of the provisions of section 11.2.1 or clause (g) of section 11.2.2 shall apply to prevent the use of the land on the west side of Stanley Avenue, south of Swayze Drive, designated LI and numbered 375 on Sheet C2 of Schedule "A", as amended, or part of an existing building thereon from being used for the purpose of an ornamental concrete products plant with a storage silo having a height of not more than 15 metres, except in compliance with By-law No. 95-17.
95-135	19.1.376	None of the provisions of section 8.1.1 shall apply to prevent the use of the land on the northeast corner of Prospect Street and Drummond Road, designated NC and numbered 376 on Sheet C4 of Schedule "A", as amended, or the erection of any building or structure thereon from being used for the purpose of a drive-through establishment provided that no menu or order boards are located closer to any street line than 18 metres; that the front yard depth of not less than 11.5 metres is provided, being the new street line as widened; landscaped open space shall be provided and maintained on the said lands to the extent of not less than 15% of the lot area after the dedication of any lands; and the minimum rear yard depth shall be 3 metres, subject to compliance with By-law No. 95-135.

- 95-65 19.1.377 None of the provisions of section 8.6.1 shall apply to prevent a maximum of 465 square metres of the **existing building** on the land on the north side of Lundy's **lane** between Montrose Road and Beaverdams Road, designated **TC** and numbered 377 on Sheet B4 of Schedule "A", as amended, from being **used** for the purpose of retail stores, except in compliance with By-law 95-65.
- 95-218 19.1.379 Notwithstanding the **R4** designation, no person shall use the land designated R4 and numbered 379 on Sheet C4 of Schedule "A", as amended, or **erect** or use any **building** or **structure** therein for any purpose except for eight (8) **townhouse dwellings** having a total aggregate of not more than 35 **dwelling units** subject to compliance with By-law 95-218.
- 95-122 19.1.380 None of the provisions of section 8.6.1 or 19.1.75 shall apply to prevent a maximum of 46 square metres of the **existing building** on the land on the north side of Ferry Street between Ellen Avenue and McGrail Avenue, designated **TC** and numbered 380 on Sheet D4 of Schedule "A", as amended, from being **used** for the purpose of a tattoo studio, except in compliance with By-law No. 95-122.
- 95-116 19.1.381 None of the provisions of sections 2.3, 4.13 or 8.7.1 shall apply to prevent unserviced cabins from being placed on the land on the northwest corner of Lundy's **Lane** and Garner Road, designated **CE** and numbered 381 on Sheets A4 and A5 of Schedule "A", as amended, provided, (a) the total maximum **gross floor area** of each unserviced cabin does not exceed 23 square metres; (b) the maximum number of cabins permitted to be located on the campsites does not exceed 35% of the total number of unserviced campsites; and (c) the cabins are only permitted to locate on unserviced campsites, except in compliance with By-law No. 95-116.
- 95-127 19.1.382 None of the provisions of section 12.1 shall apply to prevent the extension of a **building** for a place of worship and **accessory uses** on the land designated **A** and numbered 382 on Sheet B2 of Schedule "A", as amended, except in compliance with By-law No. 95-127
- 95-146 19.1.383 No person shall **use** the land, being part of Township **Lots** 46 and 53 for the former Township of Stamford, designated **R1A** and numbered 383 on Sheet B2 of Schedule "A" to By-law 79-200, as amended, or **erect** or use any **building** or **structure** thereon for any purpose except a residential single **family** 1A density zone **building lot**, subject to compliance with By-law No. 95-146.

- 95-146 19.1.384 No person shall use the land, being part of Township **Lots** 46 and 53 for the former Township of Stamford, designated **R1C** and numbered 384 on Sheet B2 of Schedule "A" to By-law No. 79-200, as amended or **erect** or use any **building** or **structure** thereon for any purpose except a residential single **family** 1C density zone **building lot**, subject to compliance with By-law No. 95-146.
- 95-130 19.1.385 Notwithstanding clause (f) of section 11.2.2, the minimum **rear yard depth** for the lands located on the south side of Canadian Drive, west of Montrose Road, designated **LI** and numbered 385 on Sheet B6 of Schedule "A", as amended, shall be 1.8 metres, subject to compliance with By-law No. 95-130.
- 95-175 19.1.386 Notwithstanding subsection 2.31.5 of section 2 and clauses (c), (d), and (j) of section 7.7.2, the land on the southwest corner of Jepson Street and Rice Crescent designated R2 and numbered 386 on Sheet D4 of Section "A", as amended, shall be subject to the following conditions:
- (a) the **frontage** of the land shall be deemed to be on Rice Crescent,
 - (b) a maximum of two **semi-detached dwellings** are permitted to be constructed on the whole of the land except for any land which may be dedicated for road widening,
 - (c) the minimum **front yard depth** shall be 5.18 metres,
 - (d) the minimum **rear yard depth** shall be 6.71 metres,
 - (e) no driveway will be permitted from Jepson Street, and subject to compliance with By-law No. 95-175.
- 95-198 19.1.387 None of the provisions of section 9.2 shall apply to prevent the land located on the southeast corner of Sodom Road and Main Street, designated I and numbered 387 on Sheet D6 of Schedule "A", as amended, or the use of the **existing building** thereon from being used for the purpose of a place of worship and **accessory uses**, except in compliance with By-law No. 95-198.
- 95-192 19.1.388 None of the provisions of section 8.1.2 shall apply to prevent the **use** of the land located on the northeast corner of Thorold Stone Road and Dorchester Road, designated NC and numbered 388 on Sheet C3 of Schedule "A", as amended, or the use of the **existing building** and **structure** from being used for the purpose of one or more of the following uses: a garden centre which permits the selling of fruits and vegetables, a car rental establishment, a truck rental establishment, a public garage mechanical and a **used car lot**, except in compliance with By-law No. 95-192.

2007-248	19.1.389	Notwithstanding the provisions of section 7.9.1, clauses (a), (b), (c), (e), (g) and (m) of section 7.9.2 and subclause (iii) of clause (c) of section 7.9.3 of By-law No. 79-200, no person shall use the land on the east side of St. Paul Avenue, opposite Moretta Drive, designated R4 and numbered 389 on Sheet C2 of Schedule "A", or erect or use any building or structure thereon, except for the purpose of townhouse dwellings and accessory buildings and structures , and except in compliance with By-law No. 2007-248.
95-238	19.1.390	Notwithstanding the R1E designation or anything contained in section 7.5.2, no person shall use the land on the east side of Monastery Drive designated R1E and numbered 390 on Sheets B2 and B3 of Schedule "A", as amended, or erect or use any building or structure thereon for any purpose except for single-detached dwellings and subject to compliance with By-law No. 95-238.
95-260	19.1.391	Repealed by By-law No. 2003-37.
95-270	19.1.392	Notwithstanding the provisions of section 11.1.1, or clauses (a) and (b) of section 11.1.2 no person shall use the lands, being part of Township Lot 77 on the south side of Fraser Street designated PI and numbered 392 on Sheet C3 of Schedule "A", as amended, except for those uses and regulations as provided and in accordance with By-law No. 95-270.
2002-144	19.1.393	Temporary use by-law no longer in effect as of August 12, 2005.
98-244	19.1.395	Repealed by By-law No. 98-244.
96-028	19.1.396	Repealed by By-law No. 2008-88.
96-056	19.1.397	Notwithstanding the provisions of clause (f) of section 8.1.2, no person shall use the land on the southwest corner of Sodom Road and the south side of Lyon's Creek Road designated NC and numbered 397 on Sheets D6 and D7 of Schedule "A", as amended, or erect or use any building or structure thereon having a total maximum floor area of not more than 929 sq.m., except in compliance with By-law No. 96-56
96-107	19.1.398	No person shall use the land designated GC and numbered 398 on Sheet C3 of Schedule "A", as amended, or erect or use any buildings or structures thereon having a maximum gross leasable floor area of not more than 2,560

square metres of which not more than 2,045 square metres shall be used for the purpose of retail stores, all in compliance with By-law 96-107.

- 96-093 19.1.400 None of the provisions of section 8.2.1 shall apply to prevent the use of the land on the southeast corner of Lundy's **Lane** and Drummond Road, designated GC and numbered 400 on Sheet C4 of Schedule "A", as amended for the purpose of a **gas bar** or the **erection** or use of any **buildings** or **structures** thereon, subject to compliance with By-law 96-93.
- 98-39 19.1.401 Repealed by By-law No. 98-39.
- 96-096 19.1.402 None of the provisions of Section 11.1.1 of By-law No. 79-200 shall apply to prevent the land being part of Township **Lot** 107 on the south side of Morrison Street, designated PI and numbered 402 on Sheet C3 of Schedule "A", as amended, or **erection** or use of any **building** or **structure** from being used for one or more of the uses as set out in paragraph 2 of this by-law except in compliance with By-law No. 96-96.
- 97-235 19.1.403 Notwithstanding subsections 7.9.2 (a), (b) and (h) or section 7.9.3 of By-law No. 79-200, as amended, no person shall use the land located on the east side of Drummond Road north of Barker Street designated **R4** and numbered 403 on Sheet C4 of Schedule "A", as amended, for any purpose except for not more than 2 **dwelling(s)**, not more than 2 storeys or 8 metres in **height** and containing in the aggregate of not more than 8 **dwelling units** subject to compliance with By-law No. 97-235
- 96-122 19.1.404 Notwithstanding the **TC** designation or anything contained in section 8.6.1, no person shall use the land and **building** on the north side of Lewis Avenue designated TC and numbered 404 on Sheet D4 of Schedule "A", as amended, except for a 290 seat **restaurant** and an accessory souvenir store and subject to compliance with By-law 96-122.
- 96-144 19.1.405 None of the provisions of clauses (b), (e) and (h) of section 7.11.2 shall apply to prevent the **existing building** on the land on the north side of McLeod Road, being **Lot** 24 on Plan 67, designated **R5B** and numbered 405 on Sheet C5 of Schedule "A", as amended, from being used for the purpose of an **apartment building** having an aggregate of not more than 8 **dwelling units**, except in compliance with By-law No. 96-144.

96-197	19.1.406	None of the provisions of section 7.7.1 and clause (k) of section 7.7.2 shall apply to prevent 53 sq.m. of the existing dwelling on the land on the southeast corner of Main Street and Greenwood Street, designated R2 and numbered 406 on Sheet D6 of Schedule "A", as amended, from being used for the purpose of a technical office , a personal service shop , a photographer's studio, an art gallery/studio, a craft and hobby store or for the selling of used clothing , except in compliance with By-law No. 96-197.
96-242 <i>Repealed by</i> 2006-205	19.1.407	No person shall use or erect any building or structure on the land located on the north side of Willick Road and east side of Ort Road, designated R3(H) and numbered 407 on Sheet D7 of Schedule "A" of By-law No. 79-200, except in accordance and in compliance with By-law No. 96-242.
96-242 <i>Repealed by</i> 2006-205	19.1.408	Repealed by By-law No. 2006-205.
96-242	19.1.409	Notwithstanding the OS designation or the provisions of section 14.1 and 14.2 of By-law 79-200, as amended, no person shall use the land designated OS and numbered 409 on Sheet D7 for any purpose except for a passive park, and no person shall permit soil, sand, gravel, rubbish or other fill material to be placed or dumped or remove any soil or regrade any of the lands; or permit the construction of any buildings or structures on the lands except as otherwise approved and permitted by the Corporation of the City of Niagara Falls all in accordance and in compliance with By-law No. 96-242.
97-50	19.1.410	None of the provisions of section 7.10.1 shall apply to prevent the use of the land on the southwest corner of Portage Road and Prospect Street, designated R5A and numbered 410 on Sheet C4 of Schedule "A", as amended, or use of the existing two storey dwelling and a 26 square metre building addition for the purpose of a medical office for one practitioner and one dwelling unit , subject to compliance with By-law No. 97-50
96-214	19.1.411	Notwithstanding clause (i) of section 7.4.2, the minimum floor area of any dwelling erected on the lands designated R1D and numbered 411 on Sheet B3 Schedule "A", shall not be less than 100 sq.m. and in addition, each dwelling shall provide an attached garage and subject to compliance with By-law 96-214.

97-30	19.1.412	None of the provisions of sections 7.3.1 and 7.9.1 shall apply to prevent the use of the lands on the east side of Ailanthus Avenue, being Lot 20 , according to Registered Plan 68 designated R1C and numbered 412 on Sheet C5 of Schedule "A", as amended and the lands on the south side of Dunn Street, being Part of J.B. Robinson Lot and part of Block No. 39, according to Plan No. 1 designated R4 and numbered 412 on Sheet C5 of Schedule "A", as amended, for the purpose of a parking area in conjunction with an assembly hall or a private club on the lands on the south side of Dunn Street, being Lot 21 and part of Lot 22 , according to Registered Plan 68, designated GC and numbered 412 on Sheet C5 of Schedule "A", as amended, except in compliance with By-law No. 97-30.
97-51	19.1.413	Notwithstanding the R4 designation no person shall use the land on the east side of Mewburn Road designated R4 and numbered 413 on Sheet B2 of Schedule "A", as amended, or erect or use any building or structure thereon except for townhouse dwellings having a total aggregate of not more than 25 dwelling units , subject to compliance with By-law 97-51
97-63	19.1.414	None of the provisions of clause (g) of section 8.6.2 shall apply to prevent the land on the southwest corner of River Road and Buttrey Street designated TC and numbered 414 on Sheet D3 of Schedule "A", as amended, from being used for the erection of a stupa structure having a building height of more than 12 metres, subject to compliance with By-law No. 97-63.
97-56	19.1.415	Rescinded by By-law No. 2000-153.
	19.1.417	Repealed by By-law No. 2002-136.
97-119	19.1.418	None of the provisions of sections 7.8.1 or 7.8.2 shall apply to prevent the land on the west side of Main Street and on the north side of Barker Street, designated R3 and numbered 418 on Sheet C4 of Schedule "A", as amended, or the erection or use of a building to be used for the purpose of a dwelling providing for not more than three dwelling units , subject to compliance with By-law No. 97-119
97-100	19.1.419	Notwithstanding anything contained in section 8.6.1, clauses (a), (b), (d), (f), (g) and (h) of section 8.6.2, and section 8.6.3 of By-law No. 79-200, as amended, no person shall use the land located on the north side of Ferry Street through to

Spring Street, designated **GC** and numbered 419 on Sheet C4 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon for any purpose, except for the two **existing** 2 storey **motel buildings** with the total number of rooms for both not to exceed 32 for guests, and an 11 storey **hotel building** containing not more than 114 rooms for guests, with **accessory uses** and services and a parking **structure**, except in compliance with By-law No. 97-100.

- 97-128 19.1.420 None of the provisions of clause (h) of section 8.1.2 shall apply to prevent the land on the north side of Thorold Stone Road, designated **NC** and numbered 420 on Sheet C3 of Schedule "A", as amended, from being used for the purpose of a restaurant, subject to compliance with By-law No. 97-128.
- 97-178 19.1.421 None of the provisions of section 7.7.1 shall apply to prevent the **existing one family detached dwelling** on the northwest corner of Robinson Street and Grey Avenue, designed R2 and numbered 421 on Sheet **C4** of Schedule "A", as amended, from being used for the purpose of a tourist home containing not more than three (3) rooms for tourists, provided the external appearance of the **dwelling** is maintained as a residence and the **parking** requirements are provided for and maintained in accordance with section 4.19.1 and subject to compliance with By-law No. 97-178.
- 98-31 19.1.422 No person shall use the land located on the north and south sides of Lyon's Parkway designated **R1C** and numbered 422 as shown on Sheet D7 of Schedule "A" to By-law No. 79-200, as amended, except in accordance with By-law No. 98-31.
- 98-31 19.1.423 No person shall use the land located on the north side of Lyon's Parkway designated HL and numbered 423 as shown on Sheet D7 of Schedule "A" to By-law 79-200, as amended, except in accordance with By-law No. 98-31.
- 97-136 19.1.424 None of the provisions of section 7.3.1 shall apply to prevent the **existing one family detached dwelling** on the northwest corner of Bridgewater Street and Main Street, designated **R1C** and numbered 424 on Sheet E6 of Schedule "A", as amended, from being used for the purpose of a tourist home providing for not more than three (3) rooms for tourists, provided that the external appearance of the **dwelling** is maintained as a residence and the parking spaces required for the rooms for tourists are accessible from Main Street.

- 99-126 19.1.425 Notwithstanding section 11.1.1 and subsections 11.1.2 (a), (b), (c), (e), (f), (g), (i), (j) and (n) of By-law No. 79-200, as amended, no person shall use the land on the southeast corner of Montrose Road and Wanless Street designated PI and numbered 425 on Sheet B4 of Schedule "A", as amended, or use any **building** or **structure** thereon, except in compliance with By-law No. 99-126.
- 97-165 19.1.426 Notwithstanding subclauses (i) and (ii) of clause (e) of section 7.5.2, **lots** 1 through 3, inclusive; 5 through 11, inclusive; 13 through 18, inclusive; 21 and 22; 26 through 37, inclusive; 41 and 47 through 53, inclusive, all in accordance with Registered Plan 59M-228, located on the west side of Sodom Road through to Lyon's Creek Road, designated R1E and numbered 426 on Sheet D7 of Schedule "A", as amended, are subject to reduced minimum interior side yard width requirements as contained in By-law No. 97-165.
- 97-174 19.1.427 No person shall **erect** or use any **building** or **structure** on the land designated R1A and numbered 427 on Sheet C1 of Schedule "A" to By-law No. 79-200 except in accordance with By-law No. 97-174.
- 97-174 19.1.428 No person shall **erect** or use any **building** or **structure** on the land designated R1A and numbered 428 on Sheet C1 of Schedule "A" to By-law No. 79-200 except in accordance with By-law No. 97-174.
- 97-174 19.1.429 No person shall **erect** or use any **building** or **structure** on the land designated R1E and numbered 429 on Sheet C1 of Schedule "A" to By-law No. 79-200 except in accordance with By-law No. 97-174.
- 97-174 19.1.430 No person shall **erect** or use any **building** or **structure** on the land designated R3 and numbered 430 on Sheet C1 of Schedule "A" to By-law No. 79-200 except in accordance with By-law No. 97-174.
- 97-174 19.1.431 No person shall **erect** or use any **building** or **structure** on the land designated R4 and numbered 431 on Sheet C1 of Schedule "A" to By-law No. 79-200 except in accordance with By-law No. 97-174.
- 97-174 19.1.432 No person shall **erect** or use any **building** or **structure** on the land designated R5A and numbered 432 on Sheet C1 and C2 of Schedule "A" to By-law No. 79-200 except in accordance with By-law No. 97-174.

97-174	19.1.433	No person shall use the land designated EPA and numbered 433 on Sheet C1 of Schedule "A" to By-law No. 79-200 for any purpose except in accordance with By-law No. 97-174.
97-175	19.1.434	None of the provisions of section 11.2.1 and clauses (c) and (j) of section 11.2.2 shall apply to prevent the land on the northwest corner of Kent Avenue and Industrial Street, designated LI and numbered 434 on Sheet B3 of Schedule "A", as amended, from being used for an establishment for building material sales provided that the maximum height of any exterior storage not exceed 5.0 metres from grade and subject to compliance with By-law No. 97-175.
97-196	19.1.435	Notwithstanding section 9.1 or subsections 9.2 (a), (b), (c), (d), (e), (f), (g), (h) and (i) and Table 1 of subsection 4.19.1 (a) of By-law No. 79-200, as amended, no person shall use the land on the south side of Valley Way designated I and numbered 435 on Sheet C4 of Schedule "A", as amended, or erector use any buildings or structures on the said land for any purpose except for an existing building to be used for a nursing home providing for not more than 65 beds and a building of not more than two storeys in height to be used for a senior citizens' residence providing for not more than 80 beds in compliance with By-law No. 97-196.
97-197	19.1.436	Repealed by By-law No. 2001-57.
97-212	19.1.437	Repealed by By-law No. 2000-38.
97-217	19.1.438	None of the provisions of section 8.6.1 shall apply to prevent the existing building located on the north side of Lundy's Lane , designated TC and numbered 438 on Sheet B4 of Schedule "A", as amended, from being used for the purpose of an insurance office , a law office or an accounting office in compliance with By-law No. 97-217.
98-11	19.1.439	Notwithstanding subsections 7.5.2 (a)(ii) and (b)(i) of By-law No. 79-200, as amended, no person shall use the land on the west side of Montrose Road, south of Chorozy Street, designated R1E and numbered 439 on Sheet B3 of Schedule "A", as amended, except with a minimum lot area for a corner lot of 430 sq.m. and the minimum lot frontage for an interior lot of 10.65m and except in compliance with By-law No. 98-11.

2004-118	19.1.440	Notwithstanding the provisions of Table 1 of clause (a) of section 4.19.1, section 9.1 and clauses (a), (b), (d), (g) and (i) of section 9.2 of By-law No. 79-200, no person shall use the land on the south side of Lundy's Lane designated I and numbered 440 on Sheet B4 of Schedule "A", or erect or use any building or structures thereon except for the purpose of a retirement home and accessory buildings and structures , and except in compliance with By-law No. 2004-118.
98-01	19.1.441	Notwithstanding subsection 7.5.2(d) of By-law No. 79-200, as amended, no person shall erect or use any part of a one family detached dwelling on the lands within the area designated R1E and numbered 441 on Sheet B4 of Schedule "A", as amended, closer than 30 metres to the CN Railway right-of-way, except in compliance with By-law No. 98-01.
98-02	19.1.442	None of the provisions of section 8.2.1 shall apply to prevent the use of the land and the existing building located on the west side of Victoria Avenue, north of Maple Street, designated GC and numbered 442 on Sheet D3 of Schedule "A", as amended, from being used for the purpose of a souvenir wholesale and distribution establishment, except in compliance with By-law No. 98-02.
98-34	19.1.443	None of the provisions of section 12.1 or subsection 12.2 (a) of By-law No. 79-200, as amended, shall apply to prevent the use of the land, or the erection or use of a building or structure on the west side of Kalar Road, designated A and numbered 443 on Sheet B2 of Schedule "A", as amended, from being used for the purpose of outdoor recreational activities or a youth centre for sports and recreational uses and/or not more than 25 dwelling units for seniors in the form of apartment dwellings or townhouse dwellings except in compliance with By-law No. 98-34.
98-196	19.1.444	None of the provisions of subsection 4.19.1(a), and sections 7.8.1 and 7.8.2 of By-law 79-200, as amended, shall apply to prevent the use of the land on the west side of Ontario Street, opposite Hiram Street, designated R3 and numbered 444 on Sheet D4 of Schedule "A", as amended, or the existing building located thereon from being used for a dwelling containing not more than 3 dwelling units or to require all of the required parking spaces for the dwelling to be provided on the lands provided that the owner of occupant of such dwelling provides and maintains not more than 4 parking spaces on a surface parking area on the land on the west side of Ontario Avenue, opposite Hiram Street,

designated P and numbered 444 on Sheet D4 of Schedule “A”, as amended, except in compliance with By-law No. 98-196.

- 98-104 19.1.445 Notwithstanding section 7.9.1, subsections 7.9.2 (c) (ii) and 7.9.2 (f) (ii), no person shall use the land on the northwest corner of Montrose Road and Woodbine Street, designated R4 and numbered 445 on Sheet B3 of Schedule “A”, as amended, or **erect** or use any **building** or **structure** on the said land for any purpose except in compliance with By-law No. 98-445.
- 98-39 19.1.446 None of the provisions contained in section 11.1 and subsection 11.1.2(j) of By-law 79-200 shall apply to prevent the use of the land or the **erection** or use of any **building** or **structure**, on the east side of Dorchester Road north of the CN Rail line, designated P1 and numbered 446 on Sheet C4 of Schedule “A”, as amended, from being used for one or more of the uses as set out in paragraph 2 of this By-law and except in compliance with By-law No. 98-39.
- 98-94 19.1.447 Notwithstanding the R4 designation, no person shall use the land on the southeast corner of Sodom Road and Weinbrenner Road designated R4 and numbered 447 on Sheet D7 of Schedule “A”, as amended, or **erect** or use any **building** or **structure** thereon except for **townhouse dwellings** having a total aggregate of not more than 14 **dwelling units**, except in accordance to By-law 98-94.
- 98-244 19.1.448 Notwithstanding sections 12.1 and 12.2 of By-law No. 79-200, as amended, no person shall use the land on the northeast corner of Thorold Townline Road and Highway 20 designated A and numbered 448 on Sheet A5 of Schedule “A”, as amended, except for a passive recreational park and a private club with a maximum **floor area** of 290 square metres and except in compliance with by-law No. 98-244.
- 98-183 19.1.449 Notwithstanding subsection 4.19.1(c), subsection 7.9.1 (a), (b) and (c) and subsections 7.9.2 (a), (b), (c), (d), (e), (f), (g) and (m) of By-law No. 79-200, as amended, no person shall use the land on the southwest corner of Mountain Road and St. Paul Avenue designated R4 and numbered 449 on Sheet C2 of Schedule “A”, as amended, or **erect** or use any **building** or **structure** thereon for any purpose except for a maximum of 34 **townhouse dwelling units** and except in compliance with By-law No. 98-183.

98-122	19.1.450	<p>(a) Notwithstanding the P designation or any of the provisions of sections 17.1 or 17.2, no person shall use the P subject lands on the west side of First Avenue, designated P and numbered 450 on Sheet D3 of Schedule “A”, as amended, for any purpose except as a parking lot consisting of a surface parking area and except in compliance with By-law No. 98-122.</p>
98-122		<p>(b) None of the provisions of subsections 11.3.2 (c), (d), (e), (f) or (j) shall apply to prevent the erection or use of a building or structure on the GI subject lands on the west side of First Avenue, designated GI and numbered 450 on Sheet D3 of Schedule “A”, as amended, except in compliance with By-law No. 98-122.</p>
98-146	19.1.451	<p>None of the provisions of section 8.5.1 of By-law 79-200 shall apply to prevent the land on the southeast corner of Queen Street and Buckley Avenue, designated CB and numbered 451 on Sheet D3 of Schedule “A”, as amended, from being used for the purpose of a new car agency and a used car lot except in compliance with By-law No. 98-146.</p>
99-260	19.1.452	<p>None of the provisions of subsections 8.1.2(b) and section 4.27.1 shall prevent the erection or use of a building or structure on the lands located on the southwest corner of McLeod Road and Drummond Road designated NC and numbered 452 on Sheet C5 of Schedule “A”, as amended, except in compliance with By-law No.99-260.</p>
99-65	19.1.453	<p>Repealed by By-law No. 2009-194.</p>
98-154	19.1.454	<p>Notwithstanding subsections 7.5.2 (d), (e) and (f) of By-law 79-200, as amended, no person shall erect or use any one family detached dwelling on the land north of Beaverdams Road and east of Kalar Road designated R1E and numbered 454 on Sheet B4 of Schedule “A”, as amended, closer than 13.7 metres to the northerly boundary of the said land, except in compliance with By-law No. 98-154.</p>
98-157	19.1.455	<p>Repealed by By-law No. 2007-01.</p>
98-176	19.1.457	<p>Notwithstanding section 4.14.1, subsection 4.19.1 (e), section 8.6.1 and subsections 8.6.2 (a), (b), (d) and (g) of By-law No. 79-200, as amended, no person shall use the land located on the west side of Stanley Avenue designated TC and numbered 457 on Sheet D4 of Schedule “A”, as amended, or use any</p>

building or **structure** thereon, except for the **existing** 8 storey **hotel** and an 8 storey addition to it, in compliance with By-law No. 98-176.

- 19.1.458 Repealed by By-law No. 99-78.
- 98-185 19.1.459 The provisions of section 8.1.1 of By-law No. 79-200, as amended, shall not apply to prevent a printing shop from being established on the land on the southeast corner of Drummond Road and Village Crescent, designated and numbered 459 on Sheet C5 of Schedule "A", as amended, except in compliance with By-law No. 98-185.
- 98-204 19.1.460 (a) Notwithstanding the provisions of sections 14.1 and 14.2 of By-law No. 79-200, as amended, no person shall use the lands designated OS and numbered 460 on Sheet B5 on Schedule "A" except in compliance with By-law No. 98-204.
- 98-204 (b) none of the provisions of sections 8.6.1, 8.6.2 or 4 of By-law No. 79-200, as amended, shall apply to prevent the use of lands designated TC and numbered 460 on Sheets B4 and B5 on the southwest corner of Lundy's **Lane** and the Queen Elizabeth Way from being used as a factory outlet centre and except in compliance with By-law No. 98-204.
- 98-256 19.1.461 None of the provisions of section 8.6.1 shall apply to prevent the **existing dwelling** on the land on the northwest side of McGrail Avenue, designated TC and numbered 461 on Sheet D4 of Schedule "A", as amended, from being used for the purpose of two **dwelling units** except in compliance with By-law No. 98-256.
- 98-228 19.1.462 Deleted by By-law No. 2009-51.
- 98-228 19.1.463 Deleted by By-law No. 2009-51.
- 98-228 19.1.464 Deleted by By-law No. 2009-51.
- 99-14 19.1.465 Notwithstanding subsections 7.5.2 (a), (b), (c), (e), (i) and (ii) and (g) of By-law No. 79-200, as amended no person shall use the land located on the south side of Beaverdams Road and designated R1E and numbered 465 on Sheet B4 of Schedule "A", as amended, or use any **buildings** or **structures** thereon, except in compliance with By-law No. 99-14.

99-48	19.1.467	None of the provisions of section 12.1 of By-law No. 79-200, as amended, shall apply to prevent a person from using the land on the east side of Thorold Townline Road, north of Highway 20 designated A and numbered 467 on Sheets A4 and A5 of Schedule "A", as amended, for a shop to smoke and wholesale meat, except in compliance with By-law No. 99-48.
99-30	19.1.468	Notwithstanding subsection 7.5.2(i) of By-law No. 79-200, as amended no person shall use the lands on the west side of Kalar Road and north side of McLeod Road, designated R1E and numbered 468 on Sheet B5 of schedule "A", as amended, or use any buildings or structures thereon except in compliance with By-law No. 99-30.
99-30	19.1.469	Notwithstanding section 8.1.2 of By-law No. 79-200, as amended, no person shall use the land on the northwest corner of Kalar Road and McLeod Road, designated NC and numbered 469 on Sheet B5 of Schedule "A", as amended, or use any buildings or structures thereon, except in compliance with By-law No. 99-30.
	19.1.470	Repealed by By-law No. 2004-137.
99-259	19.1.472	No person shall use the land located on the south side of Mountain Road, designated TC(H) and numbered 472 on Sheet B2 of Schedule "A", as amended, or use any buildings or structures thereon, except in compliance with By-law No. 99-259.
99-52	19.1.473	None of the provisions of subsection 4.19.1 (a) and subsection 8.6.2 (i) of By-law No. 79-200, as amended, shall apply to prevent the land on the northwesterly side of Ellen Avenue, designed P and numbered 473 on Sheet D4 of Schedule "A", as amended from being used for required parking for the land on the northwesterly side of Victoria Avenue, designated TC and numbered 473, except in compliance with By-law No. 99-52.
2002-44	19.1.474	Notwithstanding section 12.1 of By-law No. 79-200, as amended, no person shall use the land located on the east side of Kalar Road south of Beaverdams Road designated A and numbered 474 on Sheet B4 of Schedule "A", as amended, for any purpose except for a contractor's shop and yard subject to compliance with By-law No. 2002-44.

99-78	19.1.475	None of the provisions of subsections 4.14.1, 4.19.1(a), section 8.6.1, subsections 8.6.2 (b), (d), (g) and (i) and 17.2 (g) of By-law 79-200, as amended, shall apply to prevent the land on the north side of Ferry Street, designated TC and numbered 475 on Sheet D4 of Schedule "A" as amended, from being used for an 11-storey hotel and none of the provisions of subsection 17.2 (g) of By-law No. 79-200, as amended, shall apply to prevent the land on the northwesterly side of Ellen Avenue, designated P and numbered 475 on Sheet D4 of Schedule "A" as amended, from being used for required parking, except in compliance with By-law No. 99-78.
99-106 2007-22	19.1.476	None of the provisions of subsection 4.19.1(a) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the north side of Murray Street through to Robinson Street and on the northeast corner of Robinson Street and Clark Avenue, designated TC and numbered 47 and 476 on Sheets D4 and D5 of Schedule "A", as amended, or the erection or use of any building or structure for any use allowed by section 8.6.1 of By-law No. 79-200, as amended, and no person shall use the land on the north side of Murray Street through to Robinson Street and on the north side of Robinson Street, designated TC(H) and numbered 476 on Sheets D4 and D5 of Schedule "A", as amended, or erect or use any building or structure on the land except those which lawfully existed on the date of passing this by-law, and except in compliance with By-law No. 99-106.
2008-190	19.1.477	None of the provisions of clause (a) of section 4.19.1 and clauses (c), (f) and (i) of section 8.6.2 of By-law No.79-200 shall apply to prevent the use of the land on the southeast side of Victoria Avenue designated TC and numbered 477 on Sheet D4 of Schedule "A" or the erection or use of buildings located thereon for tourist commercial purposes, or to require the provision on the same land containing all the required parking spaces except in compliance with By-law No. 99-104.
2008-190	19.1.478	(a) None of the provisions of section 2.28 of By-law No. 79-200 shall apply to prevent the use of the land on the southeast side of Victoria Avenue, through to Clark Avenue, designated TC and numbered 478 on Sheet D4 of Schedule "A", or the erection or use of any buildings or structures thereon, for the purpose of a hotel which does not provide a public dining room or a public meeting room. - By-law No. 99-104, as amended by By-law No. 2008-190.

- (b) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200 shall apply to require **parking spaces** to be provided for any public dining room or public meeting room within a **hotel** on the land on the southeast side of Victoria Avenue, through to Clark Avenue, designated **TC** and numbered 478 on Sheet D4 of Schedule "A". - By-law No. 99-104, as amended by By-law No. 2008-190.
- (c) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200 shall apply to require all of the required **parking spaces** for all of the permitted uses and **buildings** and **structures** on the land on the southeast side of Victoria Avenue, through to Clark Avenue, designated **TC** and numbered 478 on Sheet D4 of Schedule "A" to be provided and maintained on the same land, except in compliance with By-law No. 99-104, as amended by By-law No. 2008-190.
- (d) Notwithstanding the provisions of section 2.31 of By-law No. 79-200, the land on the southeast side of Victoria Avenue, through to Clark Avenue, designated **TC** and numbered 478 on Sheet D4 of Schedule "A", shall be considered one **lot**.
- (e) Notwithstanding the provisions of clauses (b), (c), (d), (e), (g) and (i) of section 8.6.2 of By-law No. 79-200, no person shall use of the land on the southeast side of Victoria Avenue, through to Clark Avenue, designated **TC** and numbered 478 on Sheet D4 of Schedule "A", or **erect** or **use** any **buildings** or **structures** thereon, except in compliance with By-law No. 2008-190.
- (f) Notwithstanding the provision of clause (t) of section 8.6.1 of By-law No. 79-200, no person shall use the land on the southeast side of Victoria Avenue, through to Clark Avenue, designated **TC** and numbered 478 on Sheet D4 of Schedule "A" for the purpose of a pay for use **parking lot**. - By-law No. 99-104, as amended by By-law No. 2008-190."

99-143 19.1.479

None of the provisions of section 8.2.1 and subsections 4.19.1 (a), (e) and (g) of By-law No. 79-200, as amended, no person shall apply to prevent the **existing dwelling** on the land on the northeast corner of Portage Road and as amended, from being used for the purpose of six **dwelling units**, except in

		compliance with By-law No. 99-143.
99-117	19.1.480	Rescinded by By-law No. 2000-127.
2000-165	19.1.482	Notwithstanding subsection 8.6.2 (b), (d) (ii) and (g) of By-law No. 79-200, as amended, no person shall use the land on the east side of Buchanan Avenue through to Clark Avenue, designated TC and numbered 482 on Sheet D4 of Schedule "A" as amended, or erected or use any building or structure thereon for a hotel having a height more than 4 storeys, but not exceeding 10 storeys, except in compliance with By-law No. 2000-165.
99-148	19.1.483	Notwithstanding subsection 7.5.2(i) and in addition to the regulations contained in section 7.5.2 of By-law No. 79-200, as amended, no person shall use the land between Kalar Road and Connell Avenue, designated R1E and numbered 483 on Sheet B3 of Schedule "A", as amended, or use any buildings or structures thereon, except in compliance with By-law No. 99-148.
99-149	19.1.485	Notwithstanding subsection 4.19.3 (a), section 7.3.1 and subsections 7.3.2 (a), (b), (c), (e) and (g) of By-law No. 79-200, as amended, a person may use the land on the west side of St. Paul Avenue, designated R1C and numbered 485 on Sheet C2 of Schedule "A", as amended, and the existing one family dwelling and additions thereto as a tourist home containing up to three rooms for tourists, provided it is in compliance with By-law No. 99-149.
99-166	19.1.486	None of the provisions of Section 2 of By-law No. 95-260, shall apply to prevent use of the land or any existing building located on the south side of Morrison Street, designated as SC and numbered 391 and 486 on Sheets B3, B4, C3 and C4 of Schedule "A" as amended, from being used for the purpose of a Restaurant, Bank, Trust Company or Credit Union, Personal Service Shop, Service Shop or Health centre , and except in compliance with By-law No. 99-166.
99-204	19.1.487	None of the provisions of section 11.2.1 of By-law No. 79-200, as amended, shall apply to prevent the existing building located on the south side of Canadian Drive, designated LI and numbered 487 on Sheet B6 of Schedule "A", as amended, from being used for the purpose of a laser eye centre and a private ambulance service (non-emergency), except in compliance with By-law No.99-204.

2000-36	19.1.488	Notwithstanding sections 8.2.1 and subsections 8.2.2 (a), (b), (c), (d), (e), (f), (g) and (h) of By-law No. 79-200, as amended, no person shall use the land on the west side of Fourth Avenue designated GC and numbered 488 on Sheet D3 of Schedule "A", as amended, or the existing building thereon, except in compliance with By-law No. 2000-36.
2001-80	19.1.489	Repealed by By-law No. 2003-78.
99-272	19.1.493 (H)	None of the provisions of section 4.27.1 and subsections 8.6.2 (d), (g) and (k) of By-law 79-200, as amended, shall apply to prevent the land on the north side of Murray Street, designated TC and numbered 476 and 493 (H) on Sheet D5 of Schedule "A" as amended, from being used for 3 retail stores having floor areas of more than 400 square metres, a hotel having a height more than 4 storeys, but not exceeding 24 storeys, excluding the required roof feature which may contain a maximum of 3 storeys for occupancy, and a parking garage not exceeding 4 storeys, except in compliance with By-law No. 99-272.
99-233	19.1.494	None of the provisions of subsections 4.19.1(a), 8.6.2(g) and (i) of By-law 79-200, as amended, shall apply to prevent the land on the south side of Lundy's Lane , designated TC and numbered 494 on Sheet B4 of Schedule "A", as amended, from being used for the purpose of a 5-storey hotel not exceeding 16 metres in height in compliance with By-law No. 99-233.
99-268	19.1.495	Notwithstanding the provisions of subsection 4.27.1(d), section 8.6.1 and subsections 8.6.2 (a), (b), (c), (d), (e), (f) and (g) of By-law No. 79-200, as amended, no person shall use the land on the west side of Oakes Drive, designated TC and numbered 495 on Sheet D5 of Schedule "A" as amended, or erect or use any building or structure thereon for any purpose except for a hotel containing 2 towers, one providing not more than 30 storeys, the other providing not more than 36 storeys, a trade centre and ancillary uses, and none of the provisions of subsection 4.19.1(a) of By-law No. 79-200, as amended, shall apply to the extent to require the owner or occupant of such hotel , trade centre and ancillary uses to provide and maintain all of the required parking spaces on the same lands as the hotel , trade centre and ancillary uses. The owner or occupant of the hotel shall provide and maintain a parking area on the west side of Stanley Avenue, designated TC and numbered 495 on Sheet D5 of Schedule "A", as amended, containing all of the parking spaces which cannot be provided on the same lands as the hotel , trade centre and ancillary uses, all

in compliance with By-law No. 99-268.

- 2000-31 19.1.496 Notwithstanding subsection 4.19.1 (c) and subsections 7.9.2 (c), (d), (e), (g), (k) and (m) and subsection 7.9.3 (c) (iii) of By-law No. 79-200, as amended, no person shall use the land on the west side of Montrose Road designated R4 and numbered 496 on Sheet B2 of Schedule “A”, as amended, or **erect** or use any **building** or **structure** for any purpose except for a maximum of 24 **townhouse dwelling units** and except in compliance with By-law No. 2000-31.
- 2000-38 19.1.499 Notwithstanding subsections 7.8.2 (b), (v), (e) and (f) of By-law 79-200, as amended, no person shall use the land or **erect** or use any **building** or **structure** on the east side of St. Paul Avenue designated R3 and numbered 499 on Sheet C2 of Schedule “A”, as amended, except for a maximum of 20 on-street one-storey **townhouse dwellings** each providing and maintaining an attached garage and except in compliance with By-law No. 2000-38.
- 2003-30 19.1.500 Notwithstanding the provisions of clause (b) of section 4.13, sections 4.27.1 and 7.11.1, and clauses (a), (b), (c), (d), (e), (f), (h), (l) and (m) of section 7.11.2 and in addition to the regulations contained in section 7.11.2 of By-law No. 79-200, no person shall use the land on the southwest corner of Dunn Street and Ailanthus Avenue, designated **R5B** and numbered 500 on Sheet C5 of Schedule “A”, or erect or use any **building** or **structure** thereon except for an **apartment dwelling** having up to 4 storeys and up to 16 **dwelling units** and a garbage bin enclosure, and except in compliance with By-law No. 2003-30.
- 2000-65 19.1.501 None of the provisions contained in sections 7.9.1 and 7.9.2 of By-law No. 79-200, as amended shall apply to prevent the land on the north side of Weinbrenner Road, designated R4 and numbered 501 on Sheets E6 and E7 of Schedule “A” as amended, from being developed in accordance with the provisions contained in subsection 9.1(f) and section 9.2 of By-law No. 79-200, as amended, except in compliance with By-law No. 2000-65.
- 2000-59 19.1.502 None of the provisions of section 2 of By-law No. 95-260, as amended, shall apply to prevent 5 **buildings** from being **erected** on the land on the south side of Morrison Street, designated SC and numbered 391, 486 and 502 on Sheets B3, B4, C3 and C4 of Schedule “A” as amended, and a maximum aggregate of 5 retail stores, each having a **gross leasable floor area** of less than 465 square metres, and within the same **structure**, from being established on the land,

except in compliance with By-law No. 2000-59.

2000-86 2003-56	19.1.503	Temporary use by-law no longer in effect as of April 17, 2003. Temporary use by-law no longer in effect as of March 17, 2004.
2000-74 2001-134	19.1.504	Replaced by By-law No. 2001-134.
2000-82	19.1.505	None of the provisions contained in section 11.1.1 of By-law No. 79-200, as amended shall apply to prevent the use of the land on the southwest corner of Chippawa Creek Road and Montrose Road, designated PI and numbered 505 on Sheet B7 of Schedule "A", as amended or the erection or use of any building or structure thereon for a hotel and ancillary outdoor volleyball courts, with or without accessory buildings and none of the provisions contained in subsections 11.1.2 (c), (e), and (j) of By-law No. 79-200, as amended shall apply to the existing building located on the northeast corner of the land and the existing outdoor volleyball courts located on the northwest corner of the land, except in compliance with By-law No. 2000-82.
2000-153	19.1.506	Notwithstanding subsections 8.6.2 (b), (c), (d), (e), (f) and (g) of By-law No. 79-200, as amended, no person shall use the land on the northwest corner of Stanley Avenue and Dunn Street, designated TC and numbered 506 on Sheet D5 of Schedule "A" as amended, or erect or use any building or structure thereon for a hotel have a height of more than 12 metres but not exceeding 90 metres as measured from Geodetic Elevation 199.5 metres of 30 storeys, except in compliance with By-law No. 2000-153.
2000-85 2003-57	19.1.507	Temporary use by-law no longer in effect as of April 17, 2002. Temporary use by-law no longer in effect as of March 17, 2004.
2000-95	19.1.508	None of the provisions of subsections 7.7.2 (b)(iii) and (e)(ii) of By-law No. 79-200, as amended shall apply to prevent the use of the land on the north corner of Front Street and Norton Street designated R2 and numbered 508, in part, on Sheet E6 of Schedule "A" as amended, or the erection of any building or structure for any purpose, except in compliance with By-law No. 2000-95. Notwithstanding subsections 4.19.1 (a), 7.8.1, 7.8.2 (c), (d), (e)(ii), (f) and (k) of By-law No. 79-200, as amended, no person shall use the land on the north corner Front Street and Norton Street designated R3 and numbered 508, in part,

on Sheet E6 of Schedule "A" as amended, or **erect** or use any **building** or **structure** for any purpose except for one **dwelling** providing 5 on-street **townhouse dwelling units** and except in compliance with By-law No. 2000-95.

2000-133 19.1.509 Notwithstanding sections 4.27.1, 8.1.1 and subsections 8.1.2 (a), (b), (c), (d) and (e) of By-law No. 79-200, as amended, no person shall use the land on the northeast corner of Drummond Road and Valley Way, designated NC and numbered 509 on Sheet C4 of Schedule "A", as amended, and the **existing building** thereon except for a full service beauty/hair salon which may include a spa with massage therapy by one or more registered massage therapists and one **dwelling unit** on the second floor, and except in compliance with By-law No. 2000-133.

2000-119 19.1.510 None of the provisions contained in section 11.1.1 and subsections 11.1.2(d), (j) and (o) of By-law No. 79-200, as amended, shall apply to prevent the land on the south side of Fraser Street, designated PI and numbered 510 on Sheet C3 of Schedule "A", as amended, and the **existing building** thereon from being used for a Lodge for the Loyal Order of Moose and/or Women of the Moose, except in compliance with By-law No. 2000-119.

2000-103 19.1.511 a) Notwithstanding subsection 8.6.2 (c) and (g) of By-law 79-200, as amended, no person shall use the land on the east side of Oakes Drive, designated TC and numbered 511 on Sheet D5 of Schedule "A" as amended, or **erect** or use any **building** or **structure** thereon for a **hotel** having a **height** up to 20 storeys, and none of the provisions of subsection 4.19.1 (a) of By-law 79-200, as amended, shall apply to the extent to require the owner or occupant of such **hotel** to provide and maintain all of the required parking spaces for the **hotel** on the same land, except in compliance with By-law No. 2000-103.

b) Notwithstanding section 17.1 and subsections 17.2 (b), (f) and (g) of By-law No. 79-200, as amended, no person shall use the land on the north side of Dunn Street, designated P and numbered 511 on Sheet D5 of Schedule "A" as amended, or **erect** or use any **building** or **structure** thereon for a parking garage, except in compliance with By-law 2000-103.

19.1.512 Repealed by By-law No. 2002-135.

2002-135	19.1.513	Repealed by OMB.
2000-127	19.1.514	None of the provisions of subsection 4.19.1(a), section 4.27.1, section 8.6.1 and subsections 8.6.2 (b), (c), (e), (g), (i) and 17.2 (g) of By-law No. 79-200, as amended, shall apply to prevent the land on the west side of Oakes Drive, through to Stanley Avenue, on the south side of Dunn Street designated TC and numbered 355 and 514 on Sheet D5 of Schedule "A", as amended, from being used for an existing hotel building comprised of one 15-storey portion and a 5-storey portion, a 5-storey parking structure and one 576 square metre restaurant and none of the provisions of subsections 4.19.1 (a) and 17.2 (g) of By-law No. 79-200, as amended, shall apply to prevent the land on the north side of Dunn Street, through to Dixon Street, on the east side of Cleveland Avenue designated P and numbered 514 on Sheets C5 and D5 of Schedule "A", as amended, from being used for required parking, subject to compliance with By-law No. 2000-127.
2000-128	19.1.515	None of the provisions of subsection 4.19.1 (a), section 8.6.1, subsections 8.6.2 (b), (c), (d), (f), (g), (i) and 17.2(g) of By-law No. 79-200, as amended, shall apply to prevent the land on the east side of Oakes Drive, designated TC and numbered 515 on Sheet D5 of Schedule "A", as amended, from being used for a hotel tower complex and none of the provisions of subsections 4.19.1 (a) and 17.2 (g) of By-law 79-200, as amended, shall apply to prevent the land on the north side of Dunn Street, through to Dixon Street, on the east side of Cleveland Avenue designated P and numbered 514 and 515 on Sheets C5 and D5 of Schedule "A", as amended, from being used for required parking, subject to compliance with By-law No. 2000-128.
2000-243	19.1.516	Repealed by By-law No. 2001-169
2000-197	19.1.517	Repealed by By-law No. 2008-51.
2000-197	19.1.518	Repealed by By-law No. 2008-51.
2000-229	19.1.520	None of the provisions of section 8.6.1 of By-law No. 79-200, as amended, shall apply to prevent the land on the north side of Lundy's Lane , designated TC and numbered 520 on Sheet B4 of Schedule "A", as amended, or any building or structure thereon from being used for a clinic, office , and equipment rental and repair shop except in compliance with By-law No. 2000-229.

- 2000-181 19.1.521 Notwithstanding the provisions of section 4.27.1 and subsections 7.11.2 (a), (c), (e), (h) and (m) of By-law No. 79-200, as amended, no person shall use the land on the south side of McLeod Road, designated R5B and numbered 521 on Sheet C5 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon except for an apartment **building** having up to 12 **dwelling units**, and except in compliance with By-law No. 2000-181.
- 2000-182 19.1.522 Repealed by By-law No. 2008-29.
- 2000-250 19.1.524 No person shall use the land located on the southwest corner of the intersection of Mountain Road and Mewburn Road, designated TC and numbered 524 on Sheet B2 of Schedule "A", as amended, or use any **buildings** or **structures** thereon, except in compliance with By-law No. 2000-250.
- 2000-195 19.1.525 None of the provisions of subsections 8.6.2 (b), (d) and (g) of By-law No. 79-200, as amended, shall apply to prevent the land on the southwest corner of Ferry Street and Grey Avenue designated TC and numbered 525 on Sheet C4 of Schedule "A", as amended, from being used for a 7-storey **hotel**, except in compliance with By-law No. 2000-195.
- 2000-196 19.1.526 Repealed by By-law No. 2009-194.
- 2000-226 19.1.527 Notwithstanding the provisions of subsections 11.1.2 (f) and (j) of By-law No. 79-200, as amended, no person shall use the land on the east side of Montrose Road designated PI and numbered 527 on Sheet B5 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon, except in compliance with By-law No. 2000-226.
- 2000-242 19.1.528 None of the provisions of sections 4.27.1, 11.1.1 and 11.1.2 of By-law 79-200, as amended, shall apply to prevent the land on the east side of Stanley Avenue designated PI and numbered 528 on Sheet C1 of Schedule "A", as amended from being used for the growing of field crops or the **erection** of an addition to the **existing one family detached dwelling**, a barn, and a storage **building** thereon, except in compliance with By-law No. 2000-242.
- 2000-230 19.1.529 Repealed by By-law No. 2001-266 (see 19.1.557 & 19.1.558).
- 2000-256 19.1.530 None of the provisions of section 7.7.1 of By-law 79-200, as amended, shall

apply to prevent the **existing one family detached dwelling** on the land on the south side of Culp Street, designated R2 and numbered 530 on Sheet C5 of Schedule “A” as amended, from being used for the purpose of a tourist home containing not more than three rooms for the tourists, except in compliance with By-law No. 2000-256.

- 2000-258 19.1.531 None of the provisions contained in sections 12.1 and 12.2 of By-law No. 79-200, as amended, shall apply to prevent the land on the west side of Beechwood Road, designated A and numbered 531 on Sheet A5 of Schedule “A” as amended, from being developed in accordance with the provisions contained in sections 13.1 and 13.2 of By-law No. 79-200, as amended, except in compliance with By-law No. 2000-258.
- 2001-15 19.1.532 In addition to the provisions contained in section 9.2 of By-law No. 79-200, as amended, no person shall use the land on the east side of Dorchester Road, designated I and numbered 532 on Sheet C4 of Schedule “A”, as amended, or **erect** or use any **building** or **structure** thereon except in compliance with By-law No. 2001-15.
- 2001-57 19.1.533 Notwithstanding the provisions of Table 1 of subsection 4.19.1(a), subsections 4.27.1(a) and (d), section 8.1.1 and subsections 8.1.2(b), (f), (h) and (i) of By-law No. 79-200, as amended, no person shall use the land on the west side of Montrose Road, north of Lundy’s **Lane**, designated NC and numbered 533 on Sheet B4 of Schedule “A”, as amended, or **erect** or use any **building** or **structure** thereon for any purpose except for one or more **offices**, and except in compliance with By-law No. 2001-57.
- 2000-266 19.1.534 None of the provisions of section 2.42 and subsection 8.6.2(g) of By-law No. 79-200, as amended, shall apply to prevent the land on the east side of Victoria Avenue, designated TC and numbered 534 on Sheet D3 of Schedule “A”, as amended, from being used for a **hotel**, including a pinball or electronic game machine establishment, having a maximum **building height** of more than 12 metres, except in compliance with By-law No. 2000-266.
- 2004-67 19.1.535 None of the provisions of clause (a) of section 4.27.1 and sections 7.8.1 and 7.8.2 of By-law No. 79-200 shall apply to prevent the use of the land on the northwest corner of the intersection of Stanley Avenue and Church's Lane, designated **R3** and numbered 535 on Sheet C2 of Schedule “A”, or the use of

the existing **dwelling** thereon, for the purpose of not more than four dwelling units, except in compliance with By-law No. 2004-67.

- 2001-149 19.1.536 Repealed by By-law No. 2002-110.
- 2001-21 19.1.537 None of the provisions of subsections 4.19.1(a), 8.6.2(b), (g) and (i) and 17.2(g) of By-law No. 79-200, as amended, shall apply to prevent the lands located on the northwesterly side of Ellen Avenue designated TC and numbered 537 on Sheet D4 of Schedule "A", as amended from being used for a motel consisting of one three-storey portion and one five-storey portion and none of the provisions of subsection 17.2(g) of By-law No. 79-200 as amended, shall apply to prevent the land on the southeasterly side of McGrail Avenue, designated P and numbered 537 on Sheet D4 of Schedule "A" as amended, from being used for required parking, except in compliance with By-law No. 2001-21.
- 2001-50 19.1.538 None of the provisions of sections 2.17 and 7.7.1 of By-law No. 79-200, as amended, shall apply to prevent the **existing building** on the lands on the northwest corner of River Road and Eastwood Crescent designated R2 and numbered 538 on Sheet D4 of Schedule "A", as amended, from being used for the purpose of a **dwelling** and providing for not more than eight rooms for tourists, except in compliance with By-law No. 2001-50.
- 2001-54 19.1.539 None of the provisions of sections 7.15.1 and 7.15.2 of By-law No. 79-200, as amended, shall apply to prevent the **existing building** on the land on the west side of Chrysler Avenue, designated R5F and numbered 539 on Sheet D3 of Schedule "A", as amended and in addition thereto, from being used for the purpose of a "Special Residence, Temporary Shelter", except in compliance with By-law No. 2001-54.
- 2001-75 19.1.540 None of the provisions of section 11.1.1 of By-law No. 79-200, as amended shall apply to prevent the use of the land on the east side of Oakwood Drive, designated PI and numbered 540 on Sheets B6 and C6 of Schedule "A", as amended, or **erection** or use of any **buildings** or **structure** thereon for the uses set out in section 2 of By-law No. 2001-75, except in compliance with By-law No. 2001-75.
- 2001-85 19.1.541 Repealed by By-law No. 2002-112.

2001-90	19.1.542	Repealed by By-law No. 2002-210.
2001-88	19.1.543	Notwithstanding the provisions of subsection 7.3.2 (b)(ii) of By-law No. 79-200, as amended, no person shall use the land on the south side of Mountain Road extending to the Hydro Haulage Road Trail, designated R1C and numbered 543 on Sheet C2 of Schedule "A", as amended, or erect or use any buildings or structures thereon, except in compliance with By-law No. 2001-88.
2001-154	19.1.544	Notwithstanding the provisions of section 4.27.1 and subsections 7.5.2(c) and (i) and in addition to the requirements contained in section 7.5.2 of By-law No. 79-200, as amended, no person shall use the land on the east side of Kalar Road, south of Costabile Drive and north of Marcon Street, designated R1E and numbered 544 on Sheet B3 of Schedule "A", as amended, or erect or use any buildings or structures thereon, except in compliance with By-law No. 2001-154.
2001-154	19.1.545	Notwithstanding the provisions of section 7.9.1 and subsections 7.9.2(b), (d), (e) and 7.9.3 (c)(iii), and in addition to the regulations contained in section 7.9.2 of By-law No. 79-200, as amended, no person shall use the land on the south side of Costabile Drive, designated R4 and numbered 545 on Sheet B3 of Schedule "A", as amended, or erect or use any buildings or structures thereon except for group dwellings , and except in compliance with By-law No. 2001-154.
2001-224	19.1.546	(a) None of the provisions of section 2.31.5 of By-law No. 79-200, as amended, shall apply to the land on the northwest corner of Thorold Stone Road and Kalar Road, designated R1D and numbered 546 on Sheet B3 of Schedule "A", as amended, to prevent the width of a lot , measured along the front lot line, from being more than 3 metres less than the minimum lot frontage required by the provisions of subsection 7.4.2(b)(i) of By-law No. 79-200, as amended, except in compliance with By-law No. 2001-224.
2001-135	19.1.547	None of the provisions of subsection 7.10.2(a) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the west side of St. Paul Avenue, designated R5A and numbered 547 on Sheet C2 of Schedule "A", as amended, or the erection or use of any building or structure thereon for an apartment building having up to 32 dwelling units , except in compliance with

By-law No. 2001-135.

- 2001-132 19.1.548 None of the provisions of section 8.6.1 and subsections 8.6.2(b), (c) and (d) of By-law No. 79-200, as amended, shall apply to prevent the land on the south side of McLeod Road, designated TC and numbered 548 on Sheet C5 of Schedule "A", as amended, or any **building** or **structure** thereon from being used for a nursing home, except in compliance with By-law No. 2001-132.
- 2001-137 19.1.549 None of the provisions of sections 7.3.1 and 7.3.2 of By-law No. 79-200, as amended, shall apply to prevent the **existing building** situated on the land on the east side of Sinnicks Avenue, designated **R1C** and numbered 549 on Sheet C2 of Schedule "A", as amended, from being used as a **community building** and respite facility, operated by a not-for-profit organization except in compliance with By-law No. 2001-137.
- 2001-147 19.1.550 None of the provisions of sections 11.2.1 and 11.2.2 of By-law No. 79-200, as amended, shall apply to prevent the **existing building** situated on the land on the southeast corner of Ferguson Street and Dyson Avenue, designated LI and numbered 550 on Sheet D3 of Schedule "A", as amended, from being used for a private club, except in compliance with By-law No. 2001-147.
- 2001-134 19.1.551 Notwithstanding the provisions of subsections 7.1.2 (a), (b), (e) and (i), and in addition to the requirements contained in section 7.1.2 of By-law No. 79-200, as amended, no person shall use the land on the east side of Dorchester Road, north of Mountain Road and south of the CN Railway line, designated **R1A** and numbered 551 on Sheet C1 of Schedule "A", as amended, or **erect** or use any **buildings** or **structures** thereon, except in compliance with By-law No. 2001-134.
- 2001-134 19.1.552 Refer to By-law No. 2001-134, as amended by By-law No. 2009-41.
2009-41
- 2001-157 19.1.553 No person shall use the land or **erect** or use any **building** or **structure** on the land designated OS and numbered 553 on Sheets A7 and B7 of Schedule "A", as amended, except in compliance with By-law No. 2001-157.
- 2001-157 19.1.554 No person shall use the land or **erect** or use any **building** or **structure** on the

land designated OS (H) and numbered 554 on Sheet B7 of Schedule "A", as amended, except in compliance with By-law No. 2001-157.

- 2001-157 19.1.555 No person shall use the land designated EPA and numbered 555 on Sheets A7 and B7 of Schedule "A", as amended, for any purpose except in compliance with By-law No. 2001-157.
- 2001-169 19.1.556 Notwithstanding the provisions of section 4.11 and subsections 7.9.2(b), (c), (d), (e), (g) and (m) of By-law No. 79-200, as amended, no person shall use the land within the northeast quadrant of Dorchester Road and Highway 420 designated R4 and numbered 556 on Sheet C4 of Schedule "A", as amended, or **erect** or use any **building** or **structure** for any purpose except for a maximum of 21 **townhouse dwelling units** with attached garages and except in compliance with By-law No. 2001-169.
- 2001-266 19.1.557 None of the provisions of Table 1 of subsection 4.19.1(a) and subsections 7.8.2(a)(iii), (c), (d), (e)(ii), (g) and (k) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the south side of Ash Street through to Murray Street, designated **R3** and numbered 557 on Sheet C5 of Schedule "A", as amended, or the **erection** and **use** of any **buildings** or **structures** thereon for **on-street townhouse dwellings** except in compliance with By-law No. 2001-266.
- 2001-266 19.1.558 None of the provisions of subsection 7.11.2(d), (e), (f), (k) and (m) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the south side of Ash Street through to Murray Street, designated **R5B** and numbered 558 on Sheet C5 of Schedule "A", as amended, or the use and conversion of the **building** which existed prior to the passing of this by-law for an **apartment dwelling** providing not more than 25 dwelling units or the use of the land and the **erection** and **use** of any **buildings** or **structures** thereon for **on-street townhouse dwellings**, except in compliance with By-law No. 2001-266.
- 2001-213 19.1.560 Repealed by By-law No. 2005-170.
- 2001-223 19.1.562 None of the provisions of subsections 4.19.1(a) and 8.6.2(i) of By-law No. 79-200, as amended, shall apply to the extent to require the owner or occupant of the **hotel** on the southeast corner of the intersection of Fallsview Boulevard and

Portage Road, designated TC and numbered 512 and 562 on Sheet D5 of Schedule "A", as amended, to provide and maintain all of the required parking on the same land, except in compliance with By-law No. 2001-223.

2001-218 19.1.563 Notwithstanding sections 8.1.1 and 4.27.1 and subsections 8.1.2(b), (c), (d), (e), (f) and (h) and in addition to the provisions contained in section 8.1.2 of By-law No. 79-200, as amended, no person shall use the land on the northwest corner of the intersection of Drummond Road and Morrison Street, designated NC and numbered 563 on Sheet C3 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon for any purpose except for one or more **offices** and except in compliance with By-law No. 2001-218.

2001-214 19.1.564 Notwithstanding the provisions of section 12. 1 and subsections 12.2 (a), (b) and (d), and in addition to the provisions contained in section 12.2 of By-law No. 79-200, as amended, no person shall use the land on the west side of Garner Road, south of Lundy's **Lane**, designated A and numbered 564 on Sheet A5 of Schedule "A", as amended, or **erect** or use any **buildings** or **structures** thereon for any purpose except one one-**family** detached **dwelling** and **accessory buildings** and **structures** and, except in compliance with By-law No. 2001-214.

2001-214 19.1.565 (a) Notwithstanding the provisions of subsections 12.1 (a) and (c) of By-law No. 79-200, as amended, no person shall use the **building**, which existed prior to the passage of this by-law, for hatching, breeding, raising, keeping or marketing any livestock, on the land on the west side of Garner Road, south of Lundy's **Lane**, designated A and numbered 565 on Sheet A5 of Schedule "A", as amended, except in compliance with By-law No. 2001-214.

2001-214 (b) None of the provisions of subsection 12.2 (d) of By-law No. 79-200, as amended, shall apply to prevent the **building**, which existed prior to the passage of this by-law, on the land on the west side of Garner Road, south of Lundy's **Lane**, designated A and numbered 565 on Sheet A5 of Schedule "A", as amended, from having a minimum north side yard width of 7.5 metres, except in compliance with By-law No. 2001-214.

2001-256 19.1.566 None of the provisions of section 8.8.1 of By-law No. 79-200, as amended, shall apply to prevent one of the **dwelling units** within the **existing** three-unit

dwelling situated on the land on the south side of McGrail Avenue, designated DTC and numbered 566 on Sheet D4 of Schedule “A”, as amended, from being used as a tourist home containing not more than three rooms for tourists, except in compliance with By-law No. 2001-256.

2001-254 19.1.567 Notwithstanding the provisions of subsection 4.19.1 (c), section 7.9.1 and subsections 7.9.2 (a), (b), (d), (e), (g) and (m) and 7.9.3 (c) (iii) and in addition to the regulations contained in section 7.9.2 of By-law No. 79-200, as amended, no person shall use the land on the west side of Drummond Road designated R4 and numbered 567 on Sheet C4 of Schedule “A”, as amended, or **erect** or use any **building** or **structure** for any purpose except for **group dwellings**, and except in compliance with By-law No. 2001-254.

2001-265 19.1.568 None of the provisions of section 2.28 and subsections 8.6.2 (b), (c), (d) and (g) of By-law No. 79-200, as amended, shall apply to prevent the land on the north side of Victoria Avenue through to Ellen Avenue, designated TC and numbered 568 on Sheet D4 of Schedule “A”, as amended, or the use of any **buildings** or **structures** thereon, for a **hotel**, comprised of more than one **building**, except in compliance with By-law No. 2001-265.

2005-14 19.1.569 None of the provisions of subsection 4.19.1(a), 8.6.2 (b), (c), (e), and (g) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the northeast corner of Murray Street and Allendale Avenue designated TC and numbered 569 on Sheet D5 of Schedule “A”, as amended, or the erection and use of any building or structure thereon for a 5-storey hotel having a height not exceeding 18 metres and none of the provisions of subsection 4.19.1(a) of By-law No. 79-200, as amended, shall apply to the extent to require the owner or occupant of such hotel to provide and maintain all of the required parking spaces on the same land as the hotel. The owner or occupant of such building or structure shall provide and maintain a **parking area** on the south side of Main Street, through to Murray Street, designated P and numbered 569 on Sheet C5 of Schedule “A”, as amended, containing all of the required **parking spaces** which cannot be provided on the land designated **TC** and renumbered 569 and notwithstanding the provisions of Section 17.1 and subsection 17.2 (g) of By-law No. 79-200, as amended, no person shall use the land on the south side of Main Street, through to Murray Street, designated **P** and numbered 569 on Sheet C5 of Schedule “A”, as amended, for any purpose other than for required parking,

in compliance with By-law No. 2005-14.

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| 2002-18 | 19.1.570 | None of the provisions of Table 1 of subsection 4.19.1(a) and section 11.2.1 of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the south-west corner of Swayze Drive and Stanley Avenue, designated LI and numbered 570 on Sheet C1 of Schedule "A", as amended, or the erection and use of any buildings or structures thereon for a recreational use, except in compliance with By-law No. 2002-18. |
| 2002-46 | 19.1.571 | None of the provisions of section 7.7.1 of By-law No. 79-200, as amended, shall apply to prevent the existing dwelling located on the north side of Culp Street, designated R2 and numbered 571 on Sheets C4 and C5 of Schedule "A", as amended, from being used as a tourist home containing not more than two rooms for tourists, except in compliance with By-law No. 2002-46. |
| 2002-143 | 19.1.572 | None of the provisions of section 2.28 and subsections 8.6.2 (b), (c), (d) and (g) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the north side of Ferry Street, through to Spring Street and Stanley Avenue, designated TC and numbered 75 and 572, in part and designated TC and numbered 572 in part, or the erection or use of any building thereon for a hotel having a height not exceeding 21 metres and up to 6 storeys, except in compliance with By-law No. 2002-143. |
| 2002-63 | 19.1.573 | None of the provisions of section 7.11.1 of By-law No. 79-200, as amended shall apply to prevent the dwelling , which existed prior to the passage of this by-law, on the land on the north side of Dunn Street, designated R5B and numbered 573 on Sheet C5 of Schedule "A", as amended, from being used as a tourist home containing not more than four rooms for tourists, except in compliance with By-law No. 2002-63. |
| 2002-106 | 19.1.574 | None of the provisions of subsection 4.19.3(a)(ii) and section 7.7.1 of By-law No. 79-200, as amended, shall apply to prevent the existing dwelling on the west side of Zimmerman Avenue, designated R2 and numbered 574 on Sheet D3 of Schedule "A", as amended, from being used as a tourist home containing not more than four rooms for tourists, except in compliance with By-law No. 2002-106. |

- 2002-090 19.1.575 None of the provisions of section 7.7.1 of By-law No. 79-200, as amended, shall apply to prevent the **existing dwelling** located on the south side of Ellis Street, designated R2 and numbered 575 on Sheet D3 of Schedule “A”, as amended, from being used as a tourist home containing not more than two rooms for tourists, except in compliance with By-law No. 2002-090.
- 2002-078 19.1.576 None of the provisions of section 11.2.1 of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the east side of Oakwood Drive, north of McLeod Road, designated LI and numbered 576 on Sheets B5 and C5 of Schedule “A”, as amended, or the **erection** and use of any **buildings** or **structures** thereon for a recreational use, except in compliance with By-law No. 2002-078.
- 2002-091 19.1.577 Notwithstanding the provisions of sections 4.13 and 4.14 and subsection 7.2.2(b) and in addition to the requirements contained in section 7.2.2 of By-law No. 79-200, as amended, no person shall use the land on the south west corner of Cardinal Drive and Mount Carmel Boulevard designated **R1B** and numbered 577 on Sheet B3 of Schedule “A”, as amended, or **erect** or use any **buildings** or **structures** except in compliance with By-law No. 2002-091.
- 2002-110 19.1.578 (a) None of the provisions of subsection 4.19.1(a), sections 4.27.1 and 8.6.1 and subsections 8.6.2(b), (c), (d) and (g) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the west side of Stanley Avenue through to Main Street, designated TC and numbered 578 on Sheet D5 of Schedule “A”, as amended, or the **erection** and use of any **building** or **structure** thereon for a mechanical amusement ride or to require all of the required parking spaces to be provided and maintained on the same land, except in compliance with By-law No. 2002-110.
- 2002-110 19.1.578 (b) Notwithstanding the provisions of subsection 17.2(g) of By-law No. 79-200, as amended, no person shall use the land on the south side of Main Street, through to Murray Street, designated P and numbered 578 on Sheet C5 of Schedule “A”, as amended, for a parking **lot**, except in compliance with By-law No. 2002-110.
- 2002-112 19.1.579 None of the provisions of subsection 4.19.1(a), 4.27.1(d), 8.6.2(a), (b), (d) and (g) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the west side of Fallsview Boulevard through to Stanley Avenue designated

TC and numbered 579 on Sheet D4 of Schedule "A", as amended, or the **erection** or use of any **building** or **structure** thereon for a **hotel** having a **height** more than 12 metres, but not exceeding 107 metres, as measured from Geodetic Elevation 192 metres or 29 storeys, to require the owner or occupant of such **hotel** to provide and maintain all of the required parking spaces on the same land as the **hotel**. Notwithstanding the provisions of subsection 17.2(g) of By-law No. 79-200, as amended, no person shall use the lands on the west side of Fallsview Boulevard designated P and numbered 579 on Sheet D4 of Schedule "A", as amended, for any purpose except to provide those required parking spaces which cannot be provided on the same lands as the **hotel**, and all except in compliance with By-law No. 2002-112.

2002-113 19.1.580 Notwithstanding the provisions of section 4.27.1 and subsections 7.5.2(d), (f) and (i), and in addition to the regulations contained in section 7.5.2 of By-law No. 79-200, as amended, no person shall use the land on the west side of Kalar Road, north of Lundy's Lane, designated **R1E** and numbered 580 on Sheet B4 of Schedule "A", as amended, or **erect** or use any **buildings** or **structures** thereon, except in compliance with By-law No. 2002-113.

2002-113 19.1.581 Notwithstanding the provisions of sections 4.27.1 and 7.9.1 and clauses (a), (c), (d) and (e) of section 7.9.2 of By-law No. 79-200, no person shall use the land on the west side of Kalar Road, north of Lundy's Lane, designated **R4** and numbered 581 on Sheet B4 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, except for the purpose of a **townhouse dwelling** and **accessory buildings and accessory structures**, and except in compliance with By-law No. 2002-113.

2002-115 19.1.582 None of the provisions of subsection 7.7.2(a)(ii) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the south side of Delta Drive east of Montrose Road designated R2 and numbered 582 on Sheet B5 of Schedule "A", as amended, or the **erection** or use of a **semi-detached dwelling** thereon, except in compliance with By-law No. 2002-115.

2002-119 19.1.583 Temporary use by-law no longer in effect as of June 18, 2005.

2002-130 19.1.584 In addition to the regulations contained in section 7.3.2 of By-law No. 79-200, as amended, no person shall use the land on the east side of Kalar Road north of

Thorold Stone Road, designated **R1C**, in part and HL, in part and numbered 584 on Sheet B3 of Schedule "A", as amended, or **erect** or use any **buildings** or **structures** thereon, except in compliance with By-law No. 2002-130.

- 2002-136 19.1.585 None of the provisions of subsection 4.27.1, 8.6.2 (a), (b), (c), (d), (e), (g) and (h) of By-law No. 79-200, as amended, shall apply to prevent the use of the land bounded by Main Street, Stanley Avenue, Dixon Street and Dunn Street designated TC and numbered 585 on Sheet D5 of Schedule "A", as amended, or the **erection** or use of any **building** or **structure** thereon for a **hotel** having a **height** more than 12 metres, but not exceeding 66 metres, or 23 storeys, whichever is less, except in compliance with By-law No. 2002-136.
- 2002-135 19.1.587 Notwithstanding subsections 8.6.2 (b), (c), (d), (d), (f) and (g) of By-law No. 79-200, as amended, no person shall use the land on the southeast corner of the intersection of Fallsview Boulevard and Portage Road, designated TC and numbered 562 and 587 on Sheet D5 of Schedule "A", as amended, or **erect** or use any **building** or **structure** thereon except for a **hotel** having a **height** of more than 12 metres but not exceeding 117 metres or 36 storeys, whichever is less, and except in compliance with By-law No. 2002-135.
- 2002-148 19.1.588 None of the provisions of section 2.28 and subsections 8.6.2 (a), (b), (d), (d), (e), and (g) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the south side of Centre Street, bordered by Ellen Avenue and McGrail Avenue, designated TC and numbered 588 on Sheet D4 of Schedule "A", as amended, or the **erection** or use of any **building** or **structure** thereon for a **hotel** having a **height** more than 12 metres, but not exceeding 37 metres or 10 storeys, whichever is lesser, and all except in compliance with By-law No. 2002-148.
- 2002-151 19.1.589 None of the provisions of section 7.7.1 of By-law No. 79-200, as amended, shall apply to prevent the **land** on the south side of Ferguson Street, designated **R2** and numbered 589 on Sheet D3 of Schedule "A", as amended, and a **one-family detached dwelling** thereon from being used for the purpose of a Cottage Rental Dwelling, except in compliance with By-law No. 2002-151.
- 2002-156 19.1.590 None of the provisions of subsection 4.19.1(a), 8.6.2(a), (c) and (g) of By-law No. 79-200, as amended, shall apply to prevent the use of the land on the north

side of Ferry Street, designated **GC** and numbered 590 on Sheet C4 of Schedule “A”, as amended, or the **erection** and use of any **building** thereon having a height of more than 12 metres, or require all of the required **parking** spaces to be provided and maintained on the same land, except in compliance with By-law No. 2002-156.

Notwithstanding the provisions of subsection 17.2(g) of By-law No. 79-200, as amended, no person shall use the land on the south side of Spring Street designated **P** and numbered 590 on Sheet C4 of Schedule “A”, as amended, for any purpose other than a **parking lot** containing all of the required parking spaces that cannot be provided on the lands on the north side of Ferry Street, designated **GC** and numbered 590 and all except in compliance with By-law No. 2002-156.

2002-168 19.1.591 Notwithstanding the provisions of sections 2.29, 4.5, 4.13, 7.3.1 and 7.3.2 of By-law No. 79-200, as amended, no person shall use the land on the north side of Clare Crescent, west of a proposed street, west of Brookfield Avenue, designated **R1C** and numbered 591 on Sheet C5 of Schedule “A”, as amended, except in compliance with By-law No. 2002-168.

2002-168 19.1.592 Notwithstanding the provisions of subsection 7.3.2(c) of By-law No. 79-200, as amended, no person shall use the land north of Clare Crescent, south of Lundy’s Lane, west of Brookfield Avenue and on the west side of a proposed street, designated **R1C** and numbered 592 on Sheet C4 of Schedule “A”, as amended, or **erect** or **use** any **buildings** or **structures** thereon except in compliance with By-law No. 2002-168.

2002-180 19.1.593 None of the provisions of section 8.2.1 of By-law No. 79-200, as amended, shall apply to prevent the buildings on the land on the west side of Victoria Avenue designated **GC** and numbered 593 on Sheet D4 of Schedule “A”, as amended, from being used for the purpose of **tourist homes**, each containing not more than four rooms for tourists, except in compliance with By-law No. 2002-180.

2002-208 19.1.594 Notwithstanding the provisions of section 7.9.1 and clauses (a), (b), (c), (d), (d), (g), (h) and (m) of section 7.9.2 and in addition to the regulations contained in section 7.9.2 of By-law No. 79-200, no person shall use the land on the east side of Ailanthus Avenue designated **R4** and numbered 594 on Sheet C4 of Schedule

“A”, or erect or use any **building** or **structure** thereon for any purpose except for an **apartment dwelling**, and in compliance with By-law No. 2002-208.

2002-202 19.1.595 None of the provisions of subsections 8.6.2 (b), (c), (d) and (g) of By-law No. 79-200 shall apply to prevent the land on the south side of Robinson Street, designated **TC** and numbered 595 on Sheets D4 and D5 of Schedule “A” from being used or the erection or use of any **building** or **structure** thereon for a **hotel** having a height of more than 12 metres, except in compliance with By-law No. 2002-202.

2002-113 19.1.596 None of the provisions of section 4.12 and subsection 8.7.2(c) of By-law No. 79-200, as amended, shall apply to prevent a trailer camp site from being provided and maintained on the land on the north side of Lundy’s Lane, designated **CE** and numbered 596 on Sheet B4 of Schedule “A”, as amended, except in compliance with By-law No. 2002-113.

2002-209 19.1.597 None of the provisions of clause (a) of section 4.19.1 and clause (j) of section 9.2 of By-law No. 79-200, shall apply to prevent the use of the land on the northeast side of Main Street, south of Lundy’s Lane designated **I** and numbered 597 on Sheet C5 of Schedule “A”, as amended, or the **erection** or use of any **buildings** or **structures** thereon for the purpose of a **place of worship** and a parish hall, except in compliance with By-law No. 2002-209.

2002-210 19.1.599 (a) None of the provisions of clause (a) of sections 4.27.1, and clauses (b), (c), (d), (e), (g) and (i) of section 8.6.2 of By-law No. 79-200, shall apply to prevent the land on the northeast corner of Fallsview Boulevard and Portage Road, designated **TC** and numbered 599 on Sheet D5 of Schedule “A”, from being used or the erection or use of any building or structure thereon for the purpose of a **hotel** having a **height** of more than 12 metres or to require the owner or occupant of such hotel to provide and maintain all of the required **parking** on the same land as the hotel, except in compliance with By-law No. 2002-210.

(b) Notwithstanding the provisions of section 17.1 and clauses (b), (d), (e), (f) and (g) of section 17.2 of By-law No. 79-200, no person shall use the land on the north side of Portage Road, designated **P** and numbered 599 on Sheet D5 of Schedule “A”, or erect or use any building or structure

thereon, except for the purpose of a parking structure containing all of the required **parking spaces** that cannot be provided on the land on the northeast corner of Fallsview Boulevard and Portage Road, designated TC and numbered 599 and except in compliance with By-law No. 2002-210.

- 2002-216 19.1.600 Temporary use by-law no longer in effect as of November 25, 2005.
- 2003-123 19.1.601 Notwithstanding the provisions of sections 2.20, 5.5 and 7.3.1 of By-law No. 79-200, no person shall use the land on the north side of Main Street, through to Bridgewater Street, designated **R1C** and numbered 601 on Sheet E6 of Schedule "A" or use a **one-family detached dwelling** thereon, for the purpose of a **tourist home** containing not more than two bedrooms for tourists, except in compliance with By-law No. 2003-123.
- 2003-06 19.1.602 Notwithstanding the provisions of sections 4.27.1 and 9.1, clauses (a), (b), (c), (d), (f) and (i) of section 9.2 and in addition to the regulations contained in section 9.2 of By-law No. 79-200, no person shall use the land on the north side of McLeod Road, east of Garner Road, designated **I** and numbered 602 on Sheets B5 and B6 of Schedule "A", or erect or use any building or structure thereon for any purpose except for a "Special Residence -Emergency and Temporary Care" and except in compliance with By-law No. 2003-06.
- 2003-09 19.1.603 Temporary use by-law no longer in effect as of January 12, 2006.
- 2003-37 19.1.604 Repealed by By-law No. 2005-104.
- 2003-38 19.1.605 Notwithstanding the provisions of section 8.4.1 and clauses (a), (c), (d), (e), (g), (i), and (j) of section 8.4.2 and in addition to the regulations contained in Table 1 of clause (a) and section 4.19.1 and section 8.4.2 of By-law No. 79-200, no person shall use the land on the south side of Morrison Street designated **SC** and numbered 605 on Sheets B3, B4, C3 and C4 of Schedule "A", or **erect or use any buildings or structures** thereon for any purpose except for free-standing or multiple groupings of **retail stores** and **accessory uses** and except in compliance with By-law No. 2003-38.
- 2003-07 19.1.606 None of the provisions of section 4.27.1 of By-law No. 79-200 shall apply to

prevent the use of the land on the north side of McLeod Road, east of Garner Road, designated **R1E** and numbered 606 on Sheets B5 and B6 of Schedule "A", or the erection or use of any **building** or **structure** thereon for the purpose of a **one family detached dwelling**, **accessory buildings** and **accessory structures**, except in compliance with By-law No. 2003-07.

2003-34	19.1.607	None of the provisions of section 7.15.1 and 7.15.2 of By-law No. 79-200, shall apply to prevent the land on the south side of Huron Street, designated R5F and numbered 607 on Sheet D3 of Schedule "A", from being used for the purpose of the one family detached dwelling and the accessory structure that exist on the date on which this by-law is passed, except in compliance with By-law No. 2003 -34.
2003-36	19.1.608	Repealed by By-law No. 2003-95.
2003-61	19.1.609	Temporary use by-law no longer in effect as of March 31, 2006.
2003-61	19.1.610	Temporary use by-law no longer in effect as of March 31, 2006.
2003-46 2004-159	19.1.611	<p>(a) None of the provisions of section 8.6.1 of By-law No. 79-200 shall apply to prevent the use of the land on the south side of Marineland Parkway, designated TC and numbered 611 on Sheets D5 and D6 of Schedule "A" or the erection or use of any buildings or structures thereon for the purpose of a golf clubhouse for the lands designated OS and numbered 611 in part, and OS (H) and numbered 611 in part, and except in compliance with By-law No. 2003-46.</p> <p>(b) Notwithstanding the provisions of sections 14.1 and 14.2 of By-law No. 79-200, no person shall use the land on the east side of Drummond Road, through to Ramsay Road and Dorchester Road, designated OS and numbered 611 in part, and OS (H) and numbered 611 in part, on Sheets D6, C6 and C7 of Schedule "A", or erect or use any buildings or structures thereon for any purpose except for a golf course and accessory uses and accessory buildings and structures, and except in compliance with By-law No. 2003-46.</p>
2003-46	19.1.612	None of the provisions of sections 14.1 and 14.2 of By-law No. 79-200 shall

apply to prevent the use of the land on the east side of Drummond Road, through to Ramsay Road and Dorchester Road, designated **OS** and numbered 612 on Sheets C6 and C7 of Schedule "A", or the erection or use of any **buildings** or **structures** thereon for the purpose of the uses listed in section 11.2.1 of By-law No. 79-200, save and except for those uses in clauses (h), (j), (o), (t) and (u) of section 11.2.1 of By-law No. 79-200, and except in compliance with the regulations in section 11.2.2 of By-law No. 79-200 and except in compliance with By-law No. 2003-46.

2003-75 19.1.613 Notwithstanding the provisions of section 4.17.1 and clause (d) of 4.27.1 and in addition to the regulations contained in Section 8.2.2 of By-law 79-200, no person shall use the land on the north side of Thorold Stone Road, east of Portage Road, designated **GC** and numbered 613 on Sheet C3 of Schedule "A", or erect any **buildings** or **structure** thereon for any purpose, except in compliance with By-law No. 2003-75.

2003-62 19.1.614 None of the provisions of section 7.4.1 of By-law No. 79-200 shall apply to prevent the use of the land on the east side of Montrose Road, designated **R1D** and numbered 614 on Sheet B5 of Schedule "A", or the erection or use of any **building** or **structure** thereon for the purpose of a **duplex dwelling** or to prevent not more than one of the dwelling units in the **duplex dwelling** from being used for the purpose of a tourist home containing not more than three bedrooms for tourists, except in compliance with By-law No. 2003-62.

2004-126 19.1.616 Repealed by By-law 2007-195.

2003-88 19.1.617 None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200 shall apply to prevent the use of the land between Main Street and Ross Avenue, designated **GC** and numbered 617 on Sheet C4 of Schedule "A" for the purpose of providing required **parking spaces** for any uses permitted on the same land, except in compliance with By-law No. 2003-88.

2003-78 19.1.618 (a) Notwithstanding the provisions of clause (d) of section 7.3.2 of By-law No. 79-200, no person shall use the land at the southwest end of Lyon's Parkway, east of Ort Road, designated **R1C** and numbered 618 on Sheet D7 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon except in compliance with By-law No. 2003-78.

- (b) None of the provisions of section 7.3.1 of By-law No. 79-200 shall apply to prevent the use of the land at the southwest end of Lyon's Parkway, east of Ort Road, designated **R1C** and numbered 618 on Sheet D7 of Schedule "A", or the use of a **one family detached dwelling** thereon for the purpose of a **tourist home** containing not more than two bedrooms for tourists, except in compliance with By-law No. 2003-78.
- 2003-95 19.1.619 (a) None of the provisions of section 11.2.1 of By-law No. 79-200 shall apply to prevent the use of the land on the southeast corner of McLeod Road and Kalar Road, designated **LI** and numbered 619 on Sheets B5 and B6 of Schedule "A", or the erection or use of any **buildings** or **structures** thereon for the purpose of one convenience store, one coffee shop, one **personal service shop** and one **retail store**, except in compliance with By-law No. 2003-95.
- (b) Notwithstanding the provisions of clause (f) of section 11.2.2 of By-law No. 79-200 no person shall use the land on the southeast corner of McLeod Road and Kalar Road, designated **LI** and numbered 619 on Sheets B5 and B6 of Schedule "A", or erect or use any **buildings** or **structures** thereon, except in compliance with By-law No. 2003-95.
- 2003-98 19.1.620 None of the provisions of section 7.7.1 of By-law No. 79-200 shall apply to prevent the use of the land on the northwest corner of Second Avenue and Maple Street, designated **R2** and numbered 620 on Sheet D3 of Schedule "A", or the use of a **one family detached dwelling** thereon, for the purpose of a **tourist home** containing not more than three bedrooms for tourists, except in compliance with By-law No. 2003-98.
- 2003-102 19.1.621 None of the provisions of clause (a) of section 4.19.3 and section 7.5.1 of By-law No. 79-200 shall apply to prevent the use of the land on the northeast corner of Murray Street and Pinegrove Avenue, designated **R1E** and numbered 621 on Sheet C5 of Schedule "A", or the use of a **one family detached dwelling** thereon, for the purpose of a **tourist home** containing not more than three bedrooms for tourists, except in compliance with By-law No. 2003-102.
- 2003-121 19.1.622 (a) None of the provisions of section 8.2.1 of By-law No. 79-200 shall apply to prevent the use of the land on the east side of Portage Road,

designated **GC** and numbered 622 on Sheet C3 of Schedule “A”, or the erection or use of any **buildings** or **structures** thereon for the purpose of a retirement home, except in compliance with By-law No. 2003-121.

(b) Notwithstanding the provisions of Table 1 of clause (a) of section 4.19.1 and clauses (a), (b), (c), (d), (g) and (i) of section 8.2.2 of By-law No. 79-200, no person shall use the land on the east side of Portage Road, designated **GC** and numbered 622 on Sheet C3 of Schedule “A”, or erect or use any **buildings** or **structures** thereon for the purpose of a retirement home, except in compliance with By-law No. 2003-121.

2003-116 19.1.623 Notwithstanding the provisions of subclause (iii) of clause (d) of section 12.1 and clause (a) of section 12.2 of By-law No. 79-200, no person shall use the land on the east side of Beechwood Road, south of Thorold Stone Road, shown hatched and designated **A** and numbered 623 on Sheet A3 of Schedule “A”, or **erect or use any building or structure** thereon, except in compliance with By-law No. 2003-116.

2003-116 19.1.624 Notwithstanding the provisions of clause (a) of section 12.2 of By-law No. 79-200, no person shall use the land on the east side of Beechwood Road, south of Thorold Stone Road, shown hatched and designated **A** and numbered 624 on Sheet A3 of Schedule “A”, or **erect or use any building or structure** thereon, except in compliance with By-law No. 2003-116.

2003-156 19.1.627 Notwithstanding the provisions of sections 4.27.1 and 7.11.1 and clauses (a), (b), (c), (d), (e), (g), (h), (j) and (m) of section 7.11.2 of By-law No. 79-200, no person shall use the land on the east side of Drummond Road, designated **R5B** and numbered 627 on Sheet C5 of Schedule “A”, or **erect or use any buildings or structures** thereon, except for the purpose of two, three-storey **apartment dwellings**, one of which may contain commercial uses permitted by section 8.1.1 of By-law No. 79-200, except in compliance with By-law No. 2003-156.

2003-130 19.1.628 Notwithstanding the provisions of Table 1 of clause (a) of section 4.19.1, section 7.7.1 and clauses (a), (b), (d), (e), (f), (g) and (k) of section 7.7.2 of By-law No.79-200, no person shall use the land on the southwest corner of Terrace Avenue and Elgin Street, designated **R2** and numbered 628 on Sheet D3 of Schedule “A”, or **erect or use any buildings or structures** thereon, except for

the purpose of an inn, which may include a spa and except in compliance with By-law No. 2003-130.

- 2003-132 19.1.629 Notwithstanding the provisions of section 4.27.1 and clauses (a), (b), (c), (d), (e) and (f) of section 8.1.2 of By-law No. 79-200, no person shall use the land on the northwest corner of Drummond Road and Taylor Street, designated **NC** and numbered 629 on Sheet C5 of Schedule "A", or **erect or use any buildings or structures** thereon, except the building existing on the date this by-law is passed and one additional building, and except in compliance with By-law No. 2003-132.
- 2003-131 19.1.630 Notwithstanding the provisions of clauses (a), (b), (c), (h) and (m) of section 7.11.2 of By-law No. 79-200, no person shall use the land on the west side of Montrose Road, south of Thorold Stone Road, designated **R5B** and numbered 630 on Sheet B3 of Schedule "A", or erect or use any **buildings or structures** thereon, except in compliance with By-law No. 2003-131.
- 2003-163 19.1.631 None of the provisions of clauses (f) and (g) of section 8.6.2 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Victoria Avenue, designated **TC** and numbered 631 on Sheet D4 of Schedule "A", or the erection or **use of any buildings or structures** thereon, except in compliance with By-law No. 2003-163.
- 2003-180 19.1.632
As amended
by OMB
order Notwithstanding the provisions of section 14.1 of By-law No. 79-200, no person shall use the land on the north and south sides of Roberts Street, east of Stanley Avenue, designated **OS** and numbered 632 on Sheet D4 of Schedule "A", or erect or use any **buildings or structures** thereon for any purpose, except in compliance with By-law No. 2003-180.
- 2003-143 19.1.633 Notwithstanding the provisions of clause (a) of section 2.17.7, sections 2.17.9 and 7.9.1, clauses (a), (c), (d), (e), (g) and (m) of section 7.9.2 and clause (a) and subclause (iii) of clause (c) of section 7.9.3 of By-law No. 79-200, no person shall use the land on the east side of Mears Crescent, designated **R4** and numbered 633 on Sheet E6 of Schedule "A", or **erect or use any buildings or structures** thereon, except for the purpose of **group dwellings, accessory buildings and accessory structures**, and except in compliance with By-law No. 2003-143.

- 2003-159 19.1.634 None of the provisions of sections 8.8.1 and 8.8.2 of By-law No. 79-200 shall apply to prevent the land on the southwest corner of Slater Avenue and North Street, designated **DTC** and numbered 634 on Sheet D4 of Schedule "A", or the use of the existing **building** situated thereon, for the purpose of a **contractor's or tradesman's shop**, except in compliance with By-law No. 2003-159.
- 2003-164 19.1.635
- (a) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200 and clause (c) of section 2 and clause (c) of section 3 of By-law No. 99-104, shall apply to the extent to require all of the required **parking spaces** for all of the permitted uses and **buildings** and **structures** on the east side of Victoria Avenue, designated **TC** and numbered 635 on Sheet D4 of Schedule "A", to be provided and maintained on the same land or on the land on the east side of Victoria Avenue, through to Clark Avenue, designated **TC** and numbered 478, except in compliance with By-law No. 2003-164;
 - (b) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200, shall apply to the extent to require all of the required parking spaces for all of the permitted uses and the buildings and structures on the east side of Victoria Avenue through to Clark Avenue, designated **TC** and numbered 635 on Sheet D4 of Schedule "A", to be provided and maintained on the same land, except in compliance with By-law No. 2003-164;
 - (c) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200, shall apply to the extent to require all of the **required parking spaces** for all of the permitted uses and the **buildings** and **structures** on the southwest corner of Fallsview Boulevard and Dixon Street, through to Main Street, designated **TC** and numbered 635 on Sheet D5 of Schedule "A", to be provided and maintained on the same land, except in compliance with By-law No. 2003-164;
 - (d) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200 and clause (a) of section 2 of By-law No. 2001-223, shall apply to the extent to require all of the required **parking spaces** for all of the permitted uses and the **buildings** and **structures** on the southeast corner of Fallsview Boulevard and Portage Road, designated **TC** and

numbered 635 on Sheet D5 of Schedule "A", to be provided and maintained on the same land or on the land on the north side of Dunn Street designated P and numbered 562, except in compliance with By-law No. 2003-164;

- (e) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200 and clause (c) of section 2 of By-law No. 2000-103, shall apply to the extent to require all of the required parking spaces for all of the permitted uses and the **buildings** and **structures** on the east side of Fallsview Boulevard, designated TC and numbered 635 on Sheet D5 of Schedule "A", to be provided and maintained on the same land or on the land on the southeast corner of Fallsview Boulevard and Portage Road, designated **TC** and numbered 512 or on the land on the north side of Dunn Street, designated P and numbered 511, except in compliance with By-law No. 2003-164;
- (f) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200, shall apply to the extent to require all of the required parking spaces for all of the permitted uses and the buildings and structures on the land on the east side of Fallsview Boulevard, designated **TC** and numbered 635 on Sheet D5 of Schedule "A", to be provided and maintained on the same land, except in compliance with By-law No. 2003-164;
- (g) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200 shall apply to the extent to require all of the required **parking spaces** for all of the permitted uses and **buildings** and **structures** on the land on the north side of Dunn Street, designated P and numbered 635, on Sheet D5 of Schedule "A", to be provided and maintained on the land on the north side of Dunn Street, designated **P** and numbered 635, on Sheet D5 of Schedule "A", except in compliance with By-law No. 2003-16; and
- (h) Notwithstanding the provisions of section 17.1 and 17.2 of By-law No. 79-200, no person shall use the land on the south side of Dunn Street, designated **P** and numbered 635 on Sheet C5 of Schedule "A", or erect or use any **buildings** or **structures** thereon except for the purpose of a **satellite parking lot** and an accessory administration/security/employee building, except in compliance with By-law No. 2003-164.

- 2003-157 19.1.636 None of the provisions of section 7.7.1 of By-law No. 79-200 shall apply to prevent the use of the land on the north side of Simcoe Street, west of Victoria Avenue, designated **R2** and numbered 636 on Sheet D4 of Schedule "A", or the use of a **one family detached dwelling** thereon, for the purpose of a **tourist home** containing not more than three bedrooms for tourists, except in compliance with By-law No. 2003-157.
- 2003-169 19.1.637 None of the provisions of clause (a) of section 4.19.1, section 8.6.1 and clause (i) of section 8.6.2 of By-law No. 79-200 shall apply to prevent the use of the land on the northwest corner of Fallsview Boulevard and Robinson Street, designated **TC** and numbered 637 on Sheet D4 of Schedule "A", or the use of the existing **building** situated thereon, for the purpose of a tattoo studio, except in compliance with By-law No. 2003-169.
- 2003-186 19.1.638 None of the provisions of clause 19.1.31 of section 19 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Earl Thomas Avenue, designated **LI** and numbered 638 on Sheet C6 of Schedule "A", or the **use** of a **building** thereon, for the purpose of a **used car lot**, except in compliance with By-law No. 2003-186.
- 2004-90. 19.1.639 None of the provisions of section 12.1 of By-law No. 79-200 shall apply to prevent the use of the land on the north side of Lundy's Lane, designated **A** and numbered 639 on Sheet A5 of Schedule "A", or the use of a **one family detached dwelling** thereon, for the purpose of a **tourist home** containing not more than four bedrooms for tourists, except in compliance with By-law No. 2004-90.
- 2003-191 19.1.640 None of the provisions of clause (d) of section 4.13 and clauses (a), (b), (e) and (h) of section 7.8.2 of By-law No. 79-200 shall apply to prevent the use of the land on the south side of Ellis Street, designated **R3** and numbered 640 on Sheet D3 of Schedule "A", or the existing **dwelling** thereon, for the purpose of a **triplex dwelling** and the existing **accessory building** thereon, for the purpose of a private garage, except in compliance with By-law No. 2003-191.
- 2003-198 19.1.641 None of the provisions of section 8.1.1 of By-law No. 79-200 shall apply to prevent the use of the land on the north side of Thorold Stone Road, designated **NC** and numbered 641 on Sheet C3 of Schedule "A", or the use of any **building**

or **structure** thereon, for the purpose of a **day nursery**, except in compliance with By-law No. 2003-198.

- 2003-203 19.1.642 Notwithstanding the provisions of section 11.2.1 and clauses (b), (c), (d), (e), (f) and (j) of section 11.2.2 of By-law No. 79-200, no person shall use the land at the northwest corner of Stanley Avenue and Fruitbelt Parkway, designated **LI** and numbered 642 on Sheet C1 of Schedule "A", or **erect or use any buildings or structures** thereon, for the purpose of a waste vehicle storage compound, except in compliance with By-law No. 2003-203.
- 2004-112 19.1.643 Notwithstanding the provisions of Table 1 of clause (a) of section 4.19.1 and clauses (i), (k) and (l) of section 8.6.2 of By-law No. 79-200, no person shall use the land on the west side of Fallsview Boulevard, designated **TC** and numbered 643 on Sheet D4 of Schedule "A", or erect or use any **buildings or structures** thereon, for the purposes of a retail store or museum, except in compliance with By-law No. 2004-112.
- 2003-204 19.1.644 None of the provisions of clause (a) of section 4.27.1 and clauses (a), (b), (c), (d) and (g) of section 8.6.2 of By-law No. 79-200 shall apply to prevent the **use** of the land on the west side of Stanley Avenue, through to Allendale Avenue, designated **TC** and numbered 644 on Sheet D4 of Schedule "A", or the erection or use any **buildings or structures** thereon for the purpose of a **hotel**, having building heights greater than 12 metres, except in compliance with By-law No. 2003-204.
- 2004-17 19.1.645 None of the provisions of section 2.28, clause (a) of section 4.27.1 and clauses (a), (b), (c), (d) and (g) of section 8.6.2 of By-law No. 79-200 shall apply to prevent the use of the land on the east side of Stanley Avenue, through to Fallsview Boulevard and Robinson Street, designated **TC** and numbered 645 on Sheets D4 and D5 of Schedule "A", or the erection or use of any **buildings or structures** thereon for the purpose of a hotel, having building heights greater than 12 metres, except in compliance with By-law No. 2004-17.
- 2004-34 19.1.646 None of the provisions of sections 2.31, 2.56.1, 2.56.2, 4.11 and 4.27.1, clauses (a), (b) and (c) of section 7.9.1 and sections 7.9.2 and 7.9.3 of By-law No. 79-200 shall apply to prevent the use of the land on the east side of Kalar Road, north of Costabile Drive, designated **R4** and numbered 646 on Sheet B3 of

Schedule "A", or the erection or use of any **buildings** or **structures** thereon for the purpose of a maximum of 6 **semi-detached dwellings** and 1 **one-family detached dwelling**, except in compliance with By-law No. 2004-34.

- 2004-46 19.1.647 Notwithstanding the provisions of section 14.1 and clause (a) and subclauses (b)(i), (iii), (iv), (vi), (viii) and (ix) of section 14.2 of By-law No. 79-200, no person shall use the land on the west side of Garner Road, through to Beechwood Road, designated **OS** and numbered 647 on Sheet A5 of Schedule "A", or erect or use any **buildings** or **structures** thereon for any purpose except for a golf course, golf driving range and **accessory uses** and **accessory buildings** or **structures**, and except in compliance with By-law No. 2004-46.
- 2004-46 19.1.648 None of the provisions of section 12.1 and clauses (a), (b) and (d) of section 12.2 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Garner Road, designated **A** and numbered 648 on Sheet A5 of Schedule "A", or the use of 1 **one-family detached dwelling** thereon for the purpose of a cottage rental dwelling, except in compliance with By-law No. 2004-46.
- 2004-46 19.1.649 None of the provisions of section 12.1 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Garner Road, designated **A** and numbered 649 on Sheet A5 of Schedule "A", or the use of 1 **one-family detached dwelling** thereon for the purpose of a cottage rental dwelling, except in compliance with By-law No. 2004-46.
- 2004-45 19.1.651 Notwithstanding the provisions of clause (i) of section 7.5.2 and in addition to the regulations contained in section 7.5.2 of By-law No. 79-200, no person shall use the land on the south side of Feren Drive, west of Kalar Road and north of Lundy's Lane, designated **R1E** and numbered 651 on Sheet B4 of Schedule "A", or erect or use any **buildings** or **structures** thereon, except in compliance with By-law No. 2004-45.
- 2004-45 19.1.652 Notwithstanding the provisions of clauses (a), (b), (c), (g) and (i) of section 7.5.2 and in addition to the regulations contained in section 7.5.2 of By-law No. 79-200, no person shall use the land south of Feren Drive, west of Kalar Road and north of Lundy's Lane, designated **R1E** and numbered 652 on Sheet B4 of Schedule "A", or erect or use any **buildings** or **structures** thereon, except in compliance with By-law No. 2004-45.

- 2005-93 19.1.653 Notwithstanding the provisions of sections 2.22, 2.31 and 8.4.1 and clauses (b), (i) and (j) of section 8.4.2 and in addition to the regulations contained in Table 1 of clause (a) of section 4.19.1 and the remaining clauses of section 8.4.2 of By-law No. 79-200, no person shall use the land on the northwest corner of McLeod Road and Montrose Road designated **SC** and numbered 653 on Sheet B5 of Schedule "A", or erect or use any **building** or **structure** thereon for any purpose except one warehouse membership club, one supermarket, and one or more of the following uses: commercial services, **community building**, recreational uses, **restaurant** and **retail store**, excluding a department store, and except in compliance with By-law No. 2005-93.
- 2005-198 19.1.654 No person shall use the land on the southwest corner of Brown Road and Kalar Road, designated RCE (H) and number 654 on Sheet B6 of Schedule "A", or erect or use any **building** or **structure** thereon for any purpose except for a recreational trailer camp, one multi-purpose building and **accessory buildings** and **structures**, and except in compliance with By-law No. 2005-198.
- 2005-198 19.1.655 No person shall use the land west of Kalar Road, designated **EPA** and numbered 655 on Sheet B6 of Schedule "A", except in compliance with By-law No. 2005-198.
- 2004-84 19.1.656 None of the provisions of section 7.16.1 and clause (a) of section 7.16.2 of By-law No. 79-200 shall apply to prevent the use of the land on the southwest corner of Drummond Road and Barker Street, designated **TRM** and numbered 656 on Sheet C4 of Schedule "A", or the use of the existing **building** thereon, for the purposes of not more than two **offices** and one **dwelling** unit, except in compliance with By-law No. 2004-84.
- 2004-72 19.1.657 Notwithstanding the provisions of section 4.17.1, clause (d) of section 4.27.1 and clauses (a), (b), (c), (d), (e), (f), (g) and (m) of section 7.11.2 of By-law No.79-200, no person shall use the land on the northwest corner of Main Street and Oliver Street, designated **R5B** and numbered 657 on Sheet E6 on Schedule "A" or erect or use any buildings or structures thereon, except in compliance with By-law No. 2004-72.
- 2004-73 19.1.658 None of the provisions of section 2.28 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Fallsview Boulevard, through to

Stanley Avenue, designated **TC** and numbered 658 on Sheet D5 of Schedule "A", or the erection or use of any **buildings** or **structures** thereon for the purpose of a **hotel**, which does not provide public meeting rooms, except in compliance with By-law No. 2004-73.

- 2004-81 19.1.659 None of the provisions of section 7.7.1 of By-law 79-200 shall apply to prevent the use of the land on the south side of Maitland Street, west of Leonard Street, designated R2 and numbered 659 on Sheet C4 of Schedule "A", or the use of a **one family detached dwelling** thereon, for the purpose of a **tourist home** containing not more than three bedrooms for tourists, except in compliance with By-law No. 2004-81.
- 2004-82 19.1.660 None of the provisions of sections 4.27.1 and 8.9.1 and clauses (e), (f), (g), (h) and (i) of section 8.9.3 of By-law No. 79-200 shall apply to prevent the use of the land on the southeast corner of Thorold Stone Road and Dorchester Road, designated AS and numbered 660 on Sheet C3 of Schedule "A", or the erection or use of any **buildings** or **structures** thereon for the purposes of a **gasoline bar** and an accessory **retail store**, except in compliance with By-law No. 2004-82.
- 2004-96 19.1.661 Notwithstanding the provisions of section 4.27.1 and clauses (a), (b), (c), (d), (e), (h) and (m) of section 7.10.2 of By-law No. 79-200, no person shall use the land on the east side of Dorchester Road, designated **R5A** and numbered 661 on Sheet C5 of Schedule "A", or erect or use any **buildings** or **structures** thereon for the purpose of an **apartment dwelling**, except in compliance with By-law No. 2004-96.
- 2006-106 19.1.662 None of the provisions of clause (c) of section 10.5 of By-law No. 79-200 shall apply to prevent the use of the land on the southwest corner of Montrose Road and Chippawa Creek Road, designated **PI** and numbered 662 on Sheet B7 of Schedule "A", or the use of a building thereon for the purpose of a **hotel** and a **body-rub parlour**, except in compliance with By-law No. 2006-106.
- 2004-117 19.1.663 Temporary use by-law no longer in effect as of June 13, 2006.
- 2004-133 19.1.664 None of the provisions of sections 12.1 and 12.2 of By-law No. 79-200 shall apply to prevent the use of the land on the east side of Garner Road, designated

A and numbered 664 on Sheets A3 and A4 of Schedule "A", or the erection or use of any **buildings** or **structures** thereon, in accordance with the provisions contained in section 13.1 and 13.2 of By-law No. 79-200, save and except for subclause (b)(i) of section 13.2 of By-law No. 79-200, except in compliance with By-law No. 2004-133.

2004-123 19.1.665 Notwithstanding the provisions of section 4.17.1, Table 1 of clause (a) of section 4.19.1, section 11.3.1 and clauses (a), (b), (c), (d), (f), (g), (h), (i), (j) and (m) of section 11.3.2 of By-law No.79-200, no person shall use the land on the east side of Sinnicks Avenue, designated **GI** and numbered 665 on Sheet C3 of Schedule "A", or erect or use any **building** or **structure** thereon, except for the purpose of an indoor recreational facility and except in compliance with By-law No. 2004-123.

2004-137 19.1.666 None of the provisions of clause (a) of section 4.27.1 and subclauses (b)(i), (b)(ii), (b)(iii), (b)(iv) and (b)(vii) of section 14.2 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Kalar Road, designated **OS** and numbered 666 on Sheet B5 of Schedule "A", or the erection or use of any **building** or **structure** thereon, for the purpose of indoor soccer, other similar recreational uses and ancillary uses, except in compliance with By-law No. 2004-137.

2004-216 19.1.667 (a) None of the provisions of section 2.28 of By-law No. 79-200 shall apply to prevent the use of the land on the northeast corner of Stanley Avenue and Forsythe Street, designated **TC** and numbered 667 on Sheet D4 of Schedule "A", or the erection or use of any **building** or **structure** thereon for the purpose of a **hotel**, which does not provide a public dining room except in compliance with By-law No. 2004-216.

(b) Notwithstanding the provisions of section 4.27.1 and clauses (a), (b), (c), (d), (e), and (g) of section 8.6.2 of By-law No. 79-200, no person shall use the land on the northeast corner of Stanley Avenue and Forsythe Street, designated **TC** and numbered 667 on Sheet D4 of Schedule "A", or erect or use any **building** or **structure** thereon, having a building height greater than 12 metres, except in compliance with By-law No. 2004-216.

- 2004-136 19.1.668 Notwithstanding the provisions of section 8.2.1. of By-law No. 79-200, no person shall use the land on the north side of Virginia Street, designated **GC** and numbered 668 on Sheet C3 of Schedule "A", or **erect** or **use** any **buildings** or **structures** thereon, except for the purposes of a **dwelling unit** which may be located on the ground floor and those uses listed in clauses (c), (h), (j), (l), (v), (x), (y), (bb), (hh) and (ii) of section 8.2.1 of By-law No. 79-200, and except in compliance with By-law No. 2004-136.
- 2004-132 19.1.669 None of the provisions of subclauses (a)(iv), (b)(vi) and (e)(ii) of section 7.8.2 of By-law No. 79-200 shall apply to prevent the use of the land on the north side of McLeod Road, designated **R3** and numbered 669 on Sheet C5 of Schedule "A", or the erection or use of any **building** or **structure** thereon, for the purpose of a **triplex dwelling**, except in compliance with By-law No. 2004-132.
- 2005-54 19.1.670 Notwithstanding the provisions of sections 2.44, 4.13 and 7.9.1 and clauses (a), (b), (c), (d), (e), (g) and (m) of section 7.9.2 of By-law No. 79-200, no person shall use the land on the north and west sides of Stanton Avenue, designated **R4** and numbered 670 on Sheet D3 of Schedule "A", or erect or use any **building** or **structure** thereon, except for the purposes of an **apartment dwelling** and an **accessory building**, and except in compliance with By-law No. 2005-54.
- 2004-191 19.1.671 (a) None of the provisions of section 11.2.1 of By-law No. 79-200 shall apply to prevent the use of the land on the north side of Thorold Stone Road and west side of Stanley Avenue, designated **LI** and numbered 671 on Sheets C2 and C3 of Schedule "A", or the erection or use of any **building** or **structure** thereon, except in compliance with By-law No. 2004-191.
- 2005-136 (b) Notwithstanding the provisions of clause (g) of section 11.2.2 of By-law No. 79-200, no person shall use the land on the north side of Thorold Stone Road and west side of Stanley Avenue, designated **LI** and numbered 671 on Sheets C2 and C3 of Schedule "A", or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2004-191.
- 2004-163 19.1.672 Notwithstanding the provisions of section 11.2.1 and clause (j) of section 11.2.2 of By-law No. 79-200, no person shall use the land on the east side of Kinsmen

Court designated **LI** and numbered 672 on Sheet B5 of Schedule “A”, or erect or use any **building** or **structure** thereon for the purposes of a **warehouse**, which may include a **retail store** and a museum as accessory uses, except in compliance with By-law No. 2004-163.

- 2005-131 19.1.674
2009-03
- Notwithstanding the provisions of Table 1 of clause (a) and clause (c) of section 4.19.1, and sections 7.9.1, 7.9.2 and 7.9.3 of By-law No. 79-200, no person shall use the land on the east side of Montrose Road, designated **R4** and numbered 674 on Sheet B2 of Schedule “A”, or erect or use any **building** or **structure** thereon, except for the purpose of 75 townhouse dwelling units, with each **townhouse dwelling** containing no more than 8 **dwelling units**, and except in compliance with By-law No. 2005-131.
- 2004-158 19.1.675
- None of the provisions of section 7.15.1 and 7.15.2 of By-law No. 79-200, shall apply to prevent the use of the land on the northwest corner of Morrison Street and Ontario Avenue, designated **R5F** and numbered 675 on Sheet D3 of Schedule “A”, or the use of the two **buildings** existing thereon, on the date on which By-law No. 2004-158 is passed, for the purpose of one 2-unit **dwelling** and one 3-unit **dwelling**, except in compliance with By-law No. 2004 -158.
- 2004-157 19.1.676
- No person shall use the land on the west side of Garner Road, north of Lundy’s Lane, designated **EPA** and numbered 676 on Sheet A4 of Schedule “A”, for any purpose, or permit any **building** or **structure** to be erected on the land or permit any soil, sand, gravel, rubbish or other similar material to be placed or dumped, or remove any soil or regrade any of the land, except for public services including walkways, except in compliance with By-law No. 2004-157.
- 2004-157 19.1.677
- None of the provisions of sections 4.13, 4.14 and 7.5.2 of By-law No. 79-200, shall apply to permit a person to **erect** or **use** any **building** or **structure**, save and except for a fence, on the land on the west side of Garner Road, north of Lundy’s Lane, designated **R1E** and numbered 677 on Sheet A4 of Schedule “A”, except in compliance with By-law No. 2004-157.
- 2004-183 19.1.678
- Repealed by By-law No. 2008-13.

2004-192	19.1.679	Notwithstanding the provisions of sections 4.19.1, 4.27.1 and 8.6.1 and clause (i) of section 8.6.2 of By-law No. 79-200, no person shall use the land on the southeast corner of Stanley Avenue and Spring Street, designated TC and numbered 679 on Sheet D4 of Schedule "A", or use the existing building thereon, for the purpose of a tattoo studio or retail store on the first floor and one accessory dwelling unit on the second floor, except in compliance with By-law No. 2004-192.
2004-187	19.1.680	Temporary use by-law no longer in effect as of October 18, 2007.
2004-209	19.1.683	None of the provisions of clause (h) of section 8.1.2 of By-law No. 79-200 shall apply to prevent the use of the land on the southwest corner of Thorold Stone Road and Confederation Avenue, designated NC and numbered 683 on Sheet C3 of Schedule "A" or the use of the existing buildings thereon for the purpose of one or more of the following uses: bake shop, bank, trust company, credit union, currency exchange, clinic, office, personal service shop, retail store and service shop , except in compliance with By-law No. 2004-209.
2004-210	19.1.684	Repealed by By-law No. 2009-86.
2005-44	19.1.685	Repealed by By-law No. 2008-131.
2004-230	19.1.687	Notwithstanding the provisions of clause (c) of section 7.3.2 of By-law No. 79-200, no person shall use the land on the east side of Garner Road, north of McGarry Drive, designated R1C and numbered 687 on Sheet B5 of Schedule "A", or erect or use any building or structure thereon, except in compliance with By-law No. 2004-230.
2004-229	19.1.688	None of the provisions of section 4.13 and 4.14 and clauses (d), (e) and (f) of section 7.5.2 of By-law No. 79-200, shall apply to permit the placement of a one family detached dwelling and/or an accessory building or accessory structure on the land east of Kalar Road, northwest of the CN railway line and southwest of the proposed Highway 420 extension, designated R1E and numbered 688 on Sheet B4 of Schedule "A", except in compliance with By-law No. 2004-229.
2005-35	19.1.690	Repealed by By-law No. 2008-109.

2005-12	19.1.691	None of the provisions of sections 2.42 and 8.6.1 By-law No.79-200 shall apply to prevent the use of the land on the north side of Lundy's Lane, east of Kalar Road designated TC and numbered 691 on Sheet B4 of Schedule "A", or the use or erection of any building or structure thereon for the purpose of a billiard hall , except in compliance with By-law No. 2005-12.
2005-11	19.1.693	None of the provisions of clauses (c) and (d) of section 8.2.2 of By-law No. 79-200 shall apply to prevent the use of the land on the northeast corner of Drummond Road and Lundy's Lane, designated GC and numbered 693 on Sheet C4 of Schedule "A", or the erection or use of any building or structure thereon, except in compliance with By-law No. 2005-11.
2005-36	19.1.694	<p>(a) Notwithstanding the provisions of section 2.31 of By-law No. 79-200, the land on the west side of Kent Avenue, south of Gallinger Street, designated LI and numbered 694 on Sheet B3 of Schedule "A" shall be considered one lot.</p> <p>(b) None of the provisions of clauses (d) and (f) of section 11.2.2 of By-law No. 79-200, shall apply to prevent the use of land on the west side of Kent Avenue, south of Gallinger Street, designated LI and numbered 694 on Sheet B3 of Schedule "A" or the erection or use of a building or structure thereon, except in compliance with By-law No. 2005-36.</p>
2005-47	19.1.695	Notwithstanding the provisions of sections 16.1 and 16.2 of By-law No. 79-200, no person shall use the land on the north side of Main Street, designated HL and numbered 695 on Sheet D6 of Schedule "A" or erect or use any building or structure thereon, for the purpose of a one family detached dwelling , except in compliance with By-law No. 2005-47.
2005-55 2005-196	19.1.696	Notwithstanding the provisions of sections 2.31, 4.27.1 and 8.2.1 and clauses (a), (b), (c), (d), (e) and (g) of section 8.2.2 of By-law No. 79-200, no person shall use the land at the south west corner of McLeod Road and Alex Avenue, designated GC and numbered 696 on Sheet C5 of Schedule "A" or erect or use any building or structure thereon, for any purpose except for a hotel , and except in compliance with By-law No. 2005-55.
2005-55	19.1.697	Notwithstanding the provisions of sections 2.31, 4.27.1 and 8.2.1 and clauses

2005-196	(a), (b), (c), (g) and (h) of section 8.2.2 of By-law No. 79-200 no person shall use the land on the south side of McLeod Road, west of Alex Avenue, designated GC(H) and numbered 697 on Sheet C5 of Schedule "A", or erect or use any building or structure thereon, for the purpose of one or more of the uses allowed by clauses (a) to (o) inclusive, (q), (r) and (t) to (pp) inclusive, of section 8.2.1 of By-law No. 79-200 as amended, except in compliance with By-law No. 2005-55.
2005-43 19.1.698	<p>(a) Notwithstanding the provisions of sections 4.27.1 and 5.7 and clauses (c) and (f) of section 7.5.2 of By-law No. 79-200, no person shall use the land on the east side of Stanley Avenue and north side of Portage Road, designated R1E and numbered 698 on Sheets C1 and C2 of Schedule "A", or erect or use any building or structure thereon, except in compliance with By-law No. 2005-43.</p> <p>(b) None of the provisions of section 4.19.3 of By-law No. 79-200 shall apply to prevent the construction of driveways and turnaround areas on the land on the east side of Stanley Avenue, north of Portage Road, designated R1E and numbered 698 on Sheets C1 and C2 of Schedule "A", except in compliance with By-law No. 2005-43.</p>
2005-33 19.1.699	Notwithstanding the provisions of sections 2.31.8 and 4.19.3 and clauses (b), (c), (d) and (e) of section 7.4.2 and in addition to the regulations contained in section 7.4.2 of By-law No. 79-200, no person shall use the land on the south side of Graham Street, west of Delta Drive, designated R1D and numbered 699 on Sheet B5 of Schedule "A", or erect or use any building or structure thereon, except in compliance with By-law No. 2005-33.
2005-33 19.1.700	Notwithstanding the provisions of clauses (c), (d) and (e) of section 7.4.2 and in addition to the regulations contained in section 7.4.2 of By-law No. 79-200, no person shall use the land on the south side of Graham Street, west of Delta Drive, designated R1D and numbered 700 on Sheet B5 of Schedule "A", except in compliance with By-law No. 2005-33.
2010-99 19.1.701	Refer to By-law No. 2010-99.
2005-104 19.1.702	Notwithstanding the provisions of sections 2.22, 2.31 and 8.4.1 and clauses (a),

(c), (d), (e), (f), (g), (i) and (j) of section 8.4.2 and in addition to the regulations contained in section 8.4.2 of By-law No. 79-200, no person shall use the land on the southwest corner of Morrison Street and Dorchester Road designated **SC** and numbered 702 on Sheets C3 and C4 of Schedule "A", or erect or use any **building** or **structure** thereon for any purpose except one or more of the following uses: **bank**, trust company, credit union, currency exchange, **clinic**, **health centre**, **office**, **personal service shop**, photographer's studio, **place of entertainment**, **restaurant**, **retail store** (which shall not include a supermarket), **service shop**, veterinarian's office, and beer, wine or liquor store, and except in compliance with By-law No. 2005-104.

2005-103 19.1.703 Notwithstanding the provisions of 2.22, 2.31.5, 2.31.8, 2.65.2, 4.27.1 and 8.4.1 and clauses (a), (b), (c), (d), (e), (f), (i), (j), and (k) of section 8.4.2 and in addition to the regulations contained in Table 1 of clause (a) of section 4.19.1 and the remaining clauses of section 8.4.2 of By-law No. 79-200, no person shall use the land within the northwest quadrant of Dorchester Road and Highway 420 designated **SC(H)** and numbered 703 on Sheet C4 of Schedule "A", or erect or use any **building** or **structure** thereon for any purpose except one supermarket and one or more of the following uses: commercial services, car wash, **gasoline bar** and **retail store**, except in compliance with By-law No. 2005-103.

2005-100 19.1.704 Notwithstanding the provisions of sections 2.31, 4.17.1, 7.9.1, 7.9.2 and 7.9.3 of By-law No. 79-200, no person shall use the land on the west side of Montrose Road, south of Gallinger Street, designated **R4** and numbered 704 on Sheet B3 of Schedule "A" or erect or use any **building** or **structure** thereon, except for the purpose of **townhouse dwellings**, with each containing no more than 8 **dwelling units**, and **one accessory building**, and except in compliance with By-law No. 2005-100.

2005-74 19.1.706 None of the provisions of section 11.2.1 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Kent Avenue, south of Morrison Street, designated **LI** and numbered 706 on Sheets B3 and B4 of Schedule "A", or the erection or use of one **building** or **structure** thereon, for the purpose of a dance studio with a **maximum floor area** of 350 square metres, except in compliance with By-law No. 2005-74.

19.1.707 Notwithstanding the provisions of section 2.31.9 of By-law No. 79-200, no

2005-65		person shall use the land on the east side of Garner Road, north of McGarry Drive, designated R1E and numbered 707 on Sheet B5 of Schedule "A", or erect or use any building or structure thereon, except in compliance with By-law No. 2005-65.
2005-65	19.1.708	No person shall use the land east of Garner Road and north of McGarry Drive, designated EPA and numbered 708 on Sheet B5 of Schedule "A", except in compliance with By-law No. 2005-65.
2005-84	19.1.709	(a) Notwithstanding the provisions of clause (c) of section 4.19.1, and subclauses (a)(ii) and (a)(iii), clause (c), subclause (e)(ii) and clause (g) of section 7.8.2, and in addition to the regulations contained in section 7.8.2 of By-law No. 79-200, no person shall use the land east of Garner Road, north of Westport Drive and on the south side of the hydro corridor, designated R3 and numbered 709 on Sheet B5 of Schedule "A", or erect or use any building or structure thereon, except in compliance with By-law No. 2005-84.
		(b) None of the provisions of clauses (c) and (d) of section 4.13, clause (d) of section 4.14 and subclause (e)(i) of section 7.8.2 of By-law No. 79-200 shall apply to permit the placement of an accessory building, accessory structure or a dwelling on the land east of Garner Road, north of Westport Drive and on the south side of the hydro corridor, designated R3 and numbered 709 on Sheet B5 of Schedule "A", except in compliance with By-law No. 2005-84.
2005-84	19.1.710	No person shall use the land on the east side of Garner Road, north of McGarry Drive and on the south side of the hydro corridor, designated EPA and numbered 710 on Sheets A5 and B5 of Schedule "A", except in compliance with By-law No. 2005-84.
2005-86	19.1.711	Repealed by By-law No. 2007-230.
2005-85 2006-62	19.1.712	(a) Notwithstanding the provisions of section 2.31 and clause (g) of section 8.6.2 of By-law No. 79-200, no person shall use the land on the southwest corner of Bender Street and Falls Avenue, designated TC and

numbered 712 on Sheet D4 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, for the purpose of an enclosed elevated pedestrian walkway, except in compliance with By-law No. 2005-85.

(b) Notwithstanding the provisions of section 2.31 and clause (g) of section 8.6.2 of By-law No. 79-200, no person shall use the land on the southwest corner of Bender Street and Falls Avenue, designated **TC** and numbered 712 on Sheet D4 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, for the purpose of a parking garage and an enclosed waterpark, except in compliance with By-law No. 2005-85.

2005-108 19.1.713 None of the provisions of section 11.2.1 of By-law No. 79-200 shall apply to prevent the use of the land on the east side of Montrose Road, north of Morrison Street, designated **LI** and numbered 713 on Sheet B3 of Schedule "A", or the erection or use of one **building** or **structure** thereon, for the purpose of an indoor recreation facility with a **maximum floor area** of 650 square metres, except in compliance with By-law No. 2005-108.

2005-120 19.1.714 Notwithstanding the provisions of section 4.27.1 and clauses (b), (e) and (h) of section 8.1.2 of By-law No. 79-200, no person shall use the land on the northeast corner of Thorold Stone Road and Kalar Road, designated **NC** and numbered 714 on Sheet B3 of Schedule "A", or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2005-120.

2005-188 19.1.716 None of the provisions of section 2.31.1, Table 1 of clause (a) of section 4.19.1, section 8.6.1 and clause (g) of section 8.6.2 of By-law No. 79-200, shall apply to prevent the use of the land located between Clifton Hill and Robinson Street, west of Queen Victoria Park, designated **TC** and numbered 716, on Sheet D4 of Schedule "A", or the erection or use of any building or structure thereon, for the purpose of a midway and amusement centre that may contain various indoor and outdoor mechanical and electronic amusement rides and devices, except in compliance with By-law No. 2005-188.

2005-188 19.1.717 Notwithstanding the provisions of sections 2.26 and 2.31.1 and clauses (a), (b), (c), (d) and (g) of section 8.6.2 of By-law No. 79-200, no person shall use the land located between Clifton Hill and Robinson Street, west of Queen Victoria Park, designated **TC** and numbered 717, on Sheet D4 of Schedule "A", or erect

or use any **building** or **structure** thereon for the purpose of a **hotel** having a building height greater than 12 metres, except in compliance with By-law No. 2005-188.

- 2006-18 19.1.718 (a) Notwithstanding the provisions of section 2.31 of By-law No. 79-200, the land on the northeast corner of Montrose Road and Industrial Street, designated **LI** and numbered 718 on Sheet B3 of Schedule "A" shall be considered one **lot**.
- (b) None of the provisions of section 11.2.1 of By-law No. 79-200 shall apply to prevent the use of the land on the northeast corner of Montrose Road and Industrial Street, designated **LI** and numbered 718 on Sheet B3 of Schedule "A", or the erection or use of any **building** or **structure** thereon, for the purpose of an establishment for building material sales, except in compliance with By-law No. 2006-18.
- (c) None of the provisions of clauses (c), (e) and (j) of section 11.2.2 of By-law No. 79-200 shall apply to prevent the use of land on the northeast corner of Montrose Road and Industrial Street, designated **LI** and numbered 718 on Sheet B3 of Schedule "A", or the erection or use of any **building** or **structure** thereon, except in compliance with By-law No. 2006-18.
- 2005-155 19.1.720 Temporary use by-law no longer in effect as of September 20, 2008.
- 2005-122 19.1.722 None of the provisions of sections 2.42 and 8.6.1 of By-law No.79-200 shall apply to prevent the use of the land on the north side of Lundy's Lane, east of Kalar Road, designated **TC** and numbered 722 on Sheet B4 of Schedule "A", or the erection or use of any **building** or **structure** thereon, for the purpose of a **billiard hall**, an **office**, a **medical clinic**, a **printing shop** and a **dry cleaning establishment**, except in compliance with By-law No. 2005-122.
- 2005-119 19.1.723 None of the provisions of sections 16.1 and 16.2 of By-law No. 79-200 shall apply to prevent the use of part of the land on the east side of Montrose Road, north of Thorold Stone Road, designated **HL** and numbered 723 on Sheet B3 of Schedule "A", for the erection or use of a vehicular bridge, except in compliance with By-law No. 2005-119.

- 2005-119 19.1.724 (a) Notwithstanding the provisions of clauses (a), (b), (e), (g), (h), (i) and (j) of section 8.4.2 of By-law No. 79-200, no person shall use the land on the east side of Montrose Road, north of Thorold Stone Road, designated **SC** and numbered 724 on Sheet B3 of Schedule "A", or erect or use any **building** or **structure** thereon, except in compliance with By-law No.2005-119.
- (b) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200 shall apply to require the owner or occupant of any **building** or **structure** on the land on the east side of Montrose Road, north of Thorold Stone Road, designated **SC** and numbered 724 on Sheet B3 of Schedule "A", to provide and maintain individual **parking spaces** located on the same lot occupied by a **building** or **structure**, except in compliance with By-law No. 2005-119.
- 2005-158 19.1.725 Notwithstanding the provisions of clause (d) of section 4.14, section 7.9.1, clause (a), subclauses (c)(i) and (d)(i), and clauses (e), (g) and (h) of section 7.9.2 of By-law No. 79-200, no person shall use the land on the east side of Dorchester Road, south of Imperial Court, designated **R4** and numbered 725 on Sheet C5 of Schedule "A", or erect or use any **building** or **structure** thereon, except for the purpose of not more than 6 **townhouse dwelling units**, and except in compliance with By-law No. 2005-158.
- 2005-170 19.1.726 Notwithstanding the provisions of Table 1 of clause (a) of section 4.19.1, section 8.6.1 and clauses (a), (b), (c), (e), (i), (k) and (l) of section 8.6.2 of By-law No. 79-200, no person shall use the land on the southwest corner of River Road and Elgin Street, designated **TC** and numbered 726 on Sheet D3 of Schedule "A", or erect or use any **building** or **structure** thereon for the purpose of an exhibition of waxworks, automobiles, handcrafts, natural or artificial curiosities, freaks of nature, a retail store and an ancillary restaurant, except in compliance with By-law No. 2005-170.
- 2005-151 19.1.727 Notwithstanding the provisions of sections 4.10, 4.19.3, 7.5.1 and 7.5.2 of By-law No. 79-200, no person shall use the land on the west side of Drummond Road between Murray Street and Corwin Crescent, designated **R1E** and numbered 727 on Sheet C5 of Schedule "A", or use any **buildings** or **structures** thereon, except for the purpose of the existing **triplex dwelling** and the existing

one family detached dwelling, and except in compliance with By-law No. 2005-151.

- 2005-175 19.1.728
- (a) None of the provisions of section 8.6.1 of By-law No. 79-200 shall apply to prevent the use of the land on the southeast corner of Montrose Road and McLeod Road, designated **TC** and numbered 728 on Sheets B5 and B6 of Schedule "A", or the erection or use of any **building** or **structure** thereon, for the purpose of a **new car agency**.
 - (b) Notwithstanding the provisions of clauses (a), (b), (d) and (e) of section 8.6.2 of By-law No. 79-200, no person shall use the land on the southeast corner of Montrose Road and McLeod Road, designated **TC** and numbered 728 on Sheets B5 and B6 of Schedule "A", or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2005-175.
- 2005-174 19.1.729
- None of the provisions of section 7.7.1 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Ontario Avenue, south of Otter Street, designated **R2** and numbered 729 on Sheet D4 of Schedule "A", or the use of the existing **one family detached dwelling** thereon, for the purpose of a cottage rental dwelling, except in compliance with By-law No. 2005-174.
- 2005-186 19.1.731
2010-07
- (a) Notwithstanding the provisions of sections 4.27.1 and 9.1, and clauses (a), (b), (c), (d) and (f) of section 9.2 of By-law No. 79-200, no person shall use the land on the south side of McLeod Road, east of Garner Road, designated **I** and numbered 731 on Sheet B6 of Schedule "A", or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2005-186.
 - (b) None of the provisions of sections 4.13 and 4.14 of By-law No. 79-200 shall apply to permit the placement of an **accessory building** or **accessory structure** on the land on the south side of McLeod Road, east of Garner Road, designated **I** and numbered 731 on Sheet B6 of Schedule "A", except in compliance with By-law No. 2005-186.
- 2005-186 19.1.732
- No person shall use the land south of McLeod Road, east of Garner Road, designated **EPA** and numbered 732 on Sheet B6 of Schedule "A", except in

compliance with By-law No. 2005-186.

- 2005-209 19.1.733 Notwithstanding the provisions of clauses (a), (c), (d), (e) and (f) of section 7.7.2 of By-law No. 79-200, no person shall use the land on the southeast corner of Delaware Street and Dawlish Avenue, designated **R2** and numbered 733 on Sheet C5 of Schedule "A", or use the existing **building** thereon for the purpose of a **semi-detached dwelling**, except in compliance with By-law No. 2005-209.
- 2006-15 19.1.734 Notwithstanding the provisions of sections 16.1 and 16.2 of By-law No. 79-200, no person shall use the land on the north side of Bridgewater Street, being part of the Oliver Street road allowance, designated **HL** and numbered 734 on Sheet E6 of Schedule "A" or **erect** or use any **buildings** or **structures** thereon for the purpose of a **one family detached dwelling**, except in compliance with By-law No. 2006-15.
- 2006-79 19.1.735 None of the provisions of sections 7.7.1 and 7.7.2 of By-law No. 79-200 shall apply to prevent the use of the land on the south side of Ferguson Street, designated **R2** and numbered 735 on Sheet D3 of Schedule "A", or the use of the two existing buildings thereon for two, **one family detached dwellings**, except in compliance with By-law No. 2006-79.
- 2006-17 19.1.736 Repealed by By-law No. 2007-60.
- 2006-16 19.1.737 None of the provisions of section 11.2.1 and clauses (d) and (j) of section 11.2.2 of By-law No. 79-200 shall apply to prevent the use of the land located on the east side of Montrose Road, opposite Preakness Street, designated **LI** and numbered 737 on Sheet B4 of Schedule "A", or the use of the existing **building** thereon, for the purpose of a **retail store**, for a period of up to three years from the date on which By-law No. 2006-16 is passed.
- 2006-24 19.1.738
- (a) Notwithstanding the provisions of section 2.31 of By-law No. 79-200, the land on the southeast corner of Thorold Stone Road and Carroll Avenue, designated **LI** and numbered 738 on Sheet C3 of Schedule "A", shall be considered one **lot**.
 - (b) Notwithstanding the provisions of section 4.27.1 and clauses (a), (b), (c), (f) and (j) of section 11.2.2 of By-law No. 79-200, no person shall use the

land located on the southeast corner of Thorold Stone Road and Carroll Avenue, designated **LI** and numbered 738 on Sheet C3 of Schedule “A”, or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2006-24.

- 2006-45 19.1.739 Notwithstanding the provisions of section 8.6.1, clauses (a), (b), (c), (d), (e) and (f) of section 8.6.2 and sections 8.6.3 and 8.6.4 of By-law No. 79-200, no person shall use the land located on the east side of Montrose Road, between Reixinger Road and Lyon’s Creek Road and shown hatched and designated **TC(H)** and numbered 739 on Sheets B7, B8 and C7 of Schedule “A”, or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2006-45.
- 2006-45 19.1.740 Notwithstanding the provisions of clause (j) of section 11.1.2 of By-law No. 79-200, no person shall use the land located on the south side of Reixinger Road, east of Montrose Road and shown hatched and designated **PI(H)** and numbered 740 on Sheets B7 and C7 of Schedule “A”, or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2006-45.
- 2006-45 19.1.741 No person shall use the land on the south side of Reixinger Road, east of Montrose Road and shown hatched and designated EPA and numbered 741 on Sheets B7, B8 and C7 of Schedule “A”, except in compliance with By-law No. 2006-45.
- 2006-51 19.1.742
- (a) Notwithstanding the provisions of section 2.31 of By-law No. 79-200, the land on the west side of Palmer Avenue through to McGlashan Crescent, designated **I** and numbered 742 on Sheet D4 of Schedule “A”, shall be considered one **lot**.
 - (b) None of the provisions of section 9.1 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Palmer Avenue through to McGlashan Crescent, designated **I** and numbered 742 on Sheet D4 of Schedule “A”, or the erection or use of any **building** or **structure** thereon, for the purpose of a **clinic**, except in compliance with By-law No. 2006-51.
 - (c) Notwithstanding the provisions of clauses (a), (b), (c), (d), (g) and (i) of section 9.2 of By-law No. 79-200, no person shall use the land on the

west side of Palmer Avenue through to McGlashan Crescent, designated **I** and numbered 742 on Sheet D4 of Schedule "A", or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2006-51.

- 2006-56 19.1.743 Notwithstanding the provisions of Table 1 of clause (a) and clause (c) of section 4.19.1, and in addition to the regulations contained in section 7.8.2 of By-law No. 79-200, no person shall use the land on the west side of Kalar Road, south of Lundy's Lane and on the north side of the hydro corridor, designated **R3** and numbered 743 on Sheet B5 of Schedule "A", except in compliance with By-law No. 2006-56.
- 2006-56 19.1.744 Notwithstanding the provisions of subclause (f)(i) of section 7.9.2, and in addition to the regulations contained in section 7.9.2 of By-law No. 79-200, no person shall use the land on the west side of Kalar Road, south of Lundy's Lane, designated **R4** and numbered 744 on Sheet B5 of Schedule "A", except in compliance with By-law No. 2006-56.
- 2006-56 19.1.745 No person shall use the land west of Kalar Road, south of Lundy's Lane, east of Garner Road and north of the hydro corridor, designated **EPA** and numbered 745 on Sheet B5 of Schedule "A", except in compliance with By-law No. 2006-56.
- 2006-93 19.1.746 (a) Notwithstanding the provisions of section 2.31 of By-law No. 79-200, the
2007-152 land on the west side of Victoria Avenue between Hunter Street and Kitchener Street, designated **TC** and numbered 746 on Sheet D4 of Schedule "A" shall be considered one **lot**.
- (b) None of the provisions of section 2.28 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Victoria Avenue between Hunter Street and Kitchener Street, designated **TC** and numbered 746 on Sheet D4 of Schedule "A", or the erection or use of any **building** or **structure** thereon for the purpose of a **hotel** which does not provide a public dining room, except in compliance with By-law No. 2006-93.
- (c) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-

200 shall apply to require the provision of parking for a breakfast area in a **hotel** on the land on the west side of Victoria Avenue between Hunter Street and Kitchener Street, designated **TC** and numbered 746 on Sheet D4 of Schedule "A", except in compliance with By-law No. 2006-93.

(d) Notwithstanding the provisions of clauses (a), (b), (c), (d), (e), (g) and (i) of section 8.6.2 of By-law No. 79-200, no person shall use the land on the west side of Victoria Avenue between Hunter Street and Kitchener Street, designated **TC** and numbered 746 on Sheet D4 of Schedule "A", or erect or use any building or structure thereon for the purpose of a **hotel**, except in compliance with By-law Nos. 2006-93 and 2007-152.

2006-91 19.1.747 None of the provisions of section 7.7.1 of By-law No. 79-200 shall apply to prevent the use of the land on the southwest corner of Zimmerman Avenue and Huron Street, designated **R2** and numbered 747 on Sheet D3 of Schedule "A", or two **one family detached dwellings** thereon, from being used for the purpose of cottage rental dwellings, except in compliance with By-law No. 2006-91.

2006-92 19.1.748 None of the provisions of section 7.7.1 of By-law No. 79-200 shall apply to prevent the use of the land on the north side of Ellis Street, east of St. Lawrence Avenue, designated **R2** and numbered 748 on Sheet D3 of Schedule "A", or the use of a **one family detached dwelling** thereon, for the purpose of a **tourist home** containing not more than three bedrooms for tourists, except in compliance with By-law No. 2006-92.

2006-130 19.1.749 Notwithstanding the provisions of sections 2.31, 7.9.1, 7.9.2 and 7.9.3 of By-law No. 79-200, no person shall use the land on the east side of Mewburn Road, designated **R4** and numbered 749 on Sheet B2 of Schedule "A" or **erect** or use any **building** or **structure** thereon, except for the purpose of 2 **on-street townhouse dwellings** and 4 **townhouse dwellings**, each containing no more than 8 **dwelling units**, and **accessory buildings** and **structures**, and except in compliance with By-law No. 2006-130.

2006-159 19.1.750 Notwithstanding the provisions of sections 2.31 and 4.13, clause (f) of section 4.14, clause (a) of section 4.19.1, section 9.1 and clauses (a), (b), (d), (e), (f), (i) and (j) of section 9.2 of By-law No. 79-200, no person shall use the land on the

northeast corner of Dorchester Road and High Street, designated **I** and numbered 750 on Sheet C4 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, except for the purpose of a **place of worship** and one **accessory building**, but not a hospice, an emergency shelter, a supervised residence, a soup kitchen or a private school, and except in compliance with By-law No. 2006- 159.

- 2007-01 19.1.752 Notwithstanding the provisions of sections 2.26, 2.31, 2.54, clauses (a), (c), (d) and (f) of section 4.19.1, section 4.20.1 and section 8.6.2 of By-law No. 79-200, no person shall use the land on the south side of Murray Street between Fallsview Boulevard and Stanley Avenue, designated **TC** and numbered 752 on Sheet D5 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon for the purpose of a **hotel**, including a convention centre and a **parking structure**, having a **height** greater than 12 metres except in compliance with By-law No. 2007-01.
- 2007-01 19.1.753 Notwithstanding the provisions of clauses (c), (d) and (e) of section 4.19.1 of By-law No. 79-200, no person shall use the land on the south side of Murray Street between Stanley Avenue and Main Street, designated **TC** and numbered 753 on Sheet D5, for the purpose of a **parking lot**, except in compliance with By-law No. 2007-01.
- 2007-02 19.1.754 Temporary use by-law no longer in effect as of January 8, 2010.
- 2006-154 19.1.755 None of the provisions of section 7.3.1 of By-law No. 79-200 shall apply to prevent the use of the land on the southwest side of Main Street between Delaware Street and Symmes Street, designated **R1C** and numbered 755 on Sheet C5 of Schedule "A", or the use of a **one family detached dwelling** thereon, for the purpose of a **tourist home** containing not more than three bedrooms for tourists, except in compliance with By-law No. 2006-154.
- 2006-146 19.1.756 Notwithstanding the provisions of clause (d) of section 4.14, section 5.7, clauses (a), (b), (c), (d), (e), (g) and (h) of section 7.9.2 and section 7.9.3, and in addition to the regulations contained in sections 7.9.1 and 7.9.2 of By-law No. 79-200, no person shall use the land on the north side of O'Neil Street, between Dorchester Road and Marion Avenue, designated **R4** and numbered 756 on Sheet C2 of Schedule "A", except for the purpose of 2 **townhouse dwellings** each

containing a maximum of 4 **dwelling units**, and 2 **one-family detached dwellings**, and **accessory buildings** and **accessory structures**, and except in compliance with By-law No. 2006-146.

- 2006-155 19.1.757 None of the provisions of sections 8.2.1 and 8.2.2 of By-law No. 79-200, shall apply to prevent the use of the land on the southwest corner of Bridgewater Street and Dock Street, designated **GC** and numbered 757 on Sheet E6 of Schedule "A", or the erection or use of any **building** or **structure** thereon, for the purpose of a **one family detached dwelling** and **accessory buildings** and **structures**, except in compliance with By-law No. 2006-155.
- 2006-205 19.1.760 Notwithstanding the provisions of clause (c) of section 4.19.1, clauses (c), (e) and (f) of section 7.8.1, subclauses (a)(i), (a)(ii), (b)(i), (b)(ii), (b)(iii), (b)(iv) and (b)(v), clause (c), subclauses (e)(i) and (e)(ii), and clauses (f), (g) and (h) of section 7.8.2, and in addition to the regulations contained in section 7.8.2 of By-law No. 79-200, no person shall use the land on the north side of Willick Road, west of Sodom Road and southeast of Lyon's Parkway and Lyon's Creek Road, designated **R3** and numbered 760, in part, and **R3(H)** and numbered 760, in part, on Sheet D7 of Schedule "A", except in compliance with By-law No. 2006-205.
- 2006-205 19.1.761 In addition to the regulations contained in section 7.9.2 of By-law No. 79-200, no person shall use the land west of Sodom Road and north of Willick Road, designated **R4(H)** and numbered 761 on Sheet D7 of Schedule "A", except in compliance with By-law No. 2006-205.
- 2006-205 19.1.762 No person shall use the land west of Sodom Road, extending from Lyon's Creek Road to Willick Road, designated **EPA** and numbered 762 on Sheet D7 of Schedule "A", except in compliance with By-law No. 2006-205.
- 2006-192 19.1.766 (a) None of the provisions of section 8.2.1 of By-law No. 79-200 shall apply to prevent the use of land on the south side of Welland Street, across from Dock Street, designated **GC** and numbered 766 on Sheet E6 of Schedule "A", or the erection or use of any **building** or **structure** thereon for the purpose of a public self-storage, except in compliance with By-law No. 2006-192.

- (b) Notwithstanding the provisions of clause (d) of the section 8.2.2 of By-law No. 79-200, no person shall use the land on the south side of Welland Street, across from Dock Street, designated **GC** and numbered 766 on Sheet E6 of Schedule "A", or erect or use any **building** or **structure** thereon for the purpose of a public self-storage, except in compliance with By-law No. 2006-192.
- 2006-202 19.1.767 Notwithstanding the provisions of section 2.31 and clauses (a), (b), (c), (d), (e), (f), (g) and (h) of section 8.1.2 of By-law No. 79-200, no person shall use the land on the southwest corner of Preakness Street and Montrose Road, designated **NC** and numbered 767 on Sheet B4 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, except in compliance with By-law No. 2006-767.
- 2007-21 19.1.768 Notwithstanding the provisions of sections 2.15, 2.31, 7.5.1 and clauses (a), (b), (c), (d), (e) and (g) of section 7.5.2 of By-law No. 79-200, no person shall use the land on the west side of Longhurst Avenue, designated **R1E** and numbered 768 on Sheet C3 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, except for the purpose of a **community building**, and except in compliance with By-law No. 2007-21.
- 2007-61 19.1.769 Notwithstanding the provisions of section 8.2.1 and clauses (a), (b), (d) and (f) of section 8.2.2 of By-law No. 79-200, no person shall use the land on the north side of Kitchener Street east of Portage Road, designated **GC** and numbered 769 on Sheet C4 of Schedule "A", or erect or use any **building** or **structure** thereon, except for the purpose of a maximum of two **offices** for physicians, and except in compliance with By-law No. 2007-61.
- 2007-51 19.1.770 Notwithstanding the provisions of sections 2.26, 2.31.8, 4.7, 9.1 and clauses (b), (c), (d), (f), (h) and (i) of section 9.2 of By-law No. 79-200, no person shall use the land on the north side of Second Avenue, designated **I** and numbered 770 on Sheet D4 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, except for the purpose of a **place of worship** and one ancillary dwelling unit, and except in compliance with By-law No. 2007-51.
- 2007-60 19.1.771 (a) Notwithstanding the provisions of clauses (d) and (j) of section 11.2.2 of By-law No. 79-200, no person shall use the land on the east side of

Montrose Road, opposite Preakness Street, designated **LI** and numbered 771 on Sheet B4 of Schedule “A”, or **erect** or **use** any **building** or **structure** thereon, except in compliance with By-law No. 2007-60.

(b) None of the provisions of section 11.2.1 of By-law No. 79-200 shall apply to prevent the use of the land on the east side of Montrose Road, opposite Preakness Street, designated **LI** and numbered 771 on Sheet B4 of Schedule “A”, or the use of the existing **building** or **structure** thereon, for the purpose of two dwelling units in combination with another use permitted by the LI zone, except in compliance with By-law No. 2007-60.

2007-40 19.1.772 None of the provisions of section 7.7.1 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of River Road, south of Otter Street, designated **R2** and numbered 772 on Sheet D4 of Schedule “A”, or a three unit **dwelling** thereon, from being used for the purpose of three cottage rental dwellings, except in compliance with By-law No. 2007-40.

2007-62 19.1.773 Notwithstanding the provisions of sections 2.31, 2.42, Table 1 of clause (a) of section 4.19.1 and sections 4.27.1, 8.4.1 and 8.4.2 of By-law No. 79-200, no person shall use the land on the southwest corner of Montrose and McLeod Roads, designated **SC** and numbered 773 on Sheets B5 and B6 of Schedule “A”, or erect or use any **buildings** or **structures** thereon, except for one or more of the uses listed in section 8.4.1 of By-law No. 79-200 and a **pinball** or **electronic game machine establishment**, and except in compliance with By-law No. 2007-62.

2007-91 19.1.778 None of the provisions of section 11.6.2 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Taylor Road, south of the former Mountain Road and east of Thorold Townline Road, designated **EI** and numbered 778 on Sheets A2 and A3 of Schedule “A”, or the erection or use of any **building** or **structure** thereon for the purpose of waste disposal site, landfill and **accessory buildings and structures**, except in compliance with By-law No. 2007-91.

2007-90 19.1.779 In addition to the regulations contained in section 7.9.2 of By-law No. 79-200, no person shall use the land east of Garner Road, south of Lundy’s Lane,

designated **R4** and numbered 779 on Sheet B5 of Schedule “A”, or **erect or use** any **building or structure** thereon, except in compliance with By-law No. 2007-90.

- 2007-90 19.1.780 No person shall use the land east of Garner Road, south of Lundy’s Lane and north of the hydro corridor, designated **EPA** and numbered 780 on Sheets A5 and B5 of Schedule “A”, except in compliance with By-law No. 2007-90.
- 2007-144 19.1.781 Notwithstanding the provisions of sections 2.31, 2.31.8, 2.31.9, 7.13.1 and 7.13.2 of By-law No. 79-200, no person shall use the land located on the west side of Stanley Avenue, north of Portage Road, designated **R5D(H)** and numbered 781 on Sheets C1 and C2 of Schedule “A”, or **erect or use** any **building or structure** thereon, except for the purpose of **apartment dwellings, townhouse dwellings, and accessory buildings and accessory structures**, and except in compliance with By-law No. 2007-144.
- 2007-144 19.1.782 Notwithstanding the provisions of sections 2.31, 2.31.8, 2.31.9, 7.9.1, clauses (a), (b), (c), (d) and (e) of section 7.9.2 and clause (c)(iii) of section 7.9.3 of By-law No. 79-200, no person shall use the land located on the west side of Stanley Avenue, north of Portage Road, designated **R4(H)** and numbered 782 on Sheets C1 and C2 of Schedule “A”, or the **erect or use** any **building or structure** thereon, except for the purpose of **townhouse dwellings, semi-detached dwellings, and accessory buildings and accessory structures**, and except in compliance with By-law No. 2007-144.
- 2007-144 19.1.783 No person shall use the land described in section 1 of this by-law and shown hatched and designated **PI(H)** and numbered 783 on Sheet C1 of Schedule “A”, or **erect or use** any **building or structure** thereon, except in compliance with By-law No. 2007-144
- 2007-118 19.1.784 None of the provisions of section 7.7.1 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of River Road, south of Bampfield Street, designated **R2** and numbered 784 on Sheet D4 of Schedule “A”, or the use of the existing **one family detached dwelling** thereon, for the purpose of a cottage rental dwelling, except in compliance with By-law No. 2007-118.
- 2007-119 19.1.785 None of the provisions of section 7.7.1 of By-law No. 79-200 shall apply to

prevent the use of the land on the north side of Bampffield Street, designated **R2** and numbered 785 on Sheet D4 of Schedule "A", or the use of the existing **one family detached dwelling** thereon, for the purpose of a cottage rental dwelling, except in compliance with By-law No. 2007-119.

- 2007-154 19.1.786 Notwithstanding the provisions of section 8.6.1 and clauses (a), (b), (c), (d), (e) and (f) of section 8.6.2 of By-law No. 79-200, no person shall use the land on the southeast corner of Stanley Avenue and Livingstone Street, designated **TC** and numbered 786 on Sheet D5 of Schedule "A", or use the existing **building** thereon, except for the purpose of an **assembly hall** or **erect** or **use** any **buildings** or **structures** for any purpose except for **accessory buildings and accessory structures**, and except in compliance with By-law No. 2007-154.
- 2007-130 19.1.787 None of the provisions of section 12.1 of By-law No. 79-200 shall apply to prevent the use of the land on the south side of Lundy's Lane, west of Garner Road, designated **A** and numbered 787 on Sheet A5 of Schedule "A", or the use of the existing **one family detached dwelling** thereon, for the purpose of a cottage rental dwelling, except in compliance with By-law No. 2007-130.
- 2007-153 19.1.790 Notwithstanding the provisions of sections 4.27.1 and 8.9.1 and clauses (a), (d), (e), (g), (h) and (j) of section 8.9.3 of By-law No. 79-200, no person shall use the land on the northwest corner of Drummond Road and McLeod Road, designated **AS** and numbered 790 on Sheet C5 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, except for a **gasoline bar** and a **retail store**, and except in compliance with By-law No. 2007-153.
- 2007-206 19.1.791 Notwithstanding the provisions of section 4.10, clauses (b) and (d) of section 4.13, clause (b) of section 4.19.1, section 7.8.1 and clauses (a), (b), (c), (e), (f) and (g) of section 7.8.2 of By-law No. 79-200, no person shall use the land on the southwest corner of Leader Lane and Hickson Avenue, designated **R3** and numbered 791 on Sheet D3 of Schedule "A", or **erect** or **use** any **buildings** or **structures** thereon, except for the purpose of a **triplex** and **accessory buildings and structures**, and except in compliance with By-law No. 2007-206.
- 2008-218 19.1.792 Refer to By-law No. 2008-218.
- 2007-232 19.1.793 (a) None of the provisions of section 8.1.1 of By-law No. 79-200 shall apply

to prevent the use of the land on the south side of Dixon Street east of Drummond Road, designated **NC** and numbered 793 on Sheet C5 of Schedule "A", or the erection or use of any **building** or **structure** thereon, for the purpose of a **health centre**.

(b) Notwithstanding the provisions of section 4.16 and clauses (a), (b) and (c) of section 8.1.2 of By-law No. 79-200, no person shall use the land on the south side of Dixon Street east of Drummond Road, designated **NC** and numbered 793 on Sheet C5 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, except in compliance with By-law No. 2007-232.

2007-195 19.1.794

(a) None of the provisions of section 2.28 of By-law No. 79-200 shall apply to prevent the use of the land on the southwest corner of Fallsview Boulevard and Dixon Street, designated **TC** and numbered 794 on Sheet D5 of Schedule "A", or the erection or use of any **building** or **structure** thereon for the purpose of a hotel which does not provide a public meeting room. - By-law No. 2007-195.

(b) None of the provisions of clause (a) of section 4.19.1 of By-law No. 79-200 shall apply to require all of the required **parking spaces** for all of the permitted uses and buildings and structures on the land on the southwest corner of Fallsview Boulevard and Dixon Street, designated **TC** and numbered 794 on Sheet D5 of Schedule "A" to be provided and maintained on the same land, except in compliance with By-law No. 2003-164.

(c) Notwithstanding the provisions of section 4.27.1 and clauses (a), (b), (c), (d), (e), (f) and (g) of section 8.6.2 of By-law No 79-200, no person shall use the land on the southwest corner of Fallsview Boulevard and Dixon Street, designated **TC** and numbered 794 on Sheet D5 of Schedule "A", or erect or use any **building** or **structure** thereon for the purpose of a hotel, except in compliance with By-law No. 2007-195

2007-197 19.1.795

Notwithstanding the provisions of section 2.31 and clause (a) of section 8.2.2 of By-law No. 79-200, no person shall use the land on the northeast corner of Lundy's Lane and Byng Avenue, designated **GC** and numbered 795 on Sheet

C4 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, except in compliance with By-law No. 2007-197.

2007-205 19.1.796 Notwithstanding the provisions of section 7.8.1 and clauses (a) to (k) inclusive of section 7.8.2 of By-law No. 79-200, no person shall use the land on the north side of Pinestone Road west of Walker Court, designated **R3** and numbered 796 on Sheet C1 of Schedule "A", or **erect** or **use** any **buildings** or **structures** thereon, except for the purpose of **on street townhouse dwellings, home occupations and accessory buildings and accessory structures**, and except in compliance with By-law No. 2007-205.

2007-205 19.1.797 Notwithstanding the provisions of section 7.8.1 and clauses (a) to (k) inclusive of section 7.8.2 of By-law No. 79-200, no person shall use the land on the south side of Pinestone Road, west of Walker Court, designated **R3** and numbered 797 on Sheet C1 of Schedule "A", or erect or use any **buildings** or **structures** thereon, except for the purpose of **on street townhouse dwellings, home occupations and accessory buildings and accessory structures**, and except in compliance with By-law No. 2007-205.

2007-205 19.1.798 Notwithstanding the provisions of section 7.8.1 and clauses (a) to (k) inclusive of section 7.8.2 of By-law No. 79-200, no person shall use the land on the south side of Pinestone Road, west of Walker Court, designated **R3** and numbered 798 on Sheet C1 of Schedule "A", or **erect** or **use** any **buildings** or **structures** thereon, except for the purpose of **on street townhouse dwellings, home occupations and accessory buildings and accessory structures**, and except in compliance with By-law No. 2007-205.

2007-207 19.1.799 None of the provisions of sections 2.35 and 8.1.1 and clauses (a), (b), (c) and (d) of section 8.1.2 of By-law No. 79-200 shall apply to prevent the use of the land on the east side of Drummond Road, between Prospect Street and North Street, designated **NC** and numbered 799 on the plan Schedule 1 attached hereto, or the use of the existing **building** thereon, for the purpose of a **day nursery**, except in compliance with By-law No. 2007-207.

2007-209 19.1.800 (a) None of the provisions of section 11.2.1 of By-law No. 79-200 shall apply to prevent the use of the land on the west side of Stanley Avenue, north of Thorold Stone Road, designated **LI** and numbered 800, in part, and
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LI(H) and numbered 800 on Sheets C2 and C3 of Schedule “A”, or the erection or use of any **building** or **structure** thereon, except in compliance with By-law No. 2007-209.

(b) Notwithstanding the provisions of clause (g) of section 11.2.2 of By-law No. 79-200, no person shall use the land on the west side of Stanley Avenue, north of Thorold Stone Road, designated **LI** and numbered 800, in part, and **LI(H)** and numbered 800 on Sheets C2 and C3 of Schedule “A”, or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2007-209.

2007-208 19.1.801 Notwithstanding the provisions of sections 8.6.1 and 8.6.2 of By-law No. 79-200, no person shall use the land on the north side of McGrail Avenue, designated **TC** and numbered 801 on the plan Schedule 1 attached hereto, or use of the existing **building** thereon, except for the purpose of a **hostel** and except in compliance with By-law No. 2007-208.

2007-230 19.1.802 Notwithstanding the provisions of section 8.1.1 and clauses (b), (d), (e) and (h) of section 8.1.2 of By-law No. 79-200, no person shall use the land on the southwest corner of Sodom Road and Nassau Avenue, designated **NC** and numbered 802 on Sheet D7 of Schedule “A”, or **erect** or **use** any **building** or **structure** thereon except for the purpose of a **restaurant**, and except in compliance with By-law No. 2007-230.

2007-233 19.1.803 None of the provisions of section 4.10 and clauses (a), (b) and (c) of section 7.8.2 of By-law No. 79-200 shall apply to prevent the use of the land on the southwest corner of Drummond Road and Ker Street, designated **R3** and numbered 803 on Sheet C4 of Schedule “A”, or the erection or use of any **building** or **structure** thereon for a use permitted by the R3 zone, except in compliance with By-law No. 2007-233.

2007-236 19.1.804 Notwithstanding the provisions of section 2.56.1, clauses (b) and (d) of section 4.13, clause (d) of section 4.14 and clauses (c), (d), (e) and (f) of section 7.4.2, no person shall use the land on the east side of Drummond Road, south of McLeod Road, designated **R1D** and numbered 804 on Sheets C6 and D6 of Schedule “A”, or **erect** or **use** any **building** or **structure** thereon, for a use permitted by the **R1D** zone, except in compliance with By-law No. 2007-236.

2007-236 2010-58	19.1.805	Notwithstanding the provisions of sections 2.56.1 and 7.8.1 and clauses (b), (c), (d), (e), (f) and (g) of section 7.8.2 , no person shall use the land east of Drummond Road, south of McLeod Road and southwest of Marineland Parkway, designated R3 and numbered 805 on Sheet C6 of Schedule “A”, or erect or use any building or structure thereon, except for the purpose of on-street townhouse dwellings , and except in compliance with By-law No. 2007-236.
2007-236 2010-58	19.1.806	Notwithstanding the provisions of section 2.56.1 and clauses (a), (b), (c), (d), (e) and (h) of section 7.15.2, no person shall use the land east of Drummond Road, south of McLeod Road and southwest of Marineland Parkway, designated R5F and numbered 806 on Sheet C6 of Schedule “A”, or erect or use any building or structure thereon, for a use permitted by the R5F zone, except in compliance with By-law No. 2007-236.
2007-236	19.1.807	No person shall use the land on the east side of Drummond Road, south of McLeod Road and southwest of Marineland Parkway, designated EPA and numbered 807 on Sheets C6 and D6 of Schedule “A”, except in compliance with By-law No. 2007-236.
2008-39	19.1.808	Notwithstanding the provisions of section 2.26, clauses (a), (c) and (f) of section 4.19.1 and clause (g) of section 8.6.2 of By-law No. 79-200, no person shall use the land on the south side of Robinson Street, east of Clark Avenue, designated TC and numbered 808 on Sheet D4 of Schedule “A”, or erect or use any building or structure thereon, for the purpose of a hotel, except in compliance with By-law No. 2008-39.
2008-39	19.1.809	Notwithstanding the provisions of clause (a) of section 4.19.1 of By-law No. 79-200, no person shall use the land on the west side of Stanley Avenue, through to Allendale Avenue, south of Robinson Street, designated TC and numbered 809 on Sheet D4 and D5 of Schedule “A”, for the purpose of a parking area to satisfy a portion of the required parking for a hotel on the land on the south side of Robinson Street, east of Clark Avenue, designated TC and numbered 808 on Sheet D4 of Schedule “A”, except in compliance with By-law No. 2008-39.
2008-11	19.1.810	Notwithstanding the provisions of sections 2.31.8, 2.31.9, 2.31.10 and 7.14.1 and clauses (a), (b), (c), (d), (e), (f), (h), (j) and (m) of section 7.14.2 of By-law No. 79-200, no person shall use the land on the south side of Marineland

Parkway, west of Stanley Avenue, designated **R5E(H)** and numbered 810 on Sheet D5 of Schedule “A”, or erect or use any **building** or **structure** thereon, for the purpose of **apartment dwellings** and **accessory buildings and accessory structures**, except in compliance with By-law No. 2008-11.

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| 2008-29 | 19.1.813 | Deleted by By-law No. 2009-174. |
| 2008-13 | 19.1.814 | Notwithstanding the provisions of section 2.31, Table 1 of clause (a) of section 4.19.1, and sections 7.7.1 and 7.7.2 of By-law 79-200, no person shall use the land on the northwest corner of Fourth Avenue and McRae Street, designated R2 and numbered 814 on Sheet D4 of Schedule “A”, or the existing building thereon, except for a dwelling unit , a private garage and either a martial arts school, a dance or music studio, a calisthenics studio or an art studio, except in compliance with By-law No. 2008-13. |
| 2008-51 | 19.1.815 | Notwithstanding the provisions of section 2.31, Table 1 of clause (a) of section 4.19.1, sections 4.27.1 and 7.9.1 and clauses (a), (b), (c), (d), (e), (f), (h), (i), (k) and (m) of section 7.9.2 of By-law No. 79-200, no person shall use the land on the northeast corner of Thorold Stone Road and Cardinal Drive, designated R4 and numbered 815 on Sheet B3 of Schedule “A”, or erect or use any building or structure thereon, except for the purpose of a retirement home and accessory buildings and accessory structures, and except in compliance with By-law No. 2008-51. |
| 2008-50 | 19.1.816 | Notwithstanding the provisions of section 2.31.1, clause (d) of section 4.14, sections 4.17.1 and 4.27.1 and clauses (a) and (c) of section 7.10.2 of By-law No. 79-200, no person shall use the land on the southwest corner of McLeod Road and Wilson Crescent, designated R5A and numbered 816 on Sheet C5 of Schedule “A”, or erect or use any building or structure thereon, except in compliance with By-law No. 2008-50. |
| 2008-21 | 19.1.817 | Notwithstanding the provisions of clause (b) of section 4.13 and clause (f) of section 7.5.2 of By-law No. 79-200, no person shall use the land on the northeast corner of Garner Road and McGarry Drive, designated R1E and numbered 817 on Sheets A5 and B5 of Schedule “A”, or erect or use any building or structure thereon, for a use permitted by the R1E zone, except in compliance with By-law No. 2008-21. |

2008-53	19.1.818	Notwithstanding the provisions of section 4.17.1 and 8.1.1 and clauses (a), (b), (c), (d), (f) and (h) of section 8.1.2 of By-law No. 79-200, no person shall use the land on the west side of Drummond Road, south of Thorold Stone Road, designated NC and numbered 818 on Sheet C3 of Schedule "A", or erect or use any building or structure thereon, except for either a one family detached dwelling or a duplex dwelling and accessory buildings and accessory structures, or an office, and except in compliance with By-law No. 2008-53.
2008-83	19.1.819	Notwithstanding the provisions of section 7.12.1 and clauses (a), (b), (d), (j) and (m) of section 7.12.2 of By-law No. 79-200, no person shall use the land on the south side of Marineland Parkway, opposite Ailanthus Avenue, designated R5C and numbered 819 on Sheets C5 and D5 of Schedule "A", or erect or use any building or structure thereon, for the purpose of apartment dwellings and accessory buildings and accessory structures, except in compliance with By-law No. 2008-83.
2008-54	19.1.820	Deleted by By-law No. 2009-75.
2008-54	19.1.821	Deleted by By-law No. 2009-75.
2008-54	19.1.822	Deleted by By-law No. 2009-75.
2008-49	19.1.823	Notwithstanding the provisions of section 4.27.1 and clause (h) of section 7.11.2 of By-law No. 79-200, no person shall use the land on the west side of Kalar Road, north of Forestview Boulevard, designated R5B and numbered 823 on Sheet B5 of Schedule "A", or erect or use any building or structure thereon, for a use permitted by the R5B zone, except in compliance with By-law No. 2008-49.
2008-71	19.1.824	Notwithstanding the provisions of clause (c) of section 7.7.1 of By-law No. 79-200, no person shall use the land on the northeast corner of Dorchester Road and Pinedale Drive, designated R2 and numbered 824 on Sheet C3 of Schedule "A", or erect or use any building or structure thereon, except in compliance with By-law No. 2008-71.

- 2008-70 19.1.825 None of the provisions of subsection (i) of clause (b) of section 14.2 of By-law No. 79-200 shall apply to prevent the use of the land on the south side of Culp Street, east of Corwin Avenue, designated OS and numbered 825 on Sheet C5 of Schedule "A", or the erection or use of any building or structure thereon, except in compliance with By-law No. 2008-70.
- 2008-88 19.1.826 Notwithstanding the provisions of sections 2.31, 4.19.1 and 9.1 and clauses (a), (b), (c), (d), (f), (g), (j) and (k) of section 9.2 of By-law No. 79-200, no person shall use the land on the west side of St. Lawrence Avenue, across from Ellis Street, designated I and numbered 826 on Sheet D3 of Schedule "A", or erect or use any building or structure thereon, except for a place of worship, a community kitchen, an emergency shelter and accessory buildings and accessory structures, and except in compliance with By-law No. 2008-88.
- 2008-100 19.1.827 None of the provisions of section 7.7.1 and clause (f) of section 7.7.2 of By-law No. 79-200 shall apply to prevent the use of the land on the southwest corner of River Road and Bampffield Street, designated R2 and numbered 827 on Sheet D4 of Schedule "A", or the use of the existing building thereon, for the purpose of a one family detached dwelling or a cottage rental dwelling, except in compliance with By-law No. 2008-100.
- 2008-102 19.1.828 Notwithstanding the provisions of sections 2.31 and 4.27.1, and clauses (a), (c), (d), (e), (h) and (m) of section 7.11.2 of By-law No. 79-200, no person shall use the land on the north side of McLeod Road, west of Drummond Road, designated R5B and numbered 828 on Sheet C5 of Schedule "A", or erect or use any building or structure thereon, except in compliance with By-law No. 2008-102.
- 2008-99 19.1.829 Notwithstanding the provisions of sections 2.31.5 and 2.31.8, Table 1 of clause (a) and clause (c) of section 4.19.1 and section 7.8.1 of By-law No. 79-200, no person shall use the land north of Lundy's Lane, between Garner Road and Beechwood Road, designated R3 and numbered 829 on Sheet A4 of Schedule "A", or erect or use any building or structure thereon, except for the purpose of on street townhouse dwellings and accessory buildings and accessory structures, and except in compliance with By-law No. 2008-99.

- 19.1.830 In addition to the regulations contained in section 7.9.2 of By-law No. 79-200, no person shall use the land north of Lundy's Lane, between Garner Road and Beechwood Road, designated R4 and numbered 830 on Sheet A4 of Schedule "A", or erect or use any building or structure thereon, for the purpose of a use permitted by the R4 zone, except in compliance with By-law No. 2008-99.
- 19.1.831 In addition to the regulations contained in section 7.9.2 of By-law No. 79-200, no person shall use the land north of Lundy's Lane, between Garner Road and Beechwood Road, designated R4 and numbered 831 on Sheets A4 and A5 of Schedule "A", or erect or use any building or structure thereon, for the purpose of a use permitted by the R4 zone, except in compliance with By-law No. 2008-99.
- 2008-107 19.1.832 Notwithstanding the provisions of section 2.31, Table 1 of clause (a) of section 4.19.1 and sections 4.20.1, 8.4.1 and 8.4.2 of By-law No. 79-200, no person shall use the land on the north and west sides of Oakwood Drive, designated **SC** and numbered 832 on Sheets B6 and C6 of Schedule "A", or **erect** or **use** any **building** or **structure** thereon, except in compliance with By-law No. 2008-107.
- 2008-108 19.1.833 Notwithstanding the provisions of section 2.31, Table 1 of clause (a) of section 4.19.1 and sections 4.20.1, 8.4.1 and 8.4.2 of By-law No. 79-200, no person shall use the land on the south and east sides of Oakwood Drive, designated **SC** and numbered 833 on Sheets B6 and C6 of Schedule "A", or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2008-108.
- 2008-128 19.1.834 Notwithstanding the provisions of sections 4.17.1, 4.27.1 and 8.1.1 and clauses (b), (c), (f), (g), and (h) of section 8.1.2 of By-law No. 79-200, no person shall use the land on the south side of Thorold Stone Road, between Confederation Avenue and St. James Avenue, designated NC and numbered 834 on Sheet C3 of Schedule "A", or erect or use any building or structure thereon, except for the purpose of an office, a clinic and dwelling units above the ground floor in combination with one or more offices or clinics, and except in compliance with By-law No.2008-128.

- 2008-130 19.1.835 (a) None of the provisions of section 8.9.1 of By-law No. 79-200 shall apply to prevent the use of the land on the northeast corner of Stanley Avenue and McRae Street, designated AS and numbered 835 on Sheet D4 of Schedule "A", or the erection or use of any building or structure thereon, for the purpose of a retail store, except in compliance with By-law No. 2008-130.
- (b) Notwithstanding the provisions of clauses (e), (g), (i) and (j) of section 8.9.3 of By-law No. 79-200, no person shall use the land on the northeast corner of Stanley Avenue and McRae Street, designated AS and numbered 835 on Sheet D4 of Schedule "A", or erect or use any building or structure thereon, except in compliance with By-law No. 2008-130.
- 2008-132 19.1.836 Notwithstanding the provisions of Table 1 of clause (a) of section 4.19.1, clause (a) of section 4.19.3 and clauses (e), (g) and (k) of section 7.8.2 of By-law No. 79-200, no person shall use the land on the west side of Montrose Road, north of Alpine Drive, designated R3 and numbered 836 on Sheet B3 of Schedule "A", or erect or use any building or structure thereon, for the purpose of a three unit on-street townhouse dwelling, except in compliance with By-law No. 2008-132.
- 2008-133 19.1.837 (a) None of the provisions of section 14.1 of By-law No. 79-200 shall apply to prevent the use of the land on the south side of Chippawa Creek Road, east of Garner Road, designated OS and numbered 837 on Sheet A7 of Schedule "A", or the erection or use of any building or structure thereon, for the purpose of a one family detached dwelling, except in compliance with By-law No. 2008-133.
- (b) Notwithstanding the provisions of clause (v) of section 14.2 of By-law No. 79-200, no person shall use the land on the south side of Chippawa Creek Road, east of Garner Road, designated OS and numbered 837 on Sheet A7 of Schedule "A", or erect or use any building or structure thereon, except in compliance with By-law No. 2008-133.

- 2008-147 19.1.838 Notwithstanding the provisions of Table 1 of clause (a) of section 4.19.1, clauses (d), (e) and (i) of section 4.19.1, clause (b) of section 4.19.3 and clauses (a), (b), (c), (d), (e), (g), (h), (k) and (m) of section 7.14.2 of By-law No. 79-200, no person shall use the land on the south side of Huron Street, between Third Avenue and Fourth Avenue, designated **R5E** and numbered 838 on Sheet D3 of Schedule "A", or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2008-147.
- 2008-131 19.1.839 Notwithstanding the provisions of sections 4.27.1, 5.7 and 7.9.1, clauses (a), (c), (e), (h), (j) and (m) of section 7.9.2 and section 7.9.3 of By-law No. 79-200, no person shall use the land on the west side of Dorchester Road, opposite Stokes Street, designated R4 and numbered 839 on Sheet C5 of Schedule "A", or erect or use any **building** or **structure** thereon, except for the purpose of 2 **townhouse dwellings** each containing 4 **dwelling units**, and 2 **semi-detached dwellings**, and **accessory buildings** and **accessory structures**, and except in compliance with By-law No. 2008-131.
- 2008-174 19.1.840 Notwithstanding the provisions of section 2.31, clause (c) of section 4.14, section 4.14.1, clause (a) of section 4.19.1 and clauses (a), (b), (c), (d), (f), (g), (h) and (m) of section 7.14.2 of By-law No. 79-200, no person shall use the land on the west side of River Road between John Street and Philip Street, designated **R5E** and numbered 840 on Sheet D4 of Schedule "A", or erect or use any **building** or **structure** thereon, except in compliance with By-law No. 2008-174.
- 2008-174 19.1.841 Notwithstanding the provisions of sections 2.31, 17.1 and 17.2 of By-law No. 79-200, no person shall use the land on the west side of River Lane, between John Street and Philip Street, designated **P** and numbered 841 on Sheet D4 of Schedule "A", except for the purpose of a **parking area** to satisfy a portion of the required parking for an **apartment dwelling** located on lands on the west side of River Road between John Street and Philip Street, designated **R5E** and numbered 840 on Sheet D4 of Schedule "A", and except in compliance with By-law No. 2008-174.

2008-162	19.1.842	Notwithstanding the provisions of section 2.31, Column 3 of Table 2 of clause (e) of section 4.19.1, clause (b) of section 4.19.3, section 7.15.1 and clauses (a), (b), (c), (d), (e), (g), (h) and (m) of section 7.15.2 of By-law No. 79-200, no person shall use the land on the east side of Main Street, between Summer Street and North Street, designated R5F and numbered 842 on Sheet C4 of Schedule "A", or erect or use any building or structure thereon, except for the purpose of a retirement home , a clinic and accessory buildings and accessory structures , and except in compliance with By-law No. 2008-162.
	19.1.843	Refer to By-law No. 2008-208.
	19.1.844	Refer to By-law No. 2010-67.
	19.1.845	Refer to By-law No. 2008-219.
	19.1.846	Refer to By-law No. 2008-206.
	19.1.847	Refer to By-law No. 2008-206.
	19.1.848	Refer to By-law No. 2009-03.
	19.1.849	Refer to By-law No. 2009-03.
	19.1.850	Refer to By-law No. 2009-03.
	19.1.852	Refer to By-law No. 2009-55.
	19.1.854	Refer to By-law No. 2009-51.
	19.1.855	Refer to By-law No. 2009-51.
	19.1.856	Refer to By-law No. 2009-51.
	19.1.857	Refer to By-law No. 2009-51.
	19.1.858	Refer to By-law No. 2009-51.

- 19.1.859 Refer to By-law No. 2009-64.
Expires April 19, 2012.
- 19.1.860 Refer to By-law No. 2009-75.
- 19.1.861 Refer to By-law No. 2009-75.
- 19.1.862 Refer to By-law No. 2009-75.
- 19.1.863 Refer to By-law No. 2009-84.
- 19.1.864 Refer to By-law No. 2009-85.
- 19.1.865 Refer to By-law No. 2009-83.
- 19.1.866 Refer to By-law No. 2009-83.
- 19.1.867 Refer to By-law No. 2009-129.
- 19.1.868 Refer to By-law No. 2009-130.
- 19.1.869 Refer to By-law No. 2009-127.
- 19.1.874 Refer to By-law No. 2009-126.
- 19.1.875 Refer to By-law No. 2009-194.
- 19.1.876 Refer to By-law No. 2009-194.
- 19.1.877 Refer to By-law No. 2009-194.
- 19.1.882 Refer to By-law No. 2009-141.
- 19.1.883 Refer to By-law No. 2009-150.
- 19.1.884 Refer to By-law No. 2009-163.

- 19.1.885 Refer to By-law No. 2009-184.
- 19.1.886 Refer to By-law No. 2009-185.
- 19.1.887 Refer to By-law No. 2009-174.
- 19.1.888 Refer to By-law No. 2009-175.
- 19.1.889 Refer to By-law No. 2010-09.
- 19.1.890 Refer to By-law No. 2010-09.
- 19.1.891 Refer to By-law No. 2010-12.
- 19.1.892 Refer to By-law No. 2010-11.
- 19.1.894 Refer to By-law No. 2010-34.
- 19.1.895 Refer to By-law No. 2010-35.
- 19.1.896 Refer to By-law No. 2010-40.
- 19.1.897 Refer to By-law No. 2010-41.
- 19.1.899 Refer to By-law No. 2010-68.
Expires May 10, 2013.
- 19.1.900 Refer to By-law No. 2010-100.
- 19.1.901 Refer to By-law No. 2010-104.
- 19.1.902 Refer to By-law No. 2010-104.
- 19.1.903 Refer to By-law No. 2010-105.
- 19.1.904 Refer to By-law No. 2010-106.

- 19.1.905 Refer to By-law No. 2010.107.
- 19.1.906 Refer to By-law No. 2010-108.
- 19.1.907 Refer to By-law No. 2010-109.
- 19.1.908 Refer to By-law No. 2010-110.
- 19.1.909 Refer to By-law No. 2010-111.
- 19.1.910 Refer to By-law No. 2010-91.
- 19.1.911 Refer to By-law No. 2010-121.
- 19.1.912 Refer to By-law No. 2010-132.
- 19.1.913 Refer to By-law No. 2010-133.
- 19.1.914 Refer to By-law No. 2010-120.
- 19.1.915 Refer to By-law No. 2010.120.
- 19.1.916 Refer to By-law No. 2010-131.
- 19.1.917 Refer to By-law No. 2010-135.

SECTION 20 - ADMINISTRATION

20.1 This By-law shall be administered by a person or persons appointed from time to time by the Council of The Corporation of the City of Niagara Falls for that purpose.

SECTION 21 - VALIDITY

21.1 If any section, clause or provision of this By-law including anything contained in any of the Schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed.

SECTION 22 - PENALTY

22.1 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine of not more than \$1,000.00, exclusive of costs.

SECTION 23 - REPEAL OF OTHER BY-LAWS

23.1 Except as provided in section 23.2, By-law No. 5335, 1955 of The Corporation of the City of Niagara Falls and all amendments thereto, By-law No. 2350, 1959 of The Corporation of the Township of Stamford and all amendments thereto, By-law No. 2530, 1960 of The Corporation of the Township of Stamford and all amendments thereto and By-law No. 974 of The Corporation of the Village of Chippawa and all amendments thereto are hereby repealed.

23.2 Section 23.1 shall not apply to repeal the following by-laws which have been passed by the Council of The Corporation of the City of Niagara Falls but have not yet come into force:

- (1) By-law No. 77-273 being "A by-law to amend By-law No. 2530, 1960 of the former Township of Stamford, now in the City of Niagara Falls, as amended" (proposed West Meadow Plan of Subdivision),
- (2) By-law No. 78-89 being "A by-law to amend By-law Nos. 2350, 1959 and 2530, 1960 of the former Township of Stamford, now in the City of Niagara Falls, as amended" and By-law No. 78-98 being "A by-law to amend By-law No. 2530, 1960 of the former Township of Stamford, now in the City of Niagara Falls, as amended" (proposed Ascot Wood Stage 2 Plan of Subdivision).
- (3) By-law No. 78-118 being "A by-law to amend By-law Nos. 2350, 1959 and 2530, 1960 of the former Township of Stamford, now in the City of Niagara Falls, as amended"

(Ministry of Transportation and Communications lands at northeast corner of Lundy's Lane and Belmont Avenue),

- Apr. Feb.8/79 (4) By-law No. 79-3, being "A by-law to amend By-law Nos. 2350, 1959 and 2530, Same as by-law 1960 of the former Township of Stamford now in the City of Niagara Falls, as amended" proposed Moretta Estates Plan of Subdivision),
- Apr. Jan.24/80 (5) By-law No. 79-53 as amended by By-law 88-59 and further amended by 88-155, (setbacks) is repealed by 88-291.
- Apr. Nov.30/79 (6) By-law No. 79-107 being "A by-law to amend By-law No. 5335, 1955, as amended" (see S.P.27) (Angotti property on northerly side of Ferry Street and Victoria Avenue),
- Apr. Nov.27/79 (7) By-law No. 79-124 is hereby repealed by 88-78,
- Apr. (8) By-law No. 79-135, being "A by-law to amend By-law No. 2530, 1960 of the former (see 79-206) Township of Stamford, now in the City of Niagara Falls, as amended" (proposed Sunnyside Plan of Subdivision),
- Denied by OMB (9) By-law No. 79-136 being "A by-law to amend By-law No. 2530, 1960 of the on Feb. 28/80 former Township of Stamford, now in the City of Niagara Falls, as amended" (Aiello property at southwesterly corner of Montrose Road and Mulhern Street),
- Amended (10) By-law No. 79-154 being "A by-law to amend By-law No. 5335, 1955, as amended" by 81-208 (G.A. Romeo Construction Limited property on westerly side of River Road between John and Philip Streets),
- Apr. Oct. 16/79 (11) By-law No. 79-171 being "A by-law to amend By-law No. 2530, 1960 of the former 500m² lot area Township of Stamford, now in the City of Niagara Falls, as amended" (proposed front yard 7.5m Meadowvale Extension Plan of Subdivision),
- Apr. Nov. 8/79 (12) By-law No. 79-172, being "A by-law to amend By-law No. 2530, 1960 of the Same as by-law former Township of Stamford, now in the City of Niagara Falls, as amended" (land on the west side of Pettit Avenue between Dawson Street and Cropp Street),
- Apr. Dec. 6/79 (13) By-law No. 79-193 being "A by-law to amend By-law No. 5335, 1955, as amended" (frontage) (Barone property on east side of Stanley Avenue south of Ferry Street),
- Replaced by (14) By-law No. 79-194 being "A by-law to amend By-law No. 2530, 1960 of the former 81-2 Township of Stamford, now in the City of Niagara Falls, as amended" (Cushing property, southwesterly corner of Dorchester Road and Leeming Street), and wherever there is a reference in the said By-law Nos. 77-273, 78-89, 78-98, 78-118, 79-3, 79-53, 79-107, 79-124, 79-135, 79-136, 79-154, 79-171, 79-172, 79-193 and 79-194 to a by-law repealed by section 23.1, such repealed by-law stands good and shall be read and construed as unrepealed in so far, and in so far only, as is necessary to support, maintain or give effect to said By-law Nos. 77-273, 78-89, 78-98, 78-118, 79-3, 79-53, 79-107, 79-124, 79-135, 79-136, 79-154, 79-171, 79-172, 79-193 and 79-194.

23.3 Except as provided in section 23.2, in addition to the laws repealed by section 23.1, By-law Nos. 1776, 2403, 2806, 3488, 3599, 4024, 4025, 4045, 4046, 4103, 4692, 4929, 5196, 5300, 5352 and 7755 of The Corporation of the City of Niagara Falls and amendments thereto and all restricted area by-laws heretofore passed by the Councils of The Corporation of the City of Niagara Falls, The Corporation of the Township of Stamford and The Corporation of the Village of Chippawa which apply to the defined area described in section 3.1 and which were passed under section 35 of The Planning Act, R.S.O. 1970, Chapter 349 or a predecessor of that section or deemed to be consistent with that section by subsection 3 of section 13 of The Municipal Amendment Act, 1941 are hereby repealed.

Passed this 5th day of November, 1979.

.....(signed) J.L. Collinson.....
J.L. COLLINSON, CITY CLERK

.....(signed) S.W. Thomson.....
WAYNE THOMSON, MAYOR

First Reading: November 5th, 1979.
Second Reading: November 5th, 1979.
Third Reading: November 5th, 1979.

**CLASSIFICATION OF ZONES, see Section 3
(For reference purposes only - not to form part of by-law)**

The new zoning by-law proposed to utilize 39 types of use zones as follows:

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