

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2024-99

BEING A BY-LAW TO AMEND CITY OF WELLAND
ZONING BY-LAW 2017-117 (FILE NO. 2024-02)
HOUSEKEEPING AMENDMENTS

WHEREAS the Council of the Corporation of the City of Welland adopted By-law 2017-117 on the 17th day of October 2017;

AND WHEREAS Subsection 1 of Section 34 of The Planning Act R.S.O. 1990, Chapter P.13 provides that local Councils may pass Zoning By-laws;

AND WHEREAS the Council of the Corporation of the City of Welland deems it expedient to amend said Zoning By-law 2017-117.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF WELLAND ENACTS AS FOLLOWS:

That Schedule "A" to By-law 2017-117 be and the same is hereby amended as follows:

1. Part Lot 18 Concession 5 Crowland, Part 1 50R932; in the City of Welland, Regional Municipality of Niagara, municipally known as 124 Buchner Road, Welland shown on Schedule "A" attached hereto as "Change to GEC" is hereby rezoned to GEC.
2. Amend Section 1 – Interpretation as follows:
 - 1) Subsection 1.15 is deleted and replaced as follows:

Transition for By-law 2024-____

- a) The provisions of By-law 2024-____, being a by-law to amend Comprehensive Zoning By-law 2017-117, shall not apply to prevent the issuance of a building permit for a project for which a complete application for:
 - i. Approval of draft plan of subdivision;
 - ii. Approval of draft plan of condominium;
 - iii. Subdivision agreement;
 - iv. Condominium agreement;
 - v. Site plan approval;
 - vi. Development agreement;
 - vii. Removal of part lot control;
 - viii. Committee of Adjustment approval;
 - ix. Building permit.was received after October 17, 2017, and on or before October 1, 2024, or in the event of an appeal to By-law 2024-____, received prior to the date when all appeals to By-law 2024-____ have been withdrawn or finally disposed of, and any subsequent complete applications related to the project received thereafter, and for which the building permit is issued on or prior to October 1, 2024.
- b) "complete application" means an application deemed to be completed in accordance with the Planning Act.
- c) Where a project qualifies under subsection a) above, a building permit for that project may be issued, or the Committee of Adjustment approval, site plan approval, the removal of part lot control, the subdivision agreement, the condominium agreement, the

development agreement, the approval of draft plan of subdivision, or approval of draft plan of condominium may be granted or authorized if the project in questions complies with the provisions of Zoning By-law 2017-117 as it read on September 30, 2024, and provided that no significant revisions to the project are submitted after this date.

- d) The exemption provided by this Transition Clause shall not continue beyond the issuance of the permit upon which the exemption is founded; and, once the permit, agreement or approval under subsections a) has been granted, the provisions of Zoning By-law 2017-117, as amended by Zoning By-law 2024-____, or any subsequent amendments thereto shall apply to the lands in question.

2) Amend Section 4 – Definitions as follows:

- i. The following new definitions be inserted alphabetically as follows:
- **Access Aisle** means an area used to provide access to parking spaces that are provided within a parking area.
 - **Access Driveway** means an unobstructed driving route designed to provide access by motor vehicles between a public street or condominium road and a parking space, access aisle, or loading space, or between two parking areas.
 - **Dwelling, Block Townhouse** means a residential townhouse building containing three or more attached principal dwelling units that are divided vertically and where all the townhouses are located on one lot or block and are accessed from a street, laneway, or common element as part of a condominium.
 - **Dwelling, Principal** means the primary dwelling unit on a lot.
 - **Loading Space** means an off-street area directly adjacent to a building or unit, for the purpose of temporary parking for loading and unloading in conjunction with the use on the same lot.
 - **Pet Care Establishment** means a retail establishment or place where the caring of or grooming, or training of household pets occurs without outdoor pens or corrals, and which may provide overnight boarding.
 - **Public Storage** means a premise used for the purpose of providing rented self-service storage units for use by private citizens.
 - **Shelter/Pavilion** means a large open structure with a roof and open sides, and which may provide a patio or other seating within an open space zone.
- ii. The following definitions be removed:
- **Dwelling, Converted**
 - **Play-lot**
- iii. The following definition names be deleted and replaced as follows, with the respective definitions remaining without change unless as otherwise outlined in this amendment:
- Drive-Through Facility be deleted and replaced with **Drive-Through Establishment**
 - Food Production be deleted and replaced with **Food Production Facility**
 - Landscaping be deleted and replaced with **Landscaping/Landscape Area**
 - Lot Line, Flankage be deleted and replaced with **Lot Line, Exterior**
 - Motor Vehicle Dealership be deleted and replaced with **Motor Vehicle Sales Dealership**

- Outside Storage be deleted and replaced with **Outdoor Storage**
 - Parking Area, Surface be deleted and replaced with **Parking Area**
 - Supportive Living Residence be deleted and replaced with **Residential Care Facility**
 - Storage Yard be deleted and replaced with **Salvage Yard**
- iv. The following definitions be deleted and replaced as follows:
- **Accessory Building/Structure** means a building or structure, not used, or intended for human habitation, detached from, but located on the same lot as the principal use, building or structure, the use of which is incidental, subordinate and exclusively devoted to that of the principal building or structure.
 - **Amenity Area** means the area of a commercial, mixed use or residential lot intended for recreational purposes, and shall include areas that are landscaped, patios, privacy areas, balconies, communal lounges, swimming pools, play areas and similar uses, located on the same lot, but shall not include a building's service areas, parking areas, access aisles, or access driveways.
 - **Balcony** means a platform in excess of 2.4 metres above-grade, having at least one open side that may be covered by either a roof or another balcony, and which shall have no direct access to the ground.
 - **Driveway** means an area leading from a street, condominium road, or lane and provides access to a parking space and/or private garage and includes any hard surface or other hardscaping located parallel to the driveway that is able to be parked on by a motor vehicle.
 - **Dwelling, Accessory** means a dwelling unit that is located in a single-detached dwelling, semi-detached dwelling, two-unit dwelling, or townhouse dwelling that is subordinate to the principal dwelling.
 - **Dwelling, Semi-detached** means a building that is divided vertically into two principal dwelling units each with an independent entrance to the exterior and wherein each dwelling unit is located on a separate lot.
 - **Dwelling, Two-unit** means a dwelling containing two principal dwelling units but does not include an accessory dwelling unit.
 - **Food Production** means a premises for the specialized production or preparation and packaging of food and beverage products for sale to the public primarily for consumption off the premises such as, but not limited to, catering establishments, make-your-own wine and beer establishments, test kitchens, bulk meal preparation, bakeries, and butchers.
 - **Lot Frontage** means the horizontal distance between the side lot lines. Where such lot lines are not parallel, the lot frontage shall be measured 6 metres from the front lot line and parallel to the front lot line. Where the front lot line is not a straight line the lot frontage shall be measured 6 metres from the centre point of the chord and parallel to the chord. For the purpose of lot frontage, the chord shall be the straight line joining the two points where the side lot lines intersect the front lot line.
 - **Lot Line, Interior Side** means a lot line other than a front, rear, or an exterior lot line.
 - **Lot Line, Side** means the interior lot lines and the exterior lot lines.
 - **Open Space** means an area open to the sky, which is used for the growth and maintenance of grass, flowers, shrubbery, trees, and other landscaping and includes all surfaced walkways, patios, swimming pools or similar areas, but does not include any access driveways or ramps, parking areas or roof-top areas without a green

roof.

- **Parking Area** means an uncovered area for the parking of motor vehicles at grade and includes parking on the roof of an underground structure where the roof is at grade.
- **Parking Structure** means an area for the parking of motor vehicles provided in a building, structure, or underground but does not include a private garage.
- **Retail Centre** means a combination of two or more retail, service commercial, recreation or office uses, in one or more buildings, on one or more parcels of land, designed as an integrated, planned development having common off-street parking and access driveways.
- **Street Line** means the line dividing a lot from a street. It is where the limit of the street allowance and a lot line meet, and shall not be construed to be a curb, sidewalk, or other delineation other than as described.
- **Yard** means any open uncovered, unoccupied space appurtenant to a principal building.
- **Yard, Exterior Side** means a yard of a corner lot extending from the front yard to the rear yard between the exterior side lot line and the nearest wall of a principal building or structure on the lot.
- **Yard, Interior Side** means a yard other than an exterior side yard that extends from the front yard to the rear yard between the interior side lot line and nearest wall of a principal building or structure on the lot.
- **Yard, Rear** means a yard extending across the full width of the lot between the rear lot line and the nearest wall of any principal building or structure on the lot.
- **Yard, Side** means a yard extending from the front yard to the rear yard between a side lot line and the nearest wall of a principal building or structure on a lot.

3) Amend Section 5 – General Provisions as follows:

i. Subsection 5.2 is deleted and replaced as follows:

Notwithstanding any other provisions of this By-law, where accessory dwelling units are permitted by this By-law they shall be in accordance with the following provisions:

- a) Not more than two accessory dwelling units are permitted in association with a single-detached dwelling, semi-detached dwelling, two-unit dwelling, and townhouse dwelling if no building or structure ancillary to the single-detached dwelling, semi-detached dwelling, two-unit dwelling or townhouse dwelling contains a residential unit.
- b) One accessory dwelling unit is permitted in a building accessory to a single-detached dwelling, semi-detached dwelling, two-unit dwelling or townhouse dwelling if the single-detached dwelling, semi-detached dwelling, two-unit dwelling or townhouse dwelling contains not more than one accessory dwelling unit.
- c) Parking shall be in accordance with Section 6.
- d) Detached accessory dwelling units shall be in accordance with Section 5.3.

ii. Subsection 5.3.1 a) is deleted and replaced as follows:

- a) Where this By-law provides that a lot may be used for a permitted use or a building or structure may be erected or used for a permitted use, that use shall include any accessory building or structure or

accessory use, but shall not include:

- i) Any occupation for gain or profit conducted within or accessory to a dwelling unit except where specifically permitted by this By-law;
- ii) Any building used for human habitation, except where specifically permitted by this By-law;
- iii) An outdoor furnace or outdoor wood-burning sauna;
- iv) Any storage container, portable storage unit, repurposed motor vehicle in whole or in part, intermodal container or other such like container in any Zone other than an Industrial Zone.
- v) A "sea can" container in any Zone other than the Agricultural – A1 Zone or any Industrial Zone.

- iii. Subsection 5.3.2 a) iii) is deleted and replaced as follows:

Closer to a street line than the minimum setback required for a principal building on the same lot, and in the case of a detached private garage, not less than 5.5 metres to a street line; or

- iv. Subsection 5.3.2 b) is deleted and replaced as follows:

No person shall erect or locate an accessory building less than 0.9 metres from any principal building.

- v. Subsection 5.3.5 l) is deleted and replaced as follows:

Pergolas: Refer to Subsection 5.27

- vi. Subsection 5.3.5 m) is deleted and replaced as follows:

Seasonal Outdoor Uses: Refer to Subsection 5.34

- vii. Subsection 5.3.5 n) is deleted and replaced as follows:

Swimming Pools and Hot Tubs: Refer to Subsection 5.40

- viii. Subsection 5.6.2 is deleted and replaced as follows:

Vacant Lot Condominiums

More than one single-detached dwelling, semi-detached dwelling, two-unit dwelling or townhouse dwelling shall be permitted on a lot provided that each dwelling has direct access to a public street or an internal private access driveway or street that is a common element in a registered Condominium connecting to a public street and that each dwelling is located on a lot in a Vacant Land Condominium.

- i. For the purposes of this regulation, the front lot line for each unit in a Vacant Land Condominium shall be deemed to be that lot line abutting the internal access driveway or private street portion of the common element or the lot line abutting a public street wherever the driveway access is, and the dwelling on such a lot shall comply with all applicable Zoning regulations.
- ii. For the purposes of this regulation internal unit boundaries created in a Vacant Land Condominium shall not be construed to be lot lines for the purposes of Zoning regulations provided that all applicable regulations of this By-law relative to the whole lot and its external lot lines, existing prior to any Condominium Plan registration are strictly observed.

- ix. Subsection 5.9 f) is deleted and replaced as follows:

Stacking spaces shall not be located within any access aisle or access driveway.

- x. Subsection 5.10.1 is deleted and replaced as follows:

Notwithstanding the yard provisions of this By-law, lifts, hoists, ramps, and railings used for barrier-free access shall be permitted in any required yard, but not in a sight triangle.

- xi. Subsection 5.10.2 is deleted and replaced as follows:

Notwithstanding any other provisions of this By-law, awnings which do not exceed 4.0 metres in height, and which are structurally attached to the main wall of a building, and unenclosed balconies shall be permitted to encroach up to a maximum of 1.5 metres within a required front yard and/or exterior side yard and 1 metre within a required interior side yard and/or rear yard.

- xii. Subsection 5.10.4 is deleted and replaced as follows:

Notwithstanding any other provision of this By-law, in any Residential Zone, a principal building between existing principal buildings or adjacent to existing principal buildings which are adjacent to the lot, and which are separated by no more than 20.0 metres, may be built with a setback equal to, or greater than, the average setback of the adjacent buildings.

- xiii. Subsection 5.10.5 b) is deleted and replaced as follows:

In any interior side yard, the setback requirements for the principal building shall apply with the exception of steps not higher than 0.5 metres, above-grade.

- xiv. Subsection 5.10.5 f) is deleted.

- xv. Subsection 5.10.6 is deleted and replaced as follows:

Driveways, access driveways, parking areas and walkways shall be permitted to traverse required yards.

- xvi. Subsection 5.10.7 is deleted and replaced as follows:

Heat Pumps, Air Conditioners, Ventilating Equipment, Generators, etc.

- a) Heat pumps, air conditioners, ventilating equipment, generators etc., shall be permitted to encroach into any interior side or rear yard but not closer than 0.5 metres to any lot line.
- b) Heat pumps, air conditioners, generators, etc., shall not be permitted in any front yard.
- c) Heat pumps and air conditioners shall be permitted in any exterior side yard, but not closer than 3.0 metres to a street line.

- xvii. Subsection 5.10.10 is deleted and replaced as follows:

Notwithstanding the yard provisions of this By-law, clothes lines, flag poles, garden trellises, fences, retaining walls, monuments, pergolas, or

lawful swings, shall be permitted in any required yard, except where specifically excluded in a corner lot sight triangle or planting strip in accordance with the provisions of this By-law.

- xviii. Subsection 5.14 a) is deleted and replaced as follows:

An enclosure for the outdoor storage of domestic waste containers accessory to single-detached dwellings, semi-detached dwellings, two-unit dwellings, multiple dwellings or residential structures containing less than four dwelling units shall not be required, unless otherwise specified.

- xix. Subsection 5.14 b) is deleted and replaced as follows:

For all other uses other than those specified in Subsection 5.14 a), no person shall store garbage or refuse on any lot except within the principal building on the lot or within a wholly enclosed accessory building or structure or enclosed waste management container or specialized partially underground waste container system.

- xx. Subsection 5.14 e) is deleted and replaced as follows:

Any enclosure or accessory building provided in accordance with Subsection 5.14 b), shall be located not less than 6.0 metres from any adjacent Residential or Institutional Zone.

- xxi. Subsection 5.18.1 is deleted and replaced as follows:

A home occupation is permitted in any single-detached dwelling, semi-detached dwelling, two-unit dwelling and townhouse dwelling in any Zone.

- xxii. Subsection 5.18.4 h) is deleted and replaced as follows:

Multiple Chair Hairdresser or Barber, notwithstanding dwelling occupants;

- xxiii. Subsection 5.20 is amended as follows:

The first paragraph is deleted and replaced as follows:

Notwithstanding any other provisions of this By-law, where a Subdivider's Agreement has been executed (signed) by the owner, more than one single-detached dwelling, semi-detached dwelling, two-unit dwelling, street townhouse dwelling, multiple dwelling or apartment dwelling may be constructed on a lot prior to registration of the Plan of Subdivision subject to the following restrictions:

5.20.d) is deleted and replaced as follows:

The maximum number of model homes shall not exceed ten percent of the total number of lots intended for single-detached dwellings, semi-detached dwellings, two-unit dwellings, street townhouse dwellings, multiple dwellings or apartment dwellings within the Plan of Subdivision proposed for registration, to a maximum of twenty dwelling units;

- xxiv. Subsection 5.25 c) i) is deleted and replaced as follows:

The enlargement or extension of any principal building provided that

such enlargement or extension does not exceed twenty-five percent of the existing gross floor area and that such enlargement or extension is in compliance with the Zone the lot is located in; and

- xxv. Subsection 5.26 is deleted.
- xxvi. Subsections 5.27 through 5.37A are renumbered and named as follows and are referred to by the renumbered sections for the remainder of the amendment:
- 5.27 Patios, Outdoor to be 5.26 Patios
 - 5.28 Pergolas to be 5.27 Pergolas
 - 5.29 Planting Strips to be 5.28 Planting Strips
 - 5.29.1 Planting Strips Required Abutting Residential Zones is deleted and replaced as 5.28.1 Planting Strips Required Abutting Residential Zones
 - 5.30 Prohibited Uses to be 5.29 Prohibited Uses
 - 5.31 Public Uses to be 5.30 Public Uses
 - 5.32 Regulation for Consolidated Lot Development to be 5.31 Regulations for Consolidated Lot Development
 - 5.33 Roomers and Boarders to be 5.32 Roomers and Boarders
 - 5.34 Seasonal Outdoor Display and Sales Area to be 5.33 Seasonal Outdoor Display and Sales Area
 - 5.35 Seasonal Outdoor Uses to be 5.34 Seasonal Outdoor Uses
 - 5.36 Setback Requirements Adjacent to a Provincial Highway to be 5.35 Setback Requirements Adjacent to a Provincial Highway
 - 5.37 Setback Requirements Adjacent to Railways to be 5.36 Setback Requirements Adjacent to Railways
 - 5.37A Short-Term Rentals to be 5.37 Short-Term Rentals
- xxvii. Subsection 5.27 is deleted and replaced as follows:
- a) Pergolas attached to the principal building, shall meet the yard provisions as determined in each appropriate Zone.
 - b) Pergolas, not attached to the principal building, shall be located in the rear or interior side yards a minimum of 0.9 metres from lot lines and shall be not greater than 3.0 metres in height above-grade.
 - c) The size of a pergola shall not exceed five percent of the lot area.
- xxviii. Subsection 5.32 is deleted and replaced as follows:
- Nothing in this By-law shall prevent the keeping of not more than four roomers or boarders in any single-detached dwelling, semi-detached dwelling, two-unit dwelling, street townhouse dwelling or multiple dwelling.
- xxix. Subsection 5.34 d) is deleted and replaced as follows:
- A seasonal outdoor use shall not be located within a sight triangle.
- xxx. Subsection 5.37 b) is deleted and replaced as follows:
- A short-term rental shall only be permitted in a single-detached dwelling, semi-detached dwelling, two-unit dwelling, townhouse dwelling, multiple dwelling, apartment dwelling, and an accessory dwelling unit and shall not contain more than three guest bedrooms.
- xxxi. Subsection 5.38 c) is added as follows:

c) Notwithstanding any other provision of this By-law, the hypotenuse of a sight triangle shall not be considered to be the front lot line of any lot.

xxxii. Subsection 5.40.2 is deleted and replaced as follows:

Except where such equipment is located within a principal or accessory building, no water circulating, heating or treatment equipment shall be located closer than 0.9 metres to any lot line.

xxxiii. Subsection 5.41.2 is deleted and replaced as follows:

5.41.2 Corner Lots and Through Corner Lots

Where a lot which is a corner lot or through corner lot and has frontage on two or more streets, the shorter of the two shall be deemed to be front lot line and subject to the front yard requirements and the remaining street frontage shall be deemed to be the exterior side yard and subject to the exterior side yard requirement provisions of the Zone or Zones in which such lot is located. Where the frontage on both streets is equal, the City may deem any of the lot lines that divide the lot from the street as the front lot line.

4) Amend Section 6 – Parking and Loading Regulations as follows:

i. Subsection 6.1.1 is deleted and replaced as follows:

Any required parking space, barrier-free parking space, bicycle parking space, stacking space, and loading space required by this By-law and any driveway or aisle leading to those spaces shall be unobstructed, available, and exclusively used for that purpose at all times, unless otherwise specific by this By-law.

ii. Subsection 6.1.3 b) is deleted and replaced as follows:

Any parking space in a non-Residential Zone shall be provided on the same lot occupied by the particular use or on a lot, within 100 metres of the subject lot, which is in a Zone which permits a parking area and where there is a written lease authorizing the owner or users of the subject lot to utilize the land for parking purposes.

iii. Subsection 6.1.6 is deleted and replaced as follows:

6.1.6 Required Parking, Access Aisles, and Parking Areas

a) All required parking shall be provided with adequate means of ingress and egress to and from the street or laneway and shall be arranged so as not to interfere with normal public use of the street or laneway.

b) Parking spaces may be varied in width depending on the angle measured perpendicular to the axis of the access aisle of the space provided. Where an access aisle serves two different types of angled parking, which are located across from each other, the largest required access aisle shall be provided. The dimensions of parking spaces and access aisles shall be in accordance with the following:

i) Ninety-degree (90°) parking spaces shall be 2.75 metres by 5.5 metres with a minimum 6.0 metres access aisle;

ii) Sixty-degree (60°) parking spaces shall be 2.6 metres by 5.5 metres with a minimum 5.5 metres access aisle;

iii) Forty-five-degree (45°) parking spaces shall be 2.6 metres by 5.5

- metres with a minimum 4.5 metres access aisle;
 - iv) Thirty-degree (30°) parking spaces shall be 2.6 metres by 5.5 metres with a minimum 4.5 metres access aisle; and
 - v) Parallel parking spaces shall be 6.0 metres by 2.75 metres with a minimum 4.5 metres access aisle.
 - c) Where a parking space is located abutting or near a wall, column or other similar surface that obstructs the opening of the doors of a parked vehicle or limits access to a parking space, the minimum width of the parking space shall be increased by 0.3 metres for each side that is obstructed.
 - d) The minimum required height clearance for a covered parking space is 2.0 metres.
 - e) In the case of hotels/motels, required parking provided in accordance with Table 6.3 and 6.4 may be arranged as tandem or stacked parking, provided there is the continued use of a valet service.
- iv. Subsection 6.1.8 is deleted.

- v. Table 6.4.1 is amended as follows:

Item number 6 in Column 1 of Table 6.4.1, namely Detached-Dwelling, Two-Unit Dwelling, Street Townhouse Dwelling, is deleted and replaced as follows:

Single-Detached Dwelling, Semi-Detached Dwelling, Two-Unit Dwelling, Street Townhouse Dwelling

- vi. Subsection 6.6 is deleted and replaced as follows:

Where a loading space is provided, the following regulations apply:

- a) A minimum of one off-street loading space shall be provided in conjunction with every principal building, including a mixed use building, but excluding residential buildings less than four storeys high.
- b) The minimum dimensions of a loading space shall be in accordance with the following:
 - i) For residential buildings with more than four storeys but with eight storeys or fewer and/or minor commercial uses or personal service uses that occur in a mixed use format: the minimum dimensions of a loading space shall be 3.5 metres in width and 7.5 metres in length, with a minimum vertical clearance of 4.2 metres.
 - ii) For residential buildings with more than eight storeys the minimum dimensions of a loading space shall be 3.5 metres in width and 10.0 metres in length, with a minimum vertical clearance of 4.2 metres.
 - iii) For all other principal buildings, including mixed use buildings the minimum dimensions of a loading space shall be 3.5 metres in width, 12.0 metres in length, with a minimum vertical clearance of 4.2 metres.
- a) A loading space shall abut the building for which the loading space is provided.
- b) A loading space shall be setback 7.5 metres from any Residential Zone except if it is located entirely within a structure.
- c) A loading space is not permitted:
 - i) In any minimum yard or front yard except where screened from

- view by a visual barrier; or
- ii) Between the main wall closest to the exterior lot line and the exterior lot line in an exterior side yard; or,
- iii) In a required yard abutting a Residential Zone or an Institutional Zone and shall be screened from view by a visual barrier.

- vii. Subsection 6.7.2 c) is deleted and replaced as follows:

Bicycle parking may be located within any yard, but not within a sight triangle.

- viii. Subsection 6.9.1 is deleted and replaced as follows:

Single-Detached, Semi-detached, and Two-Unit Dwellings

On a lot containing a single-detached dwelling, semi-detached dwelling or two-unit dwelling:

- a) A driveway shall be located so as to lead directly from a street or laneway to a required parking space, either within a garage or outside, with such driveway having a minimum width of 2.75 metres;
- b) The width of a driveway may be a maximum of seventy-five percent of the lot frontage or 6.0 metres, whichever is the lesser, and no closer than 0.6 metres to any side lot line.
- c) Where the driveway is provided in the front yard, all other portions of the front yard shall be a landscaped area;
- d) A maximum of one driveway shall be permitted for any lot, except in the case of a corner lot where a maximum of one driveway may be permitted from each street frontage;
- e) On a corner lot, no driveways shall be permitted through a sight triangle; and
- f) In the case of a two-unit dwelling, the required parking may be arranged in tandem.

- ix. Subsection 6.9.2 is deleted and replaced as follows:

On a lot containing a street townhouse dwelling:

- a) The required parking spaces for such dwelling shall be located a minimum distance of 5.8 metres from the street line to which the driveway is accessed.
- b) A driveway shall be located to lead directly from a street or lane to a required parking space, either within a garage or outside, and shall have a minimum width of 2.75 metres.
- c) A driveway may be widened to a maximum of seventy-five percent of the lot width or 6.0 metres, whichever is the lesser.

- x. Subsection 6.10 is deleted and replaced as follows:

This Section applies to the parking of the applicable vehicles on any lands used for a single-detached dwelling, semi-detached dwelling, two-unit dwelling, or multiple dwelling excluding an apartment, in any Residential Zone.

- xi. Subsection 6.12.2 is deleted and replaced as follows:

6.12.2 Private Storage - Outdoor

No person shall, on a developed lot:

- a) Store or park more than one boat or trailer or other recreational type of vehicle without maintaining the required parking space(s) on the subject site;
- b) Store or park any boat or trailer or other recreational type vehicle that exceeds 10.0 metres in length;
- c) Store or park a boat or trailer or any other recreational type vehicle at any time except:
 - i) During any season of the year, within the rear or interior side yard, on a stable surface such as asphalt, concrete, interlocking brick, similar hardscape surface or other hard surfaced material sufficient to provide stability, prevent erosion, be usable in all seasons, and allow infiltration of surface water and the requirements of b) are met; or
 - ii) From May 15 to October 15 of any year, in a legal parking area, provided the vehicle is a minimum of 5.0 metres from the curb face abutting the street or edge of the paved surface of the street where no street curb exists and the requirements of a) and b) are met.
- d) Use a boat, trailer or recreational type vehicle for human habitation unless specifically permitted by this By-law.

- xii. Subsection 6.12.3 c) is deleted and replaced as follows:

Planting strip(s) shall be provided for boat or trailer storage or parking areas in accordance with Subsection 5.28.

- xiii. Subsection 6.17 is deleted and replaced as follows:

6.17 Landscaping Provisions for Parking Areas

Except in the case of an Industrial Zone, a minimum of ten percent of the area of any parking area, whether a principal or an accessory use, must be provided as perimeter or interior landscaped area comprised of the following:

- a) A landscaped buffer must be provided between the perimeter of the parking area and a lot line in accordance with Table 6.17.1. A driveway or access driveway may cross the landscaped buffer.

- xiv. Table 6.17.1 is amended as follows:

The word "lot" throughout the table is deleted and replaced with "area".

- xv. Subsection 6.17 c) is deleted and replaced as follows:

- c) All outdoor loading and refuse collection areas contained within a parking area must be:
 - i) Located at least 3.0 metres from a lot line abutting a public street;
 - ii) Located at least 1.0 metres from any other lot line; and
 - iii) Screened from view by an opaque screen with a minimum height of 2.0 metres; unless the refuse collection system is a specialized partiality semi-underground waste container system.

- xvi. Subsection 6.18 is deleted and replaced as follows:

A single-detached dwelling, semi-detached dwelling, two-unit dwelling, or individual street townhouse dwelling unit in any Residential Zone,

where an individual private driveway leads directly to the dwelling unit, the elevation of the lowest point of a vehicle entrance in a main wall of the building must be higher than the elevation of the centreline of the driveway at the point where it intersects a lot line abutting a street.

5) Amend Section 7 – Residential Zones as follows:

i. Table 7.2.1 is amended as follows:

1. Add Block Townhouse as a permitted use for the RL2 and RM zones.
2. Delete “(Block)” from “Townhouse Dwelling (Block)”
3. Delete and replace the footnotes as follows:
 - (1) Refer to Subsection 5.2
 - (2) Refer to Subsection 5.3
 - (3) Refer to Subsection 5.5
 - (4) Refer to Subsection 5.15
 - (5) Refer to Subsection 5.18
 - (6) With a maximum gross floor area of 100.0m²
 - (7) Refer to Subsection 5.37

ii. Table 7.3.1 is amended as follows:

1. The regulations in the columns for a Two-Unit Dwelling in the RL2 zone shall be amended as follows:
 - Column 2 to 270 m²
 - Column 3 to 9.0 m
 - Column 5 to 1.0 m
2. Add Street Townhouse in Column 1 as a permitted use in the RL2 zone with the following regulations:
 - Column 2 to 162.0 m²/unit
 - Column 3 to 6.5 m/unit
 - Column 4 to 4.5 m and 6.0 m (1)
 - Column 5 to 1.0 m (2)
 - Column 6 to 1.0 m
 - Column 7 to 6.0 m
 - Column 8 to 11.0 m (3)
 - Column 9 to 50%
 - Column 10 to 20%

6) Amend Section 8 – Commercial Zones as follows:

i. Table 8.2.1 is amended as follows:

1. Delete “Clubs, Private” and replace with “Private Clubs”
2. Delete “Outside Display and Sales Area” and replace with “Outdoor Display and Sales Area”
3. Delete “Art Gallery” from Community Section
4. Delete “Dwelling, Converted”
5. Delete “Dwelling,”
6. Delete “Warehouse” and replace with “Warehouse Facility”
7. Add Block Townhouse as a permitted use in the CC1 Zone
8. Delete “Food Production” and replace with “Food Production Facility”

ii. Subsection 8.4.2 is deleted and replaced as follows:

For an automatic (mechanical) car wash sufficient space shall be

provided on-site to accommodate five (5) vehicles in a line commencing at the entrance of each wash bay and two vehicles in a line at each bay exit.

7) Amend Section 9 – Open Space Zones as follows:

i. Table 9.2.1 is amended as follows:

1. Delete “Play Lots”
2. Delete “Day Care Facility” and replace with “Day Care Centre”
3. Delete “Outdoor Patio” and replace with “Patio”
4. Delete “Townhouse Dwelling (Block)” and replace with “Block Townhouse”
5. Delete and replace the footnotes as follows:
 - (1) Refer to Subsection 5.2
 - (2) Refer to Subsection 5.26
 - (3) The provisions of the RM Zone shall apply to medium density development, the provisions of the RH Zone shall apply to high density development, and the provisions of the RL2 Zone shall apply to all other residential development

ii. Table 9.3.1 is amended as follows:

1. Delete “Flankage Yard (minimum” and replace with “Exterior Yard (minimum)”
2. Delete and replace the provisions of Column 4 for the WRW zone as follows:

The provisions of the RM Zone shall apply to medium density development and the provisions of the RH Zone shall apply to high density development, and the provisions of the RL2 Zone shall apply to all other residential development.

8) Amend Section 11 – Institutional Zones as follows:

i. Table 11.2.1 is amended as follows:

1. Delete “Long Term Care Facility” and replace with “Residential Care Facility”
2. Delete “Retail” and replace with “Retail Establishment”
3. Delete and replace the footnotes as follows:
 - (1) Refer to Subsection 5.3
 - (2) Except a College or University
 - (3) Restricted to a College or University
 - (4) Refer to Subsection 5.18
 - (5) Refer to Residential Low Density 2 – RL2 Zone, Table 7.3.1

ii. Table 11.3.1 is amended as follows:

1. Delete and replace Building Height regulation for Column 2 with “14.0 m (4 Storeys)”

9) Amend Section 12 – Industrial Zones as follows:

i. Table 12.2.1 is amended as follows:

1. Delete “Outside Storage” and replace with “Outdoor Storage”

2. Delete "Storage Yard" and replace with "Salvage Yard"
3. Delete "Food Production" and replace with "Food Production Facility"
4. Delete and replace the footnotes as follows:
 - (1) Refer to Subsection 5.3
 - (2) Shall only be permitted as an accessory use in a mixed use building/property
 - (3) Shall only be permitted as an accessory use to a principal use

10) Amend Section 13 – Agricultural and Rural Zones as follows:

i. Table 13.2.1 is amended as follows:

1. Delete "Lumber Yards" and replace with "Building and Lumber Supply Establishment"
2. Delete "Outside Storage (5)" and replace with "Outdoor Storage (5)"
3. Delete and replace the footnotes as follows:
 - (1) Refer to Subsection 5.3
 - (2) Permitted as an accessory use to an agricultural operation
 - (3) Refer to Subsection 5.15
 - (4) Refer to Subsection 5.17
 - (5) Accessory to a permitted principal use
 - (6) Permitted as an accessory use to a permitted Rural Employment Use
 - (7) Refer to Subsection 5.18
 - (8) Buildings and structures used for Agritourism are limited to 250m² in gross floor area

ii. Table 13.3.1 is amended as follows:

1. Delete "Lumber Yard" and replace with "Building and Lumber Supply Establishment"
2. Delete and replace the footnotes as follows:
 - (1) Three storeys
 - (2) Along the front lot line
 - (3) Refer to Subsection 13.4
 - (4) Adjacent to lot lines abutting residential dwellings or zones
 - (5) Accessory to agricultural uses only
 - (6) Maximum gross floor area of all buildings and structures devoted to the use

iii. Subsection 13.4.1 a) is deleted and replaced as follows:

Not permitted in any minimum front yard, side yard or exterior yard.

3. That Schedule "B" to By-law 2017-117 be and the same is hereby amended as follows:

- 1) That the text for Zoning By-law Amendment 61 be deleted and replaced as follows:


61. A1-61


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


(870 Forks Road)

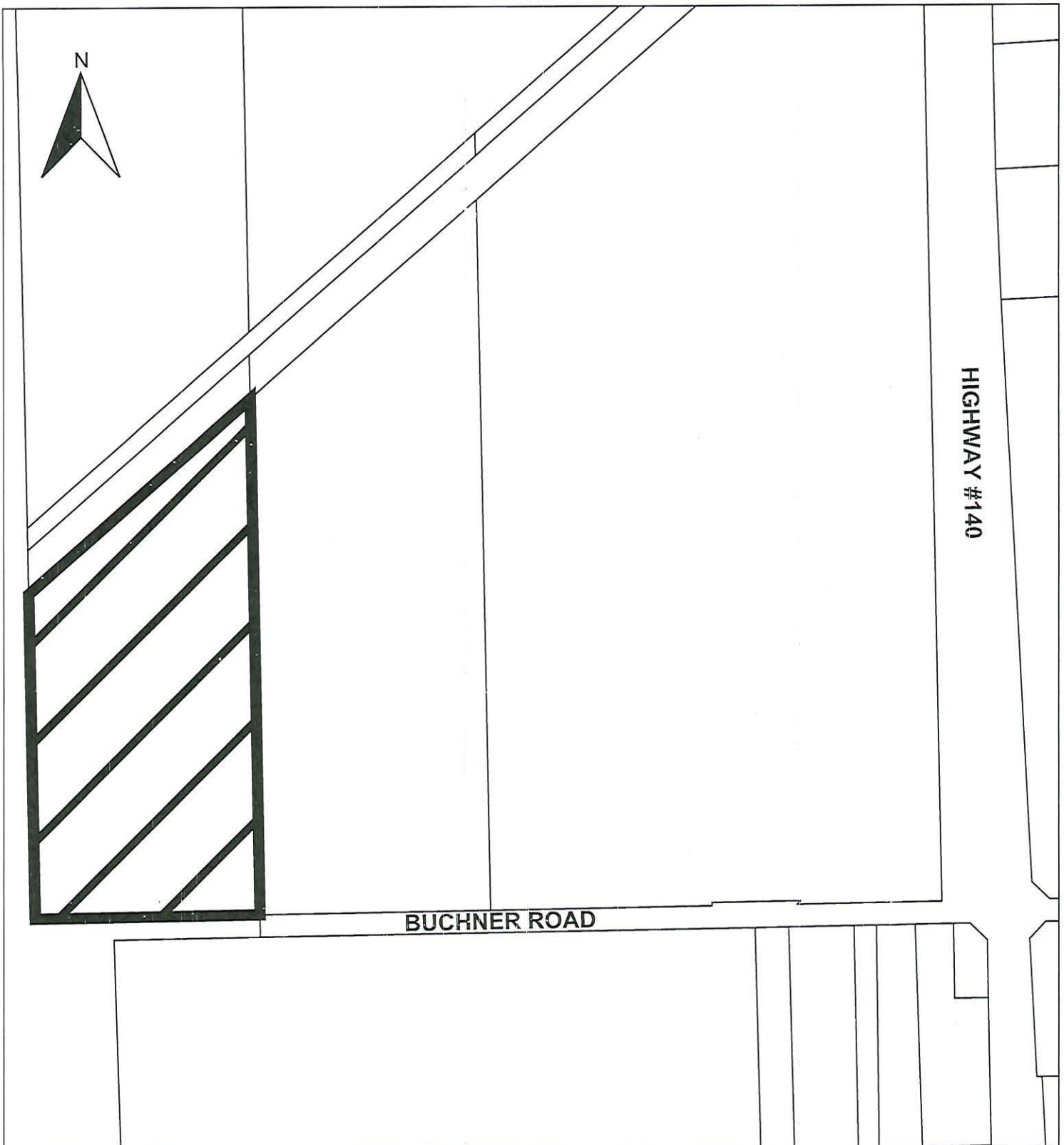
4. All other provisions of Comprehensive Zoning By-law 2017-117 shall continue to apply.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 1ST
DAY OF OCTOBER 2024**


MAYOR


CLERK





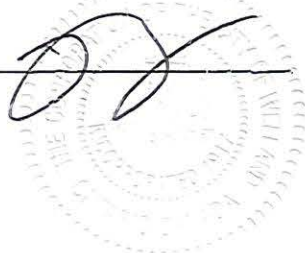
L1 Change to GEC

THIS IS SCHEDULE "A" TO BY-LAW 2024-99
PASSED THE 1ST DAY OF OCTOBER 2024

Sketch Showing

FILE NO. 2024-02, HOUSEKEEPING AMENDMENT TO
ZONING BY-LAW 2017-117, REFER TO LEGAL
DESCRIPTION IN THE ATTACHED BY-LAW

MAYOR



CLERK



CITY OF
Welland