

SECTION 31 - INSTITUTIONAL ONE ZONE- IN-1 (BY-LAW 10014)

The following provisions shall apply in all INSTITUTIONAL ONE ZONES (IN-1):

No *PERSON* shall *HEREAFTER USE* any *BUILDING, STRUCTURE* or land nor *ERECT* any *BUILDING* or *STRUCTURE* except in compliance with the following requirements:

31.1 USES PERMITTED

The following *USES* are permitted in all Institutional One Zones (IN-1):

a *PLACE OF WORSHIP*, a *SINGLE-DETACHED DWELLING*, a *SCHOOL*,
a *DAY CARE FACILITY*, a library, a museum

31.2 The Zone Provisions for the Institutional One Zone (IN-1) shall be as follows:

Minimum <i>LOT FRONTAGE</i>	30 metres
Minimum <i>LOT AREA</i>	1,675 square metres
Minimum <i>FRONT YARD</i>	9 metres
Minimum <i>REAR YARD</i>	9 metres
Minimum <i>SIDE YARD</i>	9 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	10 percent
Maximum <i>LOT COVERAGE</i>	40 percent
Maximum <i>BUILDING HEIGHT</i>	13.75 metres

Notwithstanding the foregoing, a *SINGLE-DETACHED DWELLING* located in an IN-1 ZONE shall comply with the Zone Provisions of the R2 ZONE.

31.3 IN-1-X1 ZONE (By-law 10037)

1. That Schedule "A" to By-law 2667 be and the same is hereby amended by rezoning Part of *LOT 251*, former Township of Thorold, known municipally as 269 Thorold Road West and as shown on Schedule "A" of By-law 10037 as "Change to IN-1-X1 ZONE" as Institutional One Zone- IN-1-X1.
2. That notwithstanding Section 5.16 of By-law 2667 the *USES* permitted in the IN-1-X1 ZONE shall be restricted to a *SCHOOL*, and a *DAY CARE FACILITY*.
3. That notwithstanding Section 6.8 of By-law 2667 the Zone Provisions for the IN-1-X1 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	90 metres
Minimum <i>LOT AREA</i>	18,000 square metres

Minimum <i>FRONT YARD</i>	30 metres
Minimum <i>REAR YARD</i>	30 metres
Minimum <i>SIDE YARD</i>	9 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	25 percent
Maximum <i>LOT COVERAGE</i>	10 percent
Maximum <i>BUILDING HEIGHT</i>	10 metres

Parking shall be provided in accordance with the requirements of By-law 2667.

(269 THOROLD ROAD)

31.4 H-IN-1-X2 ZONE (By-law 10537)

Part of *LOT 235*, former Township of Thorold, now in the City of Welland located on the south side of Quaker Road, west of Rice Road and as shown on Schedule "A" of By-law 10537 as "Change to H-IN-1-X2 ZONE" is hereby rezoned H-IN-1-X2 ZONE.

The *USES* permitted in the H-IN-1-X2 ZONE shall be those permitted in the Institutional One Zone (IN-1) save and except a library and a museum.

The provisions of the H-IN-1-X2 ZONE shall be those of the Institutional One Zone (IN-1).

Notwithstanding Section 5.20 of By-law 2667, the required parking may be provided both on-site and shared jointly on the adjacent lands to the east owned by the Welland County Roman Catholic Separate School Board.

(SOUTH SIDE OF QUAKER ROAD, WEST OF W.C.R.C.S.S. BOARD OFFICES)

31.5 IN-1-X3 ZONE (By-law 10701) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 10797)

LOTS 56 to 63 inclusive and Part of LOTS 55 and 82 to 89 inclusive and Part of Park Avenue Plan 18 Former Township of Thorold NKA Plan 652 City of Welland and shown on Schedule "A" of By-law 10701 as "change to H-IN-1-X3 ZONE" is hereby rezoned H-IN-1-X3 ZONE;

The *USES* permitted in the IN-1-X3 ZONE shall be *USES* permitted in the IN-1 ZONE namely a *PLACE OF WORSHIP*, a *SINGLE-DETACHED DWELLING*, a *SCHOOL*, a *DAY CARE FACILITY*, a library, a museum.

The Zone Provisions for the IN-1-X3 ZONE shall be as follows:

Minimum <i>FRONTAGE</i>	30 metres
Minimum <i>LOT AREA</i>	7,000 square metres
Minimum North <i>YARD</i>	6 metres

Minimum South <i>YARD</i>	25 metres
Minimum East <i>YARD</i>	Nil
Minimum West <i>YARD</i>	15 metres
Minimum Landscaped Space	15 percent
Maximum <i>LOT COVERAGE</i>	20 percent
Maximum <i>BUILDING HEIGHT</i>	as per <i>EXISTING</i>

Parking:

A total of 100 *PARKING SPACES* shall be provided and the sharing of parking between the IN-1-X3 ZONE and the abutting RM4-X5 ZONE shall be permitted. Further, a 6 metre wide landscaped area shall be provided abutting the north *SIDE YARD* of 234 First Avenue in place of the required decorative closed board fence.

(WESLEY UNITED CHURCH AT 234 FIRST AVENUE)**31.6 IN-1-X4 ZONE (By-law 2002-30 and By-law 2009-111)**

1. That Part of *LOT 24*, Concession 6, Part of the Road Allowance between *LOTS 24* and *25*, former Township of Crowland and Part of Block U, Plan 564, now in the City of Welland known municipally as 110 First Street and shown on Schedule "A" attached to By-law 2002-30 as "Change to IN-1-X4 ZONE" is hereby rezoned IN-1-X4 ZONE;
2. The *USES* permitted in the IN-1-X4 ZONE shall be those permitted in the IN-1 ZONE and a retirement community consisting of independent living accommodations, extended care accommodations, a *CLINIC*; a *COMMERCIAL SCHOOL (By-law 2009-111)* and parking as a use accessory to any other permitted *USE*;
3. For the purposes of this By-law the following definitions shall apply:

Independent Living - A *BUILDING* or part of a *BUILDING* providing accommodation, primarily for retired persons, where each private bedroom or 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 limited medical/nursing care may also be provided.

Extended Care - A *BUILDING* or part of a *BUILDING* providing accommodation for those individuals requiring extensive medical/nursing care where each private bedroom or living unit has a separate entrance from a common hall.

4. The ZONE provisions for the IN-1-X4 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	100 metres
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Minimum <i>LOT AREA</i>	1.0 hectares
Minimum South <i>YARD</i> Setback	20.0 metres
Minimum East <i>YARD</i> Setback	4.5 metres
Minimum North <i>YARD</i> Setback	6.5 metres
Minimum West <i>YARD</i> Setback (to west property line of Part 1, Plan 59R-11803)	4.5 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	20 percent
Maximum <i>LOT COVERAGE</i>	40 percent
Maximum <i>BUILDING HEIGHT</i>	9.0 metres
Maximum Area for <i>CLINIC</i> in Existing <i>BUILDING</i>	60 square metres (By-law 2009-111)
Maximum Area for <i>COMMERCIAL SCHOOL</i> in Existing <i>BUILDING</i>	155 square metres (By-law 2009-111)
Maximum Number of Physicians in <i>CLINIC</i>	1 (By-law 2009-111)

5. Notwithstanding Section 5.20 of By-law 2667, the minimum parking requirement shall be one (1) space for every three (3) beds/units and parking may be located within the *FRONT YARD*.

(110 FIRST STREET)

31.7 IN-1-X5 ZONE (By-law 2005-102 and 2014-15)

- That Lots 27 to 30 inclusive, Lot A, and Part of Lot 31, Plan 666 and Lots 59 to 62, 110 to 117 and 145 to 151, inclusive and Part of Lot 152 and Block A, Plan 618 known municipally as 163 First Avenue and shown on Schedule "A" attached to By-law 2005-102 as "Change to IN-1-X5 ZONE" is hereby Rezoned IN-1-X5 ZONE;
- The uses permitted in the IN-1-X5 ZONE shall be limited to a Retirement Home/Retirement Community, a clinic and a drug dispensary; **(By-law 2014-15)**
- For the purposes of this By-law, the following definitions shall apply:

Retirement Home/Retirement Community - A building and/or buildings consisting of all forms of seniors' housing including a main retirement home building and separate accommodation types on the same lot in direct association with the main retirement home building. **(By-law 2014-15)**
- The Zoning provisions for the IN-1-X5 ZONE shall be as follows:

Minimum LOT FRONTAGE (First Avenue)	100.0 metres
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Minimum LOT AREA	2.3 hectares
Minimum South YARD Setback	18.0 metres
Minimum East YARD Setback	17.0 metres
Minimum North YARD Setback (from Price Avenue)	50.0 metres
Minimum North YARD Setback	12.0 metres
Minimum West YARD Setback	11.5 metres (By-law 2014-15)
Minimum LANDSCAPED OPEN SPACE	20%
Maximum LOT COVERAGE	35%
Maximum Area for CLINIC	233 square metres
Maximum Number of Physicians in CLINIC	Four (4)
Maximum Area for Drug Dispensary	47 square metres

5. Notwithstanding Section 5.20 of By-law 2667, the minimum parking requirement shall be one (1) space for every three (3) beds/units.

(163 FIRST AVENUE)

31.8 H-IN-1-X6 ZONE (By-law 2008-95)

1. That Part of Lot 258, former Township of Thorold, now in the City of Welland and shown on Schedule "A" attached to By-law 2008-95 as "Change to H-IN-1-X6 ZONE" is hereby rezoned H-IN-1-X6 ZONE;
2. That the *USES* permitted in the H-IN-1-X6 ZONE shall be limited to a retirement community consisting of independent living accommodations, extended care accommodations, a *CLINIC* and a drug dispensary, retail activities related to health care, offices related to the retirement community, and services for residents including *PERSONAL SERVICES ESTABLISHMENTS*, a chapel, theatre, *DELICATESSEN*/sandwich shop and gift store;
3. That the provisions of the H-IN-1-X6 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	30.0 metres
Minimum <i>LOT AREA</i>	1.6 hectares
Minimum South <i>YARD</i> Setback	10 metres
Minimum East <i>YARD</i> Setback	5 metres
Minimum North <i>YARD</i> Setback	5 metres

Minimum West <i>YARD</i> Setback	1/2 height of the <i>BUILDING</i>
Minimum <i>LANDSCAPED OPEN SPACE</i>	25%
Maximum <i>LOT COVERAGE</i>	40%
Maximum Area for <i>CLINIC</i>	200 square metres
Maximum <i>BUILDING HEIGHT</i>	4 storeys

4. Notwithstanding Section 5.20 of By-law 2667, the minimum parking requirement shall be one (1) space for every three (3) beds/units.

(WEST CREEK ESTATES)

31.9 H-IN-1-X7 ZONE (By-law 2009-87) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2010-157)

- That Lot 18, Part of Lots 17, 19, 20 and 21 inclusive, Part of University Lane (Closed) Part of Burton Lane (Closed), Plan 573, designated as Parts 2, 3 and 5, Plan 59R-5112 and shown on Schedule "A" attached to By-law 2009-87 as "Change to H-IN-1-X7 ZONE" is hereby rezoned H-IN-1-X7 ZONE.
- That the *USES* shall be limited to a retirement community consisting of independent living accommodations, extended care accommodations, an ancillary health professional's office occupying a maximum area of 60 square metres and ancillary *PERSONAL SERVICE* uses occupying a maximum area of 47 square metres, the ancillary health professional's office and the ancillary *PERSONAL SERVICE* uses being for the sole purpose of serving the residents of the *BUILDING*.
- That the provisions of the H-IN-1-X7 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	36 metres
Minimum <i>LOT AREA</i>	3,900 square metres
Minimum <i>FRONT YARD</i> Setback (south setback)	3.0 metres
Minimum <i>REAR YARD</i> Setback (north setback)	20 metres
Minimum Interior <i>SIDE YARD</i> Setback (east <i>YARD</i>)	4.5 metres
Minimum <i>EXTERIOR SIDE YARD</i> Setback (west setback)	3.0 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	23%
Maximum <i>LOT COVERAGE</i>	42%

Maximum *BUILDING HEIGHT* 17 metres

Maximum Number of Ancillary Health Care Professionals 1

Maximum *AREA* Dedicated to Ancillary Health Care Professional 60 square metres

Maximum *AREA* Dedicated to Ancillary *PERSONAL SERVICE USES* 47 square metres

4. Notwithstanding Section 5.20 of By-law 2667, as amended, the minimum parking requirement shall be one (1) space for every three (3) beds/*Units*.

(370 HELLEMS AVENUE)

31.10 IN-1-X8 ZONE (By-law 2010-78)

1. That Part of Lot 24, Concession 6, former Township of Crowland, now in the City of Welland, being Parts 3, 4 and 5, Plan 59R-8889 and shown on Schedule "A" attached to By-law 2010-78 as "Change to IN-1-X8 ZONE" is hereby rezoned IN-1-X8 ZONE.

2. That the *USES* permitted in the IN-1-X8 ZONE shall be a 25 unit *APARTMENT BUILDING*, an activity centre and a community resource and training centre;

3. That the ZONE provisions of the IN-1-X8 ZONE shall be as follows:

Minimum *LOT FRONTAGE* 140 metres

Minimum *LOT AREA* 5,600 square metres

Minimum North *YARD* 20 metres

Minimum South *YARD* 0 metres

Minimum East *YARD* 33 metres

Minimum West *YARD* 6 metres

Minimum *LANDSCAPED OPEN SPACE* 15%

Maximum *LOT COVERAGE* 32%

Maximum *BUILDING HEIGHT* 3 *STOREYS*

Minimum Number of *PARKING SPACES* 70

4. All other provisions of By-law 2667, as amended shall apply.

(NORTH SIDE OF CHURCHILL AVENUE EAST OF PLYMOUTH ROAD)

31.11 IN-1-X9 ZONE (By-law 2010-155)

1. That Lots 164 to 169, inclusive, Lots 195 to 235, inclusive, Part of Lots 158 to 163, inclusive, Part of Lots 170 to 180, inclusive, Part of Lots 188 to 194, inclusive, Lawrence Street and Part of Roxborough Street, Plan 944, Lots 99 to 117, inclusive and Part of Lot 98, Plan 963 and shown on Schedule "A" attached to By-law 2010-155 as "Change to IN-1-X9 ZONE" is hereby rezoned IN-1-X9 ZONE.
2. That the *USES* permitted in the IN-1-X9 ZONE shall be limited to a retirement community consisting of a *NURSING HOME*, independent living accommodations and extended care accommodations.
3. For the purposes of this By-law, the following definitions shall apply:

Independent Living – A *BUILDING* or part of a *BUILDING* providing accommodation, primarily for retired persons, where each private bedroom or 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 limited medical/nursing care may also be provided.

Extended Care – A *BUILDING* or part of a *BUILDING* providing accommodation for those individuals required extensive medical/nursing care where each private bedroom or living unit has a separate entrance from a common hall.

4. That the provisions of the IN-1-X9 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>		110 metres
Minimum <i>LOT AREA</i>		24,000 square metres
Minimum <i>YARDS</i> for a <i>BUILDING</i> Facing the East-West Portion of Promenade Richelieu		
For a Maximum 3 <i>STOREY BUILDING</i>	West	34.0 metres
	North	4.0 metres
	East	26.0 metres
	South	9.0 metres
Maximum <i>LOT</i>		43%

COVERAGE

Minimum *LANDSCAPED OPEN SPACE* 35%

For a Maximum 5 <i>STOREY BUILDING</i>	West	34.0 metres
	North	10.0 metres
	East	49.0 metres
	South	9.0 metres

Maximum *LOT COVERAGE* 35%

Minimum *LANDSCAPED OPEN SPACE* 45%

Minimum Yards for a <i>BUILDING</i> Facing the North-South Portion of Promenade Richelieu for a Maximum 2 <i>STOREY</i> <i>BUILDING</i>	North	50.0 metres
	East	4.0 metres

Minimum South Yard
from Tanguay Avenue 15.0 metres

5. That the west *SIDE LOT LINE* setback be zero to recognize the enclosing linking corridor being approximately 10 feet wide.
6. Notwithstanding Section 5.10 of By-law 2667, as amended, the maximum *BUILDING HEIGHT* shall be 5 *STOREYS*.
7. Notwithstanding Section 5.20 of By-law 2667, as amended, the minimum parking requirement shall be one (1) space for every three (3) beds/units.

(655 TANGUAY AVENUE)