

SECTION 9 - SINGLE-DETACHED DWELLING- THIRD DENSITY ZONE - R3

The following provisions shall apply in all *SINGLE-DETACHED DWELLING- THIRD DENSITY ZONES R3*:

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

9.1 USES PERMITTED

9.1.1 Residential:

SINGLE-DETACHED DWELLING

BED & BREAKFAST (By-law 2003-137)

9.2 AREA REQUIREMENTS

9.2.1 LOT FRONTAGE:

Minimum - 12 metres

9.2.2 LOT AREA:

Minimum - 353 square metres

9.2.3 YARD Requirements:

FRONT YARD - minimum 6.0 metres

REAR YARD - minimum 7.5 metres

SIDE YARD - minimum 1.2 metres

9.2.4 GROUND FLOOR AREA:

Minimum - 50 square metres

9.2.5 GROSS FLOOR AREA:

Minimum - 65 square metres

9.2.6 LOT COVERAGE:

Maximum - 40 percent

9.2.7 Lands Zoned R3 (By-law 10160) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 10659)

Part of *LOT 1*, Concession 11, former Township of Pelham, now in the City of Welland shown on Schedule "A" of By-law 10160 as "Change to H-R3 ZONE" is hereby rezoned H-R3 ZONE.

(PART OF MEADOWS SUBDIVISION)**9.2.8 R3-X1 ZONE (By-law 10160) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 10659)**

1. Part of *LOT 1*, Concession 11, former Township of Pelham, now in the City of Welland shown on Schedule "A" of By-law 10160 as "Change to H-R3-X1 ZONE" is hereby rezoned H-R3-X1 ZONE.
2. The *USES* permitted and the provisions for the H-R3-X1 ZONE shall be those permitted and provided for in the *SINGLE-DETACHED DWELLING- Third Density Zone (R3)* save and except as follows:
 - a) Notwithstanding any other Section of Zoning By-law 2667, as amended, no *PERSON* shall *ERECT* any *BUILDING* or *STRUCTURE* including, but not limited to, swimming pools, tennis courts, gazebos, sheds, *ACCESSORY* buildings or fences on any portion of any property west or south of a line parallel to and set back 30 metres from the *FRONT LOT LINE*;
 - b) No disturbance, removal of vegetation or placement or removal of fill is permitted within 15 metres of the water's edge of Draper's Creek.

(PART OF MEADOWS SUBDIVISION)**9.2.9 Repealed by By-law 2006-111****9.2.10 R3-X3 ZONE (By-law 10296)**

1. *LOT 592* and the north 4.5 metres of *LOT 591*, Plan 939 known municipally as 465 Harriet Street and shown on Schedule "A" of By-law 10296 as "Change to R3-X3 ZONE" is hereby rezoned R3-X3 ZONE.
2. The *USES* permitted in the R3-X3 ZONE shall be a total of two (2) residential units in two (2) main *BUILDINGS*.
3. The Zone Provisions for the R3-X3 ZONE shall be those conditions which exist as of February 15, 1994.

(465 HARRIET STREET)**9.2.11 R3-X4 ZONE (By-law 10331 and 10837)**

1. Part of *LOTS 229* and *230*, former Township of Thorold, now in the City of Welland, shown on Schedule "A" of By-law 10331 and By-law 10837 as "Change to R3-X4 ZONE" is hereby rezoned R3-X4 ZONE.
2. The *USES* permitted in the R3-X4 ZONE shall be those permitted in the R3 ZONE.
3. The Zone Provisions for the R3-X4 ZONE shall be those provided by the R3 ZONE save and except the following:

FRONT YARD

Minimum 5.0 metres

REAR YARD

Minimum 6.5 metres

(PART OF SEAWAY HEIGHTS SUBDIVISION - REFER TO SCHEDULE 'A' OF BY-LAWS 10331 AND 10837)

9.2.12 R3 ZONE (By-law 10346) (HOLDING SYMBOL "H" PARTIALLY REMOVED BY BY-LAW 11217 - PHASE 1, 59M-247) AND (ByY-LAW 2005-22 – PHASE 2, 59M-247, BY-LAW 2017-10 – PHASE 3, 59M-247)

1. Part of LOTS 11 to 31 inclusive and part of Logan Avenue, Plan 813, former Township of Humberstone as shown on Schedule "A" of By-law 10346 as "Change to H-R3 ZONE" is hereby rezoned H-R3 ZONE.
2. The *USES* permitted in and the Zone Provisions of the H-R3 ZONE shall be those permitted and required in the R3 ZONE.

(REGATTA SUBDIVISION)

9.2.13 R3-X5 ZONE (By-law 10574 and 10836)

1. Part of LOT 224, former Township of Thorold, now in the City of Welland, located north of Quaker Road, west of Towpath Road and shown on Schedule "A" of By-law 10574 and 10836 as "Change to R3-X5 ZONE" is hereby rezoned R3-X5 ZONE.
2. The *USES* permitted and the provisions for the R3-X5 ZONE shall be those permitted and provided for in the *SINGLE-DETACHED DWELLING- Third Density Zone (R3)* save and except as follows:

FRONT YARD

Minimum 5.0 metres (**By-law 10836**)

3. Notwithstanding any other Section of Zoning By-law 2667, as amended, no *PERSON* shall *ERECT* any *BUILDING* or *STRUCTURE* including, but not limited to, swimming pools, tennis courts, gazebos, sheds, *ACCESSORY BUILDINGS* or fences on any portion of any property within a setback of 8.0 metres from the rear property line.

(PART OF TOWPATH VILLAGE SUBDIVISION - 16-138 (EVEN) GRETEL PLACE, 74-204 (EVEN) COURTNEY CRESCENT)

9.2.14 R3-X6 ZONE (By-law 10574)

1. Part of LOT 224, former Township of Thorold, now in the City of Welland, located north of Quaker Road, west of Towpath Road and shown on Schedule "A" of By-law 10574 as "Change to R3-X6 ZONE" is hereby rezoned R3- X6 ZONE.
2. The *USES* permitted and the provisions for the R3-X6 ZONE shall be those permitted and provided for in the *SINGLE-DETACHED DWELLING- Third Density Zone (R3)* save and except as follows:
3. Notwithstanding any other Section of Zoning By-law 2667, as amended, no *PERSON* shall *ERECT* any *BUILDING* or *STRUCTURE* including, but not limited to, swimming pools, tennis courts, gazebos, sheds, *ACCESSORY*

BUILDINGS or fences on any portion of any property within a setback of 5.0 metres from the rear property line.

(PART OF TOWPATH VILLAGE SUBDIVISION - 110 BRITANNIA AVENUE)

9.2.15 R3-X7 ZONE (By-law 10574 and By-law 2001-31)

1. Part of *LOT* 224, former Township of Thorold, now in the City of Welland, located north of Quaker Road, west of Towpath Road and shown on Schedule "A" of By-laws 10574 and 2001-31 as "Change to R3-X7 ZONE" is hereby rezoned R3-X7 ZONE.
2. The *USES* permitted and the provisions for the R3-X7 ZONE shall be those permitted and provided for in the *SINGLE-DETACHED DWELLING- Third Density Zone (R3)* save and except as follows:
3. Notwithstanding any other Section of Zoning By-law 2667, as amended, no *PERSON* shall *ERECT* any *BUILDING* or *STRUCTURE* including, but not limited to, swimming pools, tennis courts, gazebos, sheds, *ACCESSORY BUILDINGS* or fences on any portion of the subject property within a setback of 2.0 metres from the southerly *LOT LINE*.

(PART OF TOWPATH VILLAGE SUBDIVISION - 242, PART OF 269 ST. LAWRENCE DRIVE)

9.2.16 H-R3-X8 ZONE (By-law 11232) (HOLDING SYMBOL "H" PARTIALLY REMOVED BY BY-LAW 1999-111)

1. That Part of Parts 1 and 2, Plan 59R-9399 and shown on Schedule "A" of By-law 11232 as "Change to H-R3-X8 ZONE" is hereby rezoned H-R3-X8 ZONE.
2. The *USES* permitted in the H-R3-X8 ZONE shall be those permitted in the R3 ZONE.
3. Notwithstanding Sections 5.2 and 5.20 of By-law 2667, the provisions for the H-R3-X8 ZONE shall be those provided for in the R3 ZONE. The provisions of Sections 5.2 and 5.20 of By-law 2667 shall apply save and accept references to *STREET* shall be read as private streets.

(ST. ANDREWS TERRACE SUBDIVISION)

9.2.17 R3-X9 ZONE (By-law 1999-11 and 2000-126)

1. That Part of Parcel D, Plan 973 being Parts 1, 2, 3, 4, 5 and 6, Plan 59R-10546 known municipally as 37 Wavell Court and shown on Schedule "A" of By-law 1999-11 and By-law 2000-126 as "Change to R3-X9 ZONE" is hereby rezoned R3-X9 ZONE.
2. The *USES* permitted in the R3-X9 ZONE shall be a *SINGLE-DETACHED DWELLING* and *SCHOOL*.
3. The provisions for the R3-X9 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	10.0 metres
-----------------------------	-------------

Minimum <i>LOT AREA</i>	1,050 square metres
Minimum West <i>YARD Setback</i>	3.3 metres
Minimum East <i>YARD Setback</i>	7.5 metres
Minimum North <i>YARD Setback</i>	10.0 metres
Minimum South <i>YARD Setback</i>	1.2 metres
Minimum <i>GROUND FLOOR AREA</i>	50.0 square metres
Minimum <i>GROSS FLOOR AREA</i>	65.0 square metres
Maximum <i>LOT COVERAGE</i>	40.0 percent

(37 WAVELL COURT)**9.2.18 R3-X10 ZONE (By-law-2001-34)**

1. That Part of *LOT* Lettered "O" , Plan 564, known municipally as 96 Lincoln Street and shown on Schedule "A" attached to By-law 2001-34 as "Change to R3-X10 ZONE" is hereby rezoned R3-X10 ZONE;
2. The *USES* permitted in the R3-X10 ZONE shall be a *SINGLE-DETACHED DWELLING*, a *DUPLEX* and a *TRIPLEX*;
3. The provisions for the R3-X10 ZONE for all permitted uses shall be as follows:

Minimum <i>LOT FRONTAGE</i>	12 metres
Minimum <i>LOT AREA</i>	580 square metres
Minimum <i>FRONT YARD Setback</i>	6.0 metres
Minimum West <i>SIDE YARD Setback</i>	4.9 metres
Minimum East <i>SIDE YARD Setback</i>	0.2 metres
Minimum <i>REAR YARD Setback</i>	7.5 metres
Maximum <i>LOT COVERAGE</i>	40%
4. Notwithstanding 5.20.1 of Zoning By-law 2667 (Parking Requirements), a two-way access drive to the required *PARKING SPACES* shall have a minimum width of 4.9 metres.

(96 LINCOLN STREET)**9.2.19 H-R3 ZONE (By-law 2001-37) (HOLDING SYMBOL REMOVED BY BY-LAW 2015-48)**

1. That *LOT* 100 and Part of *LOTS* 99 and 101, Plan 59M-230 and shown on Schedule "A" attached to By-law 2001-37 as "Change to H-R3 ZONE" is

hereby rezoned H-R3 ZONE;

2. Prior to the removal of the Holding Symbol, the only *USES* permitted will be the current vacant *USE*.

(383 AND 391 ST. LAWRENCE DRIVE)

9.2.20 R3-X11 ZONE (By-law 2002-31)

1. That Part of *LOT 22*, Concession 7, former Township of Crowland, now in the City of Welland, known municipally as 611 Southworth Street and shown on Schedule "A" attached to By-law 2002-31 as "Change to R3-X11 ZONE" is hereby rezoned R3-X11 ZONE;
2. The *USES* permitted in the R3-X11 ZONE shall be those permitted in the R3 ZONE;
3. The provisions for the R3-X11 ZONE shall be those of the R3 ZONE save and except as follows:

Minimum <i>FRONT YARD</i> Setback	0.97 metres
-----------------------------------	-------------

(611 SOUTHWORTH STREET)

9.2.21 R3-X12 ZONE (By-law 2002-31)

1. That Part of *LOT 22*, Concession 7, former Township of Crowland, now in the City of Welland, known municipally as 611 Southworth Street and shown on Schedule "A" attached to By-law 2002-31 as "Change to R3-X12 ZONE" is hereby rezoned R3-X12 ZONE;
2. The *USES* permitted in the R3-X12 ZONE shall be those permitted in the R3 ZONE;
3. The provisions for the R3-X12 ZONE shall be those of the R3 ZONE save and except as follows:

Minimum <i>FRONTAGE</i>	11.7 metres
-------------------------	-------------

(611 SOUTHWORTH STREET)

9.2.22 H-R3 ZONE (By-law 2005-169) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2007-97)

1. That Part of Lot 257, former Township of Thorold, now in the City of Welland located south of Webber Road, east of Clare Avenue and shown on Schedule "A" attached to By-law 2005-169 as "Change to H-R3 ZONE" is hereby rezoned H-R3 ZONE;
2. The uses permitted in the H-R3 ZONE shall be those permitted in the R3 ZONE;
3. The Zone provisions for the H-R3 ZONE shall be those provided by the R3 ZONE;

(WEBBER ESTATES SUBDIVISION)

9.2.23 H-R3 ZONE (By-law 2006-137)

1. That part of Lot 29 and 30, Concession 6, in the City of Welland, municipally known as 290 Riverside Drive and shown on Schedule "A" attached to By-law 2006-137 as "Change to H-R3 ZONE" is hereby rezoned H-R3 ZONE.

(290 RIVERSIDE DRIVE)

9.2.24 H-R3-X13 ZONE (By-law 2006-151) (HOLDING SYMBOL "H" PARTIALLY REMOVED BY BY-LAW 2007-55 – LOTS 1 – 21) (HOLDING SYMBOL "H" PARTIALLY REMOVED BY BY-LAW 2014-160 – LOTS 22 AND 23, PLAN 59M-355)

1. That Part of Lot 1, Concession 11, former Township of Pelham, now in the City of Welland shown on Schedule "A" attached to By-law 2006-151 as "Change to H-R3-X13 ZONE" is hereby rezoned to H-R3-X13 ZONE;
2. The uses permitted in the H-R3-X13 ZONE are those permitted in the R3 ZONE;
3. The provisions for the H-R3-X13 ZONE shall be provided for in the R3 ZONE save and except as follows:

Maximum <i>LOT COVERAGE</i>	45%
-----------------------------	-----

(BROOKHAVEN ESTATES SUBDIVISION)

9.2.25 H-R3-X14 ZONE (By-law 2007-34) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2008-109)

1. That Lots 54 to 63 inclusive, Lots 84 to 93 inclusive, Lots 134 to 141 inclusive, Block 147 and Part Block 148, Plan 59M-269, shown on Schedule "A" attached to By-law 2007-34 as "Change to H-R3-X14 ZONE" are hereby rezoned H-R3-X14 ZONE;
2. The use permitted in the H-R3-X14 ZONE shall be a SINGLE DETACHED DWELLING only;
3. The maximum number of SINGLE DETACHED DWELLINGS constructed on lands Zoned H-R3-X14 shall be 31 units;
4. The provisions for the H-R3-X14 ZONE for the permitted USE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	14 metres
Minimum <i>LOT AREA</i>	420 square metres
Minimum <i>FRONT YARD</i>	4.5 metres to <i>DWELLING UNIT</i>
	6.0 metres to attached garage
Minimum <i>INTERIOR SIDE YARD</i>	1.25 metres

Minimum *REAR YARD* 7.0 metres

Maximum *LOT COVERAGE* 50%

Porches/roofed platforms shall be excluded from the calculation of *LOT COVERAGE*

5. The provisions of Sections 5.2 and 5.20 of By-law 2667, as amended, shall apply save and except references to *STREET* shall be read as private streets;
6. Notwithstanding Section 5.7 of By-law 2667, as amended, porches/roofed platforms are permitted to encroach a maximum of 1.8 metres into the *FRONT YARD* on 50% of the *DWELLING UNITS* only, with no more than two (2) dwelling units in a row being permitted such encroachment. In the case of *CORNER LOTS*, such encroachment of the porch/roofed platform is not permitted;
7. Notwithstanding Section 5.7 of By-law 2667, as amended, covered or uncovered steps/stairs that are used to provide access from the ground to the porch/roofed platform, permitted as an encroachment, shall be located no closer than 1.0 metre from the *FRONT LOT LINE* on all *LOTS* except *CORNER LOTS*. In the case of *CORNER LOTS*, no encroachment of covered or uncovered steps/stairs is permitted;
8. Notwithstanding Section 2.80 of By-law 2667, as amended, where the City has passed a By-law lifting Part Lot Control, a Building Permit may be issued on the basis of the proposed *LOT*, and not necessarily the *LOT* that exists at the time of permit issuance. In such instances, the proposed *LOT* shall be conveyed by way of deed or transfer prior to occupancy of the building for which the permit was issued.

(GALLOWAY TRAIL, EAST SIDE OF PERTH TRAIL)

9.2.26 H-R3-X15 ZONE (By-law 2007-105, 2007-106) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2008-81 – LOTS 1–10, PLAN 59M-369 AND BY BY-LAW 2010-172 - LOTS 1–43, PLAN 59M-380 (BLUE RIVER ESTATES); AND HOLDING SYMBOL "H" PARTIALLY REMOVED BY BY-LAW 2008-174 – LOTS 1–38, PLAN 59M-374 AND BY BY-LAW 2011-2 - LOTS 39–43 AND 60–69, PLAN 59M-374 (COYLE CREEK ESTATES); AND HOLDING SYMBOL "H" PARTIALLY REMOVED BY BY-LAW 2012-90 – LOTS 44-59 AND 70-79, PLAN 59M-374 (COYLE CREEK ESTATES - PHASE 4)

1. That Part of Lots 256, 257, 259, 260; and Broken Front Lot 256; part of the Road Allowance between Lots 259 and 260; part of the Road Allowance between Lots 256 and Broken Front Lot 256; and part of the Road Allowance between Lots 257 and 259, former Township of Thorold, now in the City of Welland and shown on Schedule "A" attached to By-law 2007-105 and By-law 2007-106 as "Change to H-R3-X15 ZONE" is hereby rezoned to H-R3-X15 ZONE;
2. That the *USES* permitted in the H-R3-X15 ZONE shall be *SINGLE-DETACHED DWELLINGS* only;

LOT FRONTAGE

Minimum 11.5 metres

(102 MAPLE AVENUE)

9.2.30 **H-R3-X18 ZONE** (By-law 2007-170) (HOLDING SYMBOL “H” PARTIALLY REMOVED BY BY-LAW 2008-87 – LOTS 1-16, PLAN 59M-371; AND HOLDING SYMBOL “H” PARTIALLY REMOVED BY BY-LAW 2011-10 – LOTS 1-12, PLAN 59M-383; AND HOLDING SYMBOL “H” PARTIALLY REMOVED BY BY-LAW 2012-98 – LOTS 1-19 AND LOTS 80-85, PLAN 59M-392; AND HOLDING SYMBOL “H” PARTIALLY REMOVED BY BY-LAW 2014-100 – LOTS 20-30, BLOCKS 89 AND 90, PLAN 59M-392 AND HOLDING SYMBOL “H” PARTIALLY REMOVED BY BY-LAW 2016-28 – LOTS 31 TO 79, BLOCKS 86, 87 AND 88, PLAN 59M-392)

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 2007-170 as "Change to H-R3-X18 ZONE" is hereby rezoned H-R3-X18 ZONE;
2. The *USES* permitted in the H-R3-X18 ZONE shall be those permitted in the R3 ZONE;
3. The provisions of the H-R3-X18 ZONE shall be those of the R3 ZONE save and except as follows:

Minimum <i>FRONT YARD</i>	6.0 metres to attached garage
	4.5 metres to <i>DWELLING UNIT</i>
Maximum <i>LOT COVERAGE</i>	45%
4. Until such time as the Holding symbol (H) is removed, the only *USES* permitted shall be model homes in accordance with the Subdivider’s Agreement.

(CLARE ESTATES SUBDIVISION – SOUTH OF WEBBER ROAD BETWEEN SOUTH PELHAM ROAD AND CLARE AVENUE)

9.2.31 **H-R3 ZONE** (By-law 2011-58) (HOLDING SYMBOL “H” REMOVED BY BY-LAW 2012-1)

1. That Part of Lot 1, Concession 12, former Township of Pelham, now in the City of Welland and shown on Schedule “A” attached to By-law 2011-58 as “Change to H-R3 ZONE” is hereby rezoned H-R3 ZONE.

(PINE CREEK ESTATES – NORTH SIDE OF CHANTLER ROAD, WEST OF SOUTH PELHAM ROAD)

9.2.32 **H-R3-X19 ZONE** (By-law 2011-59) (HOLDING SYMBOL “H” REMOVED BY BY-LAW 2012-9)

1. That Part of Lots 18 and 19, Concession 1, former Township of Crowland, now in the City of Welland and shown on Schedule “A” attached to By-law 2011-59 as “Change to H-R3-X19 ZONE” is hereby rezoned H-R3-X19 ZONE.
2. The *USES* permitted in the H-R3-X19 ZONE shall be *SINGLE-DETACHED DWELLINGS*.

3. For the purposes of this *ZONE*, the following definition shall apply:

“Upper Level Platform – A raised, unenclosed platform greater than 1.5 metres in height and less than 2.4 metres in height above *GRADE*, excluding guardrails and handrails projecting horizontally from the face of the wall of the main *BUILDING* supported by columns or brackets on the ground.”

4. The provisions of the H-R3-X19 *ZONE* shall be as follows:

<i>LOT FRONTAGE</i>	Minimum 11.6 metres
<i>LOT AREA</i>	Minimum 320 square metres
<i>FRONT YARD</i>	Minimum 4.5 metres to <i>DWELLING UNIT</i>
	Minimum 6.0 metres to Attached Garage
<i>REAR YARD</i>	Minimum 7.0 metres
<i>SIDE YARD</i>	Minimum one side – 1.2 metres
	Minimum other side – 0.6 metres
<i>LOT COVERAGE</i>	Maximum 65%
	The walking surface of Upper Level Platforms shall be included in the <i>LOT COVERAGE</i> calculation

5. The provisions of Section 5.2 and 5.20 of By-law 2667, as amended, shall apply save and except references to *STREET* may be read as private *STREETS*.
6. Notwithstanding Section 5.7 – Encroachments the following shall apply:
- (a) The walking surface of upper level platforms shall be permitted to encroach a maximum of 3.0 metres into the required *REAR YARD*;
 - (b) *PORCHES*/roofed platforms may exceed 75% of the width of the main *BUILDING*;
 - (c) *PORCHES*/roofed platforms are permitted to encroach a maximum of 2.0 metres into the *FRONT YARD*. In the case of *CORNER LOTS*, such encroachment of *PORCH*/roofed platform is not permitted;
 - (d) Covered or uncovered steps/stairs that are used to provide access from the ground to the *PORCH*/roofed platform, permitted as an encroachment, shall be no closer than 1.0 metre from the *FRONT LOT LINE*. In the case of *CORNER LOTS*, no encroachment of covered or uncovered steps/stairs is permitted;
7. Notwithstanding Section 5.20.1 of By-law 2667, as amended, each required *PARKING SPACE* shall be made accessible for ingress and egress by means

of a hard surface driveway, being a minimum of 2.7 metres in width, to the *STREET*.

8. The number of *DWELLING UNITS* per *BLOCK* as shown on Schedule "B" attached to By-law 2011-59 is as follows:

<i>BLOCK NO.</i>	<i>MINIMUM NO. OF UNITS</i>	<i>MAXIMUM NO. OF UNITS</i>
6	8	14

(NORTH VILLAGE SUBDIVISION)

9.2.33

H-R3-X20 ZONE BY-LAW 2011-59, BY-LAW 2017-23 (HOLDING SYMBOL "H" PARTIALLY REMOVED BY BY-LAW 2012-9 (PHASE 1 – PART OF LOTS 18 AND 19, CONCESSION 1, BEING PARTS 1 AND 2, PLAN 59R-10855 AND BY-LAW 2016-177 (PART OF LOTS 18 AND 19, CONCESSION 1, BEING PARTS 1 AND 2, PLAN 59R-10855 – LOTS 1 TO 47 INCLUSIVE, BLOCKS 48 TO 52, PLAN 59M-433)

1. That Part of Lots 18 and 19, Concession 1, former Township of Crowland, now in the City of Welland and shown on Schedule "A" attached to By-law 2011-59 as "Change to H-R3-X20 ZONE" is hereby rezoned H-R3-X20 ZONE.

2. The *USES* permitted in the H-R3-X20 ZONE shall be *SINGLE-DETACHED DWELLINGS*.

3. For the purposes of this ZONE, the following definition shall apply:

"Upper Level Platform – A raised, unenclosed platform greater than 1.5 metres in height and less than 2.4 metres in height above *GRADE*, excluding guardrails and handrails projecting horizontally from the face of the wall of the main *BUILDING* supported by columns or brackets on the ground."

4. The provisions of the H-R3-X20 ZONE shall be as follows:

<i>LOT FRONTAGE</i>	Minimum 11.6 metres
<i>LOT AREA</i>	Minimum 320 square metres
<i>FRONT YARD</i>	Minimum 4.5 metres to <i>DWELLING UNIT</i>
	Minimum 6.0 metres to Attached Garage
<i>REAR YARD</i>	Minimum 6.0 metres
<i>SIDE YARD</i>	Minimum one side – 1.2 metres
	Minimum other side – 0.6 metres
<i>LOT COVERAGE</i>	Maximum 65%
	The walking surface of Upper Level Platforms shall be included

in the *LOT COVERAGE* calculation

5. The provisions of Section 5.2 and 5.20 of By-law 2667, as amended, shall apply save and except references to *STREET* may be read as private *STREETS*.
6. Notwithstanding Section 5.7 – Encroachments the following shall apply:
 - (a) The walking surface of upper level platforms shall be permitted to encroach a maximum of 3.0 metres into the *REQUIRED REAR YARD*;
 - (b) Porches/roofed platforms may exceed 75% of the width of the main *BUILDING*;
 - (c) Porches/roofed platforms are permitted to encroach a maximum of 2.0 metres into the *FRONT YARD*. In the case of *CORNER LOTS*, such encroachment of *PORCH*/roofed platform is not permitted;
 - (d) Covered or uncovered steps/stairs that are used to provide access from the ground to the *PORCH*/roofed platform, permitted as an encroachment, shall be no closer than 1.0 metre from the *FRONT LOT LINE*. In the case of *CORNER LOTS*, no encroachment of covered or uncovered steps/stairs is permitted;
7. Notwithstanding Section 5.20.1 of By-law 2667, as amended, each required *PARKING SPACE* shall be made accessible for ingress and egress by means of a hard surface driveway, being a minimum of 2.7 metres in width, to the *STREET*.
8. The number of *DWELLING UNITS* per *BLOCK* as shown on Schedule “B” attached to By-law 2011-59 is as follows:

BLOCK NO.	MINIMUM NO. OF UNITS	MAXIMUM NO. OF UNITS
1	14	24
8	5	9

(NORTH VILLAGE SUBDIVISION)

9.2.34 H-R3-X21 ZONE (By-law 2012-42)

1. That Lots 1 to 20 inclusive, 124 to 132 inclusive, 159 to 167 inclusive, 271 to 279 inclusive, Part of Lots 21 to 24 inclusive, 120 to 123 inclusive, 133 to 142 inclusive, 158, 168 to 171 inclusive, 250 to 257 inclusive, 267 to 270 inclusive, 280, 305 to 311 inclusive, Part of closed Birmingham Street Road Allowance, Part of closed Lawrence Avenue Road Allowance and Part of closed Roxborough Street Road Allowance, Plan 947, Registered Plan 26, former Township of Crowland, now in the City of Welland and shown on Schedule “A” attached to By-law 2012-42 as “Change to H-R3-X21 ZONE” is hereby rezoned H-R3-X21 ZONE.

2. That the *USES* permitted in the H-R3-X21 *ZONE* shall be *SINGLE-DETACHED DWELLINGS* and *BUILDINGS, STRUCTURES* and *USES ACCESSORY* thereto.
3. That the provisions of the H-R3-X21 *ZONE* shall be those provided for in the R3 *ZONE* save and except as follows:

Minimum <i>FRONT YARD</i>	4.5 metres to <i>DWELLING UNIT</i>
	6.0 metres to attached garage
<i>LOT COVERAGE</i>	Maximum 50%

(CANAL VIEW HEIGHTS SUBDIVISION)

9.2.35 H-R3-X22 ZONE (By-law 2012-42)

1. That Lots 154 to 157 inclusive, 281 to 284 inclusive, Part of Lots 153, 158, 280, 285, 300 to 305 inclusive, Part of closed Lawrence Avenue Road Allowance and Part of closed Roxborough Street Road Allowance, Plan 947, Registered Plan 26, former Township of Crowland, now in the City of Welland and shown on Schedule "A" attached to By-law 2012-42 as "Change to H-R3-X22 *ZONE*" is hereby rezoned H-R3-X22 *ZONE*.
2. That the *USES* permitted in the H-R3-X22 *ZONE* shall be *SINGLE-DETACHED DWELLINGS* and *BUILDINGS, STRUCTURES* and *USES ACCESSORY* thereto.
3. That the provisions of the H-R3-X22 *ZONE* shall be those provided for in the R3 *ZONE* save and except as follows:

<i>LOT FRONTAGE</i>	Minimum 11 metres
<i>LOT AREA</i>	Minimum 320 square metres
Minimum <i>FRONT YARD</i>	4.5 metres to <i>DWELLING UNIT</i>
	6.0 metres to attached garage
<i>LOT COVERAGE</i>	Maximum 50%

(CANAL VIEW HEIGHTS SUBDIVISION)

9.2.36 H-R3-X23 ZONE (By-law 2013-32) (HOLDING SYMBOL REMOVED BY BY-LAW 2014-10)

1. That Part of Township Lot 241, Thorold as in RO160624, municipally known as 318 First Avenue and shown on Schedule "A" attached to By-law 2013-32 as "Change to H-R3-X23 *ZONE*" is hereby rezoned H-R3-X23 *ZONE*.
2. That the *USES* permitted in the H-R3-X23 *ZONE* shall be those permitted in the R3 *ZONE*.

3. That the provisions of the H-R3-X23 ZONE shall be those provided for in the R3 ZONE save and except as follows:

Minimum FRONT YARD 9.0 metres

4. Until such time as the Holding Symbol (H) is removed the only USES permitted shall be Model Homes in accordance with the Subdivider's Agreement.

(WOODS VIEW ESTATES SUBDIVISION)

9.2.37 H-R3 ZONE (By-law 2013-48)

Part of Lots 141 to 143, 204 to 206, 215 to 222, 236 to 238, 241 to 245, 247 and 256 to 258; Lots 207 to 214, 223 to 234 and 248 to 250; Part of Blocks E, G and H; University Crescent; Part of Glenwood Parkway, Inway Drive and Woodland Drive; Lane between Lots 247 and 248; and Part of Lot 25, Concession 4 being Part of Part 1, 59R-12696, former Township of Humberstone and shown on Schedule "A" attached to By-law 2013-48 as "Change to H-R3 ZONE" is hereby rezoned H-R3 ZONE.

(FUSION HOMES SUBDIVISION)

9.2.38 H-R3-X24 ZONE (By-law 2013-103) (HOLDING SYMBOL REMOVED BY BY-LAW 2014-127)

1. That Part of Lot 1, Concession 11, former Township of Pelham, now in the City of Welland, municipally known as 755 South Pelham Road and shown on Schedule "A" attached to By-law 2013-103 as "Change to H-R3-X24 ZONE" is hereby rezoned H-R3-X24 ZONE.
2. That the USES permitted in the H-R3-X24 ZONE shall be those permitted in the R3 ZONE.
3. That the provisions of the H-R3-X24 ZONE shall be those provided for in the R3 ZONE save and except as follows:

Minimum FRONT YARD 4.5 metres to DWELLING UNIT
6.0 metres to attached garage

(FOREST CREEK ESTATES SUBDIVISION)

9.2.39 R3-X25 ZONE (By-law 2013-99)

1. That Lot 28, Plan 59M-139, municipally known as 3 College Park Drive and shown on Schedule "A" attached hereto as "Change to R3-X25 ZONE" is hereby rezoned R3-X25 ZONE.
2. That the USES permitted in the R3-X25 ZONE shall be those permitted in the R3 ZONE as well as an accessory DWELLING UNIT located in the principal DWELLING UNIT, subject to the following criteria:
 - a. The minimum GROSS FLOOR AREA of the accessory DWELLING UNIT shall be 45 square metres. Notwithstanding Section 2.61 the

GROSS FLOOR AREA for the accessory *DWELLING UNIT* shall include any floor area in a *CELLAR*; and

- b. One additional on-site *PARKING SPACE* is provided exclusively for the accessory *DWELLING UNIT*.
- 3. That the provisions of the R3-X25 *ZONE* shall be those provided for in the R3 *ZONE* save and except as follows:

Minimum East <i>SIDE YARD</i>	0 metres
Minimum Accessory East <i>SIDE YARD</i>	.80 metres

(3 COLLEGE PARK DRIVE)

9.2.40 H-R3-X26 ZONE (By-law 2014-139) (HOLDING SYMBOL “H” REMOVED BY BY-LAW 2016-140)

- 1. That Part of Lot 1, Concession 13 and Part of Lot 1, Concession 14, former Township of Pelham, now in the City of Welland and shown on Schedule “A” attached to By-law 2014-139 as “Change to H-R3-X26 *ZONE*” is hereby rezoned H-R3-X26 *ZONE*.

- 2. That the *USES* permitted in the H-R3-X26 *ZONE* shall be those permitted in the R3 *ZONE* and a accessory *DWELLING UNIT* located in the principal *DWELLING UNIT*, subject to the following criteria:

- a. The minimum *GROSS FLOOR AREA* of the accessory *DWELLING UNIT* shall be 45 square metres. Notwithstanding Section 2.61 the *GROSS FLOOR AREA* for the accessory *DWELLING UNIT* shall include any floor area in a *CELLAR*; and

- b. One additional on-site *PARKING SPACE* is provided exclusively for the accessory *DWELLING UNIT*.

- 3. That the provisions of the H-R3-X26 *ZONE* shall be those provided for in the R3 *ZONE* save and except as follows:

<i>FRONT YARD</i> Setback	4.5 metres to the main front wall
	6.0 metres to an attached garage
<i>SIDE YARD</i> Setback	Minimum with windows – 1.2 metres
	Minimum without windows – 1.0 metres
<i>LOT COVERAGE</i>	Maximum 50%

- 4. Until such time as the Holding Symbol (H) is removed the only *USES* permitted shall be Model Homes in accordance with the Subdivider’s Agreement.

(SPARROW MEADOWS ESTATES SUBDIVISION)

9.2.41 H-R3-X27 ZONE (By-law 2015-119) (HOLDING SYMBOL “H” PARTIALLY REMOVED BY BY-LAW 2017-38 – PHASE 1)

1. That Part Township Lot 258, former Township of Thorold, being Parts 1 and 2 on Plan 59R-15305, now in the City of Welland and shown on Schedule “A” attached to By-law 2015-119 as “Change to H-R3-X27 ZONE” is hereby rezoned H-R3-X27 ZONE.
2. That the *USES* permitted in the H-R3-X27 ZONE shall be those permitted in the R3 ZONE, and an accessory *DWELLING UNIT* located in the principal *DWELLING UNIT*, subject to the following criteria:
 - a. The minimum *GROSS FLOOR AREA* of the accessory *DWELLING UNIT* shall be 45 square metres.
 - b. Notwithstanding Section 2.61 the gross floor area for the accessory *DWELLING UNIT* shall include any floor area in a *CELLAR*; and
 - c. One additional on-site *PARKING SPACE* is provided exclusively for the accessory *DWELLING UNIT*.
3. That the provisions of the H-R3-X27 ZONE shall be those provided for in the R3 ZONE save and except as follows:

<i>LOT FRONTAGE</i>	Minimum - 11 metres
<i>LOT AREA</i>	Minimum – 330 square metres
<i>FRONT YARD</i>	4.5 metres to the main front wall 6.0 metres to an attached garage
<i>SIDE YARD</i>	Minimum with windows – 1.2 metres Minimum without windows – 1.0 metres
<i>REAR YARD</i>	Minimum – 6.5 metres
<i>LOT COVERAGE</i>	Maximum 50%

4. Notwithstanding Section 5.6 (a) of Zoning By-law 2667 a *SCREENING DEVICE* may be located 0.9 metres from both side *LOT LINES* and shall be no greater than 3.0 metres in height above *GRADE* with an overall aggregate area for each *SCREENING DEVICE* of no larger than ten (10) square metres.
5. Notwithstanding Section 5.7 of Zoning By-law 2667 a *PORCH* may encroach into any *REAR YARD* setback by a maximum of 3.0 metres.
6. Notwithstanding Section 5.20.4.1 (a) (ii) of Zoning By-law 2667 a driveway or parking area within the *FRONT YARD* or *EXTERIOR SIDE YARD* shall not exceed 60% of the width and/or area of such *FRONT YARD* or *EXTERIOR*

SIDE YARD.

7. Notwithstanding Section 6.3 (a) of Zoning By-law 2667 where a main *BUILDING* is erected upon a *CORNER LOT* with its main front entrance facing the flank of such *LOT*, such main *BUILDING* shall be deemed to have one *FRONT YARD* setback, on the *STREET* upon which such *LOT* fronts and a 1.2 metre setback on the *STREET* upon which said *LOT FLANKS*.
8. Notwithstanding Section 6.3 (b) of Zoning By-law 2667 where a main *BUILDING* is erected upon a *CORNER LOT* with its main front entrance facing the front of such *LOT*, such main *BUILDING* shall have a *FRONT YARD* as required in this By-law, but the width of the *SIDE YARD* facing the *STREET* upon which the *LOT FLANKS* shall be 1.2 metres.
9. Notwithstanding the maximum *LOT COVERAGE* of 60% of the area of the *LOT*, *PORCHES* and roofed platforms are excluded from the calculation of *LOT COVERAGE*.
10. Until such time as the Holding Symbol (H) is removed the only *USES* permitted shall be Model Homes in accordance with the Subdivider's Agreement.

(VANIER ESTATES SUBDIVISION)

9.2.42 R3-X28 ZONE (By-law 2016-45)

1. That Part Township Lot 260, former Township of Thorold, being Part 1 on Plan 59R-13565, Part Lot 1, Concession 14, former Township of Pelham, being Part 1 on Plan 59R-15406 and Block 80, Plan 59M-374, now in the City of Welland and shown on Schedule "A" attached to By-law 2016-45 as "Change to R3-X28" is hereby rezoned R3-X28 *ZONE*.
2. That the *USES* permitted in the R3-X28 *ZONE* shall be those permitted in the R3 *ZONE*.
3. That the provisions of the R3-X28 *ZONE* shall be those provided for in the R3 *ZONE* save and except as follows:

<i>FRONT YARD</i>	4.5 metres to the main front wall
	6.0 metres to an attached garage
<i>LOT COVERAGE</i>	Maximum 50%

(GAISER ESTATES SUBDIVISION)

9.2.43 R3-X29 ZONE (By-law 2016-77)

1. That Part Lot 246, former Township of Thorold, now in the City of Welland and shown on Schedule "A" attached to By-law 2016-77 hereto as "Change to R3-X29 *ZONE*" is hereby rezoned to R3-X29 *ZONE*.
2. That the *USES* permitted in the R3-X29 *ZONE* shall be *SINGLE-DETACHED DWELLINGS* and *BUILDINGS, STRUCTURES* and *USES* accessory thereto.

3. That the provisions of the R3-X29 *ZONE* shall be those provided for in the R3 *ZONE* save and except as follows:

Minimum <i>FRONT YARD</i>	4.5 metres to <i>DWELLING UNIT</i>
	6.0 metres to attached garage

(VALLEYWAY ESTATES SUBDIVISION)

9.2.44 R3-X30 ZONE (By-law 2016-121)

1. That Part Township Lot 257, former Township of Thorold, being Part 1 and 2 on Plan 59R-12430, now in the City of Welland and shown on Schedule "A" attached to By-law 2016-121 as "Change to R3-X30 *ZONE*" is hereby rezoned R3-X30 *ZONE*.
2. That the provisions of the R3-X30 *ZONE* shall be those provided for in the R3 *ZONE*, save and except as follows:

Minimum <i>FRONT YARD</i> Setback (<i>DWELLING</i>)	4.5 metres
Minimum <i>FRONT YARD</i> Setback (Garage)	6 metres

(DRAPER'S CREEK ESTATES (PHASE 3) SUBDIVISION)

9.2.45 R3-X31 ZONE (By-law 2016-130)

1. That Lots 70, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, and 85 on Plan 59M-230 in the City of Welland and shown on Schedule "A" attached to By-law 2016-130 as "Change to R3-X31 *ZONE*" is hereby rezoned R3-X31 *ZONE*.
2. That the provisions of the R3-X31 *ZONE* shall be those provided for in the R3 *ZONE*, save and except as follows:

Minimum <i>FRONT YARD</i> Setback	5 metres
Maximum <i>LOT COVERAGE</i>	50%
Minimum <i>REAR YARD</i> Setback (<i>ACCESSORY STRUCTURES</i> , including but not limited to: pools, <i>DECKS</i> , stairs, railings, hot tubs and sheds, subject to Niagara Peninsula Conservation Authority Approval)	4 metres

To allow for the construction of a fence along the *REAR* and *SIDE LOT LINES*.

(16, 24, 32, 40, 48, 56, 64, 74, 82, 90, 98, 106, 114, 130 and 138 GRETTEL PLACE)

9.2.46 R3-X32 ZONE (By-law 2016-161)

1. That Lots 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, and 138 on Plan 59M-230 in the City of Welland and shown on Schedule "A" attached to By-law 2016-161 as "Change to R3-X32 ZONE" is hereby rezoned R3-X32 ZONE.
2. That the provisions of the R3-X32 ZONE shall be those provided for in the R3 ZONE, save and except as follows:

Minimum *FRONT YARD* Setback 5 metres

Maximum *LOT COVERAGE* 50%

Minimum *REAR YARD* Setback 2 metres
 (*ACCESSORY STRUCTURES*, including but not limited to: pools, *DECKS*, stairs, railings, hot tubs and sheds, subject to Niagara Peninsula Conservation Authority Approval)

To allow for the construction of a fence along the *REAR* and *SIDE LOT LINES*.

(74, 80, 86, 94, 104, 112, 120, 128, 136, 144, 152, 160, 168, 176, 184, 192, 198, 204 COURTNEY CRESCENT)

9.2.47 R3-X33 ZONE (By-law 2016-170)

1. That Part of Part Lot 260, former Township of Thorold, now in the City of Welland and shown on Schedule "A" attached to By-law 2016-170 as "Change to R3-X33 ZONE" is hereby rezoned R3-X33 ZONE.
2. That the provisions of the R3-X33 ZONE shall be those provided for in the R3 ZONE, save and except as follows:

Minimum *FRONT YARD* Setback to Face of *DWELLING* 4.5 metres

Minimum *FRONT YARD* Setback to Face of Attached Garage 6 metres

Maximum *LOT COVERAGE* 50%

(150 SOUTH PELHAM ROAD)