

SECTION 4 – RURAL (A) ZONE

4.1 Uses Permitted

No person shall within the Rural (A) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Rural Uses *(as amended by 500PE-01)*

- a farm including accessory buildings, providing that in the event that the structures or the land is to be used for the purpose of a Specialized Farm Use as defined in Section 2.32 of this by-law, that a certificate of Compliance shall have been obtained from the Ministry of the Environment and the Ministry of Agriculture and Food.
- a nursery or commercial greenhouse
- any use or enterprise customarily carried on in the field of general agriculture, subject to the foregoing *(By-law 500PE-01)*
- a home industry as defined in Section 2.40 of this By-law
- a farm produce storage building
- a seasonal home grown produce sales outlet
- an animal hospital or kennel
- a farm winery as in Sections 2.32-1 and 3.34
- a greenhouse building used for a Marihuana for Medical Purposes Facility *(added as per 500WO-14)*

(b) Residential Uses

- a one (1) family dwelling
- a small scale tourist accommodation as defined in Section 2.73A *(By-law 500LJ-97)*
- a group home as in Section 2.36B and 3.35 *(By-law 500MT-99)*

4.2 Zone Requirements

No person shall within the Rural (A) Zone use any lot or erect, alter or use any building or structure except in accordance with Schedule "F" - Zone Requirements Table as applicable to the Rural (A) Zone.

4.2.1 SPECIAL PROVISIONS FOR GREENHOUSE BUILDINGS USED FOR *MARIHUANA FOR MEDICAL PURPOSES PRODUCTION FACILITIES* *(added as per 500WO-14)*

- (a) If a property containing a *Marihuana for Medical Purposes Production Facility* is located 70.0 m (229.66 ft) or greater from a property line of a sensitive land use, the minimum yard requirements of the Rural (A) Zone shall apply.
- (b) If a property containing a *Marihuana for Medical Purposes Production Facility* is located less than 70.0 m (229.66 ft) from a property line of a sensitive land

use, any building or structure on site shall have a minimum yard setback of 70.0 m (229.66 ft) from any property line(s) that is less than 70.0 m (229.66 ft) to the sensitive land use. The minimum requirements of the Rural (A) Zone shall apply for all other setbacks.

- (c) No outside storage is permitted.
- (d) Where an interior side yard or rear yard is adjacent to the property of a sensitive land use, a strip of land adjacent to the adjoining property line being a minimum of 3.0 m (9.84 ft) in width shall be used as a buffer strip in accordance with Section 6.6 of By-law 4316-09, as amended.
- (e) Where security fencing is required by federal legislation, it shall comply with the following provisions:
 - i.*) Security fencing shall meet all required yard setbacks of the zone.
 - ii.*) Security fencing shall have a maximum height of 2.74 m (9.0 ft).

SECTION 4A – AGRICULTURAL ONLY ZONE (AO)

(By-law 500CI-83)

4.A.1 Uses Permitted

No person shall within the Agricultural Only (AO) Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following permitted uses:

- a farm including accessory building but not a house, providing that in the event the structures or the land is to be used for the purpose of a Specialized Farm Use as defined in Section 2.32 of this By-law, that a Certificate of Compliance shall have been obtained from the Ministry of the Environment and the Ministry of Agriculture and Food;
- a nursery or commercial greenhouse;
- any use customarily carried on in the field of agriculture subject to the foregoing;
- a farm produce storage building
- all residential, commercial, industrial, institutional and open space uses are not permitted within an Agricultural Only Zone (AO).

SECTION 4B – AGRICULTURAL PURPOSES ONLY ZONE (APO)

(By-law 500DH-85)

4.B.1 Uses Permitted

No person shall within the Agricultural Purposes Only (APO) Zone, use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

- a farm including accessory building but not a house, providing that in the event the structures or the land is to be used for the purpose of a Specialized Farm Use as defined in Section 2.32 of this By-law, that a Certificate of Compliance shall have been obtained from the Ministry of the Environment and the Ministry of Agriculture and Food;
- a nursery or commercial greenhouse;
- any use customarily carried on in the field of agriculture subject to the foregoing;
- a farm produce storage building

4.B.2 Zone Requirements

Within the Agricultural Purposes Only (APO) Zone the requirements of the Rural (A) Zone of Schedule "F" - Zone Requirements Table as applicable to the "Rural (A) Zone" shall apply except that the minimum lot frontage, minimum lot area, and minimum lot depth shall be as existing on the date of passing of this by-law.

SECTION 5 – RURAL RESIDENTIAL (RR) ZONE

5.1 Uses Permitted

No person shall within the Rural Residential (RR) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Rural Uses

- any existing use or enterprise customarily carried on in the field of general agriculture, but not including a specialized farm use as defined in Section 2.32 in this By-law
- a nursery or commercial greenhouse
- a home industry as defined in Section 2.40 of this By-law
- a seasonal home-grown produce sales outlet
- except that any of these permitted uses under this subsection where adjacent to or across from an existing residence on another lot shall be screened from that residence on a parcel of land 15 feet wide at the lot line and this parcel shall be used for no other purpose than landscaping
- a farm winery as in Sections 2.32-1 and 3.34

(b) Residential Uses

- a one-family dwelling
- a small scale tourist accommodation as defined in Section 2.73A (*By-law 500LJ-97*)
- a home occupation as defined in Section 2.41 of this By-law
- a group home as in Section 2.36B and 3.35 (*By-law 500MT-99*)

(c) Open Space Uses

- a bowling green, outdoor skating rink, tennis court or private club.

(d) Institutional Uses

- a church, community centre, nursing home or library
- a Public Use in accordance with the provisions of Section 3.21 of this By-law

5.2 Zone Requirements

No person shall within the Rural Residential (RR) Zone use any lot or erect, alter or use any building or structure except in accordance with Schedule “F” – Zone Requirements Table as applicable to the Rural Residential (RR) Zone.

SECTION 6 – SUBURBAN RESIDENTIAL (RS) ZONE

6.1 Uses Permitted

No person shall within the Suburban Residential (RS) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- a one-family dwelling
- a small scale tourist accommodation as defined in Section 2.73A (*By-law 500LJ-97*)
- a home occupation as defined in Section 2.41 of this By-law
- a group home as in Section 2.36B and 3.35 (*By-law 500MT-99*)

(c) Open Space Uses

- a bowling green, outdoor skating rink, tennis court or private club.

(c) Institutional Uses

- a church, community centre, nursing home or library
- a Public Use in accordance with the provisions of Section 3.21 of this By-law

6.2 Zone Requirements

No person shall within the Suburban Residential (RS) Zone use any lot or erect, alter or use any building or structure except in accordance with Schedule “F” – Zone Requirements Table as applicable to the Suburban Residential (RS) Zone.

SECTION 7 – SHORELINE ONE FAMILY RESIDENTIAL (RC) ZONE

(By-law 500EY-88)

7.1 Uses Permitted

No person shall within the Shoreline One-Family Residential (RC) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- a one-family dwelling for year-round occupancy or seasonal dwelling unit
- a group home as in Section 2.36B and 3.35 *(By-law 500MT-99)*

7.2 Zone Requirements

No person shall, within the Shoreline One-Family Residential (RC) Zone, use any lot, or erect, alter or use any building or structure except in accordance with the following:

(a)	Minimum Lot Area	Existing on the date of passing of this By-law
(b)	Minimum Lot Frontage and/or Depth	Existing on the date of passing of this By-law
(c)	Maximum Height	10.6 meters
(d)	Maximum Coverage	Existing on the date of passing of this By-law or 15% of the lot area
(e)	Minimum Front Yard	Existing on the date of passing of this By-law or 7.0 meters
(f)	Minimum Rear Yard	Existing on the date of passing of this By-law or 7.0 meters
(g)	Minimum Exterior and/or Interior Side Yard	Existing on the date of passing of this By-law or 3.0 meters
(h)	Minimum Building Area: (i) one storey (ii) two storey	Existing on the date of passing of this By-law or: 92.9 m ² 139.35 m ²
(i)	Accessory Building Yards	Existing on the date of passing of this By-law or 1.5 meters

7.3 Special Provisions

- 7.3.1 All lots existing on the date of the passing of this By-law, which are subject to the provisions of the "Shoreline One-Family Residential (RC) Zone" shall be exempt from Section 3.11 "Frontage on a Public Road or street" of Zoning By-law No. 500A-74, as amended, provided written approval is obtained from the Niagara Regional Health Unit regarding source of water and proposed sewage disposal, as well as written approval from the Ministry of Natural Resources regarding slope stability and erosion control.
- 7.3.2 All lots existing on the date of the passing of this By-law which are subject to the provisions of the "Shoreline One-Family Residential (RC) Zone" shall be exempt from Section 3.4 "Accessory Use" of Zoning By-law No. 500A-74, as amended, only insofar as it would apply to inground, unenclosed pools within a front yard.
- 7.3.3 Nothing in this By-law shall prevent the rebuilding or repair of an existing or permitted building or structure, even though such building or structure or the lot on which such building or structure is located does not conform to one or more of the provisions of this By-law, provided that yards appurtenant thereto are not reduced except in accordance with the provisions of this By-law.
- 7.3.4 Nothing in this By-law shall prevent a horizontal extension or addition from being made to an existing building or structure or lot or the use thereof does not conform to one or more of the provisions of this By-law, provided such extension or addition itself is designed, located, used and otherwise is in compliance with the provisions of this By-law, except that all yards appurtenant to an existing building or structure shall be deemed to conform to the yard and setback requirements of this By-law, notwithstanding that the width or depth of such yards might be less than that required elsewhere herein.

7.4 Definitions

For the purpose of implementing the regulations of the Shoreline One Family Residential (RC) Zone, the following definition of a "Front Lot Line" shall apply and shall be used in interpreting definitions 2.48, 2.49, 2.52, 2.83 and 2.84:

"Lot Line Front" means in the case of a lot having frontage on a navigable waterway, the lot line directly adjacent to the navigable waterway. Further in the case of the lot zoned Shoreline One-Family residential (RC) Zone that does not have frontage on the navigable waterway, definition 2.51 "Lot Line, Front" shall apply except that a street may be a private lane or private right-of-way.

SECTION 8 – ONE FAMILY RESIDENTIAL (R1) ZONE

8.1 Uses Permitted

No person shall within the One Family Residential (R1) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- a one-family dwelling
- a small scale tourist accommodation as defined in Section 2.73A (*By-law 500LJ-97*)
- a home occupation as defined in Section 2.41 of this By-law
- a group home as in Section 2.36B and 3.35 (*By-law 500MT-99*)

(b) Institutional Uses

- a church, community centre, nursing home or library
- a Public Use in accordance with the provisions of Section 3. 21 of this By-law

8.2 Zone Requirements

No person shall within the One Family Residential (R1) Zone use any lot or erect, alter or use any building or structure except in accordance with Schedule “F” – Zone Requirements Table as applicable to the One Family Residential (R1) Zone.

SECTION 8.3 – R1 SPECIAL ZONE

(By-law 500FO-91)

8.3 Uses Permitted in R1-1 Zones

In any R1-1 zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

8.3.1 Residential Uses

- a one-family dwelling
- a group home as in Section 2.36B and 3.35 *(By-law 500MT-99)*

8.3.2 Non-residential Uses

- a home occupation
- a public park

8.4 Special Provisions for R1-1 Zones

For the purposes of this subsection, all provisions which refer to a lot are calculated using only that portion of a lot which is above the normal elevation of the Niagara River. In any R1-1 Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following special provisions:

8.4.1	lot area (minimum)	415 square metres
8.4.2	lot frontage (minimum)	16 metres
8.4.3	lot depth (minimum)	24.5 metres
8.4.4	lot coverage (maximum)	45%
8.4.5	front yard (minimum)	3 metres
8.4.6	rear yard (minimum)	7.5 metres
8.4.7	interior side yard (minimum)	1.5 metres
8.4.8	building separation (minimum)	1 metre
8.4.9	building heights (maximum)	
	(a) main building	2 storeys and 8.5 metres
	(b) accessory building	1 storey and 3 metres
8.4.10	dwelling unit area (maximum)	370 square metres
8.4.11	dwelling unit area (minimum)	185 square metres
8.4.12	landscaping area (minimum)	45%
8.4.13	driveway setback (minimum)	1.8 metres

- 8.4.14 parking spaces (minimum)
- (a) residential uses 2 for each dwelling unit
 - (b) non-residential uses the greater of: 2 per lot or 1 for each 18.5 square metres of net floor area or portion thereof
- 8.4.15 Parking Space Location:
Except within a private garage or carport or on a driveway, no part of any parking space shall be located in any part of a front yard
- 8.4.16 General Provisions:
In addition to the above, the provisions of Section 3 shall apply.

SECTION 9 – TWO FAMILY RESIDENTIAL (R2) ZONE

9.1 Uses Permitted

No person shall within the Two Family Residential (R1) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- a one-family dwelling (*)
- a small scale tourist accommodation as defined in Section 2.73A (*By-law 500LJ-97*) pertaining to a one-family dwelling residential use only (*)
- a semi-detached dwelling
- a duplex dwelling
- a two-family converted dwelling
- a home occupation as defined in Section 2.41 of this By-law pertaining to a one-family dwelling residential use only (*)
- a group home as in Section 2.36B and 3.35 (*By-law 500MT-99*)

(b) Institutional Uses

- a church
- a Public Use in accordance with the provisions of Section 3. 21 of this By-law

9.2 Zone Requirements

No person shall within the Two Family Residential (R2) Zone use any lot or erect, alter or use any building or structure except in accordance with Schedule “F” – Zone Requirements Table as applicable to the Two Family Residential (R2) Zone.

SECTION 10 – THREE AND FOUR FAMILY RESIDENTIAL (R3) ZONE

10.1 Uses Permitted

No person shall within the Three and Four Family Residential (R3) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- a one-family dwelling (*)
- a small scale tourist accommodation as defined in Section 2.73A (*By-law 500LJ-97*) pertaining to a one-family dwelling residential use only (*)
- a semi-detached dwelling
- a duplex dwelling
- a triplex dwelling and a fourplex dwelling
- a converted dwelling containing two, three or four dwelling units
- a home occupation as defined in Section 2.41 of this By-law pertaining to a one-family dwelling residential use only (*)
- a group home as in Section 2.36B and 3.35 (*By-law 500MT-99*)

(b) Institutional Uses

- a church
- a Public Use in accordance with the provisions of Section 3. 21 of this By-law

10.2 Zone Requirements

No person shall within the Three of Four Family Residential (R3) Zone use any lot or erect, alter or use any building or structure except in accordance with Schedule “F” – Zone Requirements Table as applicable to the Three and Four Family Residential (R3) Zone.

SECTION 11 – MULTIPLE FAMILY RESIDENTIAL (RM4) ZONE

11.1 Uses Permitted

No person shall within the Multiple Family Residential (RM4) Zone, use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- a converted dwelling containing four or more dwelling units
- a multiple dwelling, a row house or an apartment building when constructed and located in accordance with a site plan which has been incorporated into this By-law as an amendment to Schedule “H”, Site Plans, in accordance with the provisions of Section 21 of this By-law
- a group home as in Section 2.36B and 3.35 (*By-law 500MT-99*)

(b) Institutional Uses

- a Public Use in accordance with the provisions of Section 3.21 of this By-law

11.2 Zone Requirements

No person shall within the Multiple Family Residential (RM4) Zone use any lot or erect, alter or use any building or structure except in accordance with Schedule “F” – Zone Requirements Table as applicable to the Multiple Family Residential (RM4) Zone.

SECTION 11.3 – RM4-1 SPECIAL ZONE

(By-law 500FP-91)

11.3.1 Uses Permitted in RM4-1 Zones

In any RM4-1 zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

11.3.1 Residential Uses

- a townhouse unit
- a group home as in Section 2.36B and 3.35 *(By-law 500MT-99)*

11.3.2 Non-residential Uses

- a home occupation

11.4 Special Provisions for RM4-1 Zones

In any RM4-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

11.4.1	lot areas (minimum)	
	(a) end unit	310 square metres
	(b) interior unit	280 square metres
11.4.2	lot frontages (minimum)	
	(a) end unit	10.5 metres
	(b) interior unit	7.5 metres
11.4.3	lot depth (minimum)	32 metres
11.4.4	lot coverage (maximum)	40%
11.4.5	front yard (minimum)	7.5 metres
11.4.6	rear yard (minimum)	7.5 metres
11.4.7	interior side yard (minimum)	
	(a) end unit	3 metres
	(b) interior unit	nil
11.4.8	building heights (maximum)	
	(a) main building	2 storeys and 8.5 metres
	(b) accessory building	1 storey and 3 metres
11.4.9	dwelling unit area (maximum)	110 square metres
11.4.10	landscaping area (minimum)	45%
11.4.11	driveway setback (minimum)	nil
11.4.12	parking spaces (minimum)	
	(a) residential uses	2 for each dwelling unit
	(b) non-residential uses	the greater of: 2 per lot or 1 for each 18.5 square metres of net floor area or portion thereof

11.4.13 Parking Space Location:

Except within a private garage or carport or on a driveway, no part of any parking space shall be located in any part of a front yard

11.4.14 General Provisions:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 12 – GENERAL COMMERCIAL (C1) ZONE

12.1 Uses Permitted

No person shall within the General Commercial (C1) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

A dwelling unit or units permitted under the provisions of Section 3.9 of this By-law.

(b) Commercial Uses

- a retail store in which the permitted manufacturing use is incidental to the retail business but does not exceed 50% of the floor area and the products manufactured are for sale at retail on the premises
- a service shop
- an eating establishment including a restaurant outdoor patio subject to the provisions of Section 3.31
- a garden centre
- a service station
- a telephone exchange
- a theatre
- a place of entertainment (but not a drive-in theatre)
- a bank or other financial establishment
- a business or professional office
- a hotel, motel or private club
- a take-out food outlet
- a parking garage, structure or lot
- an undertaking establishment
- a newspaper publishing office and job printer, but not a book or magazine printing or publishing establishment
- a wholesale establishment which conducts retail sales in the same premises
- a shopping centre (500HL-93)
- an amusement arcade (500HL-93)
- an antique store (500PE-01)
- a commercial recreation establishment (500RT-04)

Except that:

- (i) the storage of inoperable vehicles including trailers is not permitted, and
- (ii) a shopping centre, i.e. a group of more than four retail and/or service shops having a common parking area, is not permitted with the Commercial (C1) Zone

- (c) Institutional Uses
 - a church
 - a library
 - a community centre
 - a nursing home

- (d) Special Provisions for the Old Town of Niagara Area shown on Schedule “B”
 - (i) the following uses are prohibited within the area shown in the C1 on Schedule “B” of this By-law (*By-law 500N-76*)
 - a motel
 - a take-out food outlet
 - a service station
 - a parking garage or structure
 - an amusement arcade
 - a nursing home
 - wholesale establishment which conducts retail sales in same premises
 - (ii) a retail store located with the area shown on Schedule “B” may not include the incidental manufacturing uses described under Subsection (b) above

- (e) Special Provisions for the Urban Community of Virgil shown on Schedule “C” of Zoning By-law 500A-74 (*By-law 500BT-80*)
 - (i) the following uses are prohibited within the area(s) shown as C1 on Schedule “C” of By-law 500A-74:
 - a farm implement dealer
 - a motel
 - a miniature golf course
 - a motor vehicle sales outlet
 - a parking garage or structure
 - a wholesale establishment
 - an amusement arcade
 - a nursing home

12.2 Zone Requirements

No person shall within the General Commercial (C1) Zone use any lot, erect, alter or use any building or structure except in accordance with Schedule “F” – Zone Requirements Table as applicable to the General Commercial (C1) Zone or in accordance with the provisions of any applicable paragraph of Section 21 – Special Provisions.

12.3 Screening Requirements

Where the interior side or rear lot line of a lot used under this Section abuts a Residential Zone (other than a Rural Residential (RR) Zone) a strip of land on the lot adjoining such abutting lot line shall be used for a planting strip in accordance with the following requirements.

(a) Width

Land required to be used as a planting strip shall be a minimum width of 10 ft.

(b) Contents

A planting strip shall be used for no other purpose than for a row of trees or a continuous hedgerow of evergreens or shrubs not less than 5 feet high and immediately adjacent to the lot line along which the planting strip is required.

SECTION 12A – SERVICE COMMERCIAL (C2) ZONE

12A.1 Uses Permitted

No person shall within the Service Commercial (C2) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

A dwelling unit or units permitted under the provisions of Section 3.9 of this By-law.

(b) Commercial Uses

- a coin operated car wash outlet
- a personal service establishment (*By-law 500PE-01*)
- a retail store including a retail store in which the manufacturing use is incidental to the retail business but does not exceed 50% of the floor area and the products manufactured are for sale at retail on the premises provided that the manufacturing process is not excluded as an obnoxious use under Section 2.60, but not including a supermarket
- bank of other financial establishment
- a business or professional office
- an eating establishment including a restaurant outdoor ` patio subject to the provisions of Section 3.31
- a dry cleaning depot
- a farm implement dealer
- a coin laundry
- a garden centre
- a motor vehicle sales and service establishment (there shall be no storage of inoperable vehicles) (*By-law 500PE-01*)
- a place of entertainment (but not a drive-in theatre)
- a service station (there shall be no storage of inoperable vehicles) (*By-law 500PE-01*)
- an antique store (*By-law 500PE-01*)
- a commercial recreation establishment (*By-law 500RT-04*)

(c) Institutional Uses

- a church
- a community centre

12A.2 Zone Requirements

No person shall within the Service Commercial (C2) Zone use any lot, erect, alter or use any building or structure except in accordance with Schedule “F” – Zone Requirements Table as applicable to the Service Commercial (C2) Zone or in accordance with the provisions of any applicable paragraph of Section 21 – Special Provisions.

12A.3 Screening Requirements

Where the interior side or rear lot line of a lot used under this Section abuts a Residential Zone (other than a Rural Residential (RR) Zone) a strip of land on the lot adjoining such abutting lot line shall be used for a planting strip in accordance with the following requirements.

(a) Width

Land required to be used as a planting strip shall be a minimum width of 10 ft.

(b) Contents

A planting strip shall be used for no other purpose than for a row of trees or a continuous hedgerow of evergreens or shrubs not less than 5 feet high and immediately adjacent to the lot line along which the planting strip is required.

SECTION 13 – HIGHWAY COMMERCIAL (C3) ZONE

13.1 Uses Permitted

No person shall within the Highway Commercial (C3) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

A dwelling unit or units permitted under the provisions of Section 3.9 of this By-law.

(b) Commercial Uses

- bank of other financial establishment
- a business or professional office
- a driving range
- a building supply or lumber yard
- an eating establishment including a restaurant outdoor patio subject to the provisions of Section 3.31
- a farm implement dealer
- a hotel or motel
- a clinic
- a motor vehicle sales and service establishment (there shall be no storage of inoperable vehicles) *(By-law 500PE-01)*
- a nursery or garden centre
- a place of entertainment (but not a drive-in theatre)
- a public garage (there shall be no storage of inoperable vehicles) *(By-law 500PE-01)*
- a seasonal produce stand
- a service station (there shall be no storage of inoperable vehicles) *(By-law 500PE-01)*
- an antique store *(500PE-01)*
- a commercial recreation establishment *(By-law 500RT-04)*

() There shall be no storage of inoperable vehicles*

(c) Institutional Uses

- a church
- a community centre

13.2 Zone Requirements

No person shall within the Highway Commercial (C3) Zone use any lot, erect, alter or use any building or structure except in accordance with Schedule "F" – Zone Requirements Table as applicable to the Highway Commercial (C3) Zone or in accordance with the provisions of any applicable paragraph of Section 21 – Special Provisions.

13.3 Screening Requirements

Where the interior side or rear lot line of a lot used under this Section abuts a Residential Zone, a strip of land on the lot adjoining such abutting lot line shall be used for a planting strip in accordance with the following requirements.

(a) Width

Land required to be used as a planting strip shall be a minimum width of 10 ft.

(b) Contents

A planting strip shall be used for no other purpose than for a row of trees or a continuous hedgerow of evergreens or shrubs not less than 5 feet high and immediately adjacent to the lot line along which the planting strip is required.

SECTION 14 – MARINE COMMERCIAL (C4) ZONE

14.1 Uses Permitted

No person shall within the Marine Commercial (C4) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

A dwelling unit or units permitted under the provisions of Section 3.9 of this By-law.

(b) Commercial Uses

- a commercial fishing establishment
- a boat building or storage establishment
- a hotel, motel or hotel
- a commercial fishing outfitting and service station
- a marina or boat livery
- a marine passenger service terminal
- a marine retail outlet
- a parking area for motorized vehicles
- a sail maker
- an ancillary retail or service establishment
- a ship's chandler

(c) Open Space Uses

- a swimming area, or private club

14.2 Zone Requirements

No person shall within the Marine Commercial (C4) Zone use any lot, erect, alter or use any building or structure except in accordance with Schedule "F" – Zone Requirements Table as applicable to the Marine Commercial (C4) Zone or in accordance with the provisions of any applicable paragraph of Section 21 – Special Provisions.

SECTION 14.3 – C4-1 SPECIAL ZONE (By-law 500FQ-91)

14.3 Uses Permitted in C4-1 Zones

In any C4-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.3.1 Residential Uses:

- prohibited

14.3.2 Non-Residential Uses:

- a hotel

14.4 Special Provisions for C4-1 Zones

In any C4-1 Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following special provisions:

14.4.1	Lot area (minimum)	1,450 m ²
14.4.2	Lot frontage (minimum)	28 m
14.4.3	Lot depth (minimum)	49 m
14.4.4	Lot coverage (maximum) <i>For the purposes of this clause, lot coverage shall be calculated using the perimeter of the building at finished grade.</i>	38.5%
14.4.5	Front yard (minimum)	nil
14.4.6	Rear yard (minimum)	nil
14.4.7	Exterior side yard (minimum)	nil
14.4.8	Interior side yard (minimum)	12 m
14.4.9	Building height (maximum)	10.5 m and 3 storeys
14.4.10	Landscaping area (minimum)	nil
14.4.11	Buffer location	a planting strip or solid fence shall be required along any portion of a lot line which abuts a Residential Zone
14.4.12	Driveway setback (minimum)	6 m
14.4.13	Parking spaces (minimum)	28
14.4.14	Loading spaces (minimum)	1 only
14.4.15	General provisions	In addition to the above, the provisions of Section 3 shall apply

SECTION 15 – RESTRICTED INDUSTRIAL (M1) ZONE

15.1 Uses Permitted

No person shall within the Restricted Industrial (M1) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

A dwelling unit or units permitted under the provisions of Section 3.9 of this By-law.

(b) Commercial Uses

- a motor vehicle sales and service establishment (*)
- a parking garage, structure or lot
- a publishing establishment
- a seasonal produce stand
- a service station
- a telephone exchange

(c) Industrial Uses

- an assembly plant
- a contractor's or tradesman's shop or office
- a dry-cleaning or laundry establishment
- a fabricating, processing, servicing or manufacturing establishment
- a machine shop
- a warehouse
- a transportation terminal (but not a truck terminal or storage yard)

Except that:

- (i) there shall not be open storage of goods or materials for the Industrial Uses;
- (ii) there shall be no Obnoxious Use as defined under Section 2.60 of this By-law;
- (iii) there shall be no storage of inoperable vehicles

(d) Open Space Uses

- a meeting hall or auditorium
- a private park, swimming or private club

15.2 Zone Requirements

No person shall within the Restricted Industrial (M1) Zone use any lot, erect, alter or use any building or structure except in accordance with Schedule "F" – Zone Requirements Table as applicable to the Restricted Industrial (M1) Zone or in accordance with the provisions of any applicable paragraph of Section 21 – Special Provisions.

15.3 Screening Requirements

Where the interior side or rear lot line of a lot used under this Section abuts a Residential Zone, a strip of land on the lot adjoining such abutting lot line shall be used for a planting strip in accordance with the following requirements.

(a) Width

Land required to be used as a planting strip shall be a minimum width of 10 ft.

(b) Contents

A planting strip shall be used for no other purpose than for a row of trees or a continuous hedgerow of evergreens or shrubs not less than 5 feet high and immediately adjacent to the lot line along which the planting strip is required.

SECTION 16 – GENERAL INDUSTRIAL (M2) ZONE

16.1 Uses Permitted

No person shall within the General Industrial (M2) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

A dwelling unit or units permitted under the provisions of Section 3.9 of this By-law.

(b) Commercial Uses

- a bulk fuel storage establishment
- a building supply, contractor's or lumber yard
- a motor vehicle sales and service establishment
- a parking garage, structure or lot
- a public garage
- a publishing establishment
- a seasonal produce stand
- a service station
- a telephone exchange

(c) Industrial Uses

- an assembly plant
- a contractor's or tradesman's shop or office
- a dry-cleaning or laundry establishment
- a fabricating, processing, servicing or manufacturing shop or plant
- a machine shop
- open storage of goods and materials
- a transportation terminal

Except that:

- (i) an Obnoxious Use as defined under Section 2.60 of this By-law shall not be permitted;
- (ii) there shall be no storage of inoperable vehicles

16.2 Zone Requirements

No person shall within the General Industrial (M2) Zone use any lot, erect, alter or use any building or structure except in accordance with Schedule "F" – Zone Requirements Table as applicable to the General Industrial (M2) Zone or in accordance with the provisions of any applicable paragraph of Section 21 – Special Provisions.

16.3 Screening Requirements

Where the interior side or rear lot line of a lot used under this Section abuts a Residential Zone, a strip of land on the lot adjoining such abutting lot line shall be used for a planting strip in accordance with the following requirements.

(a) Width

Land required to be used as a planting strip shall be a minimum width of 10 ft.

(b) Contents

A planting strip shall be used for no other purpose than for a row of trees or a continuous hedgerow of evergreens or shrubs not less than 5 feet high and immediately adjacent to the lot line along which the planting strip is required.

SECTION 17 – EXTRACTIVE INDUSTRIAL (M3) ZONE

17.1 Uses Permitted

No person shall within the Extractive Industrial (M3) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Industrial Uses

- concrete bashing plant
- a contractor's yard
- a crushing plant and aggregate storage area (pertaining to lands of those in operation in existence as of January 1st, 1973 only)
- a gravel pit, clay pit, excavation area or stone quarry (pertaining to lands of those in operation in existence as of January 1st, 1973 only)

17.2 Zone Requirements

No person shall within the Extractive Industrial (M3) Zone use any lot, erect, alter or use any building or structure except in accordance with Schedule "F" – Zone Requirements Table as applicable to the Extractive Industrial (M3) Zone or in accordance with the provisions of any applicable paragraph of Section 21 – Special Provisions.

17.3 Screening Requirements

Where the interior side or rear lot line of a lot used under this Section abuts a Residential Zone, a strip of land on the lot adjoining such abutting lot line shall be used for a planting strip in accordance with the following requirements.

(a) Width

Land required to be used as a planting strip shall be a minimum width of 50 ft.

(b) Contents

A planting strip shall be used for no other purpose than for a row of trees or a continuous hedgerow of evergreens or shrubs not less than 10 feet high and immediately adjacent to the lot line along which the planting strip is required.

SECTION 17A – LIGHT INDUSTRIAL (M4) ZONE *(By-law 500JG-94)*

17A.1 Uses Permitted

No person shall within the Light Industrial (M4) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

- commercial recreational establishment
- data processing establishment
- day care centres
- laboratories
- manufacturing establishments, excluding an obnoxious use
- offices, medical/dental
- offices, business
- offices, professional
- offices, service
- printing establishments
- repair and rental establishment
- service and repair establishment
- service trades
- warehousing
- assembly halls
- nursery and garden centres
- wholesales establishments
- private clubs
- retail as a subsidiary to a permitted use
- automotive sales and service establishments
- parking garages, structures or lots
- automobile services stations
- dry cleaning and laundry plants

17A.2 Zone Requirements

No person shall within the Light Industrial (M4) Zone use any lot, erect, alter or use any building or structure except in accordance with the following or in accordance with the applicable provisions Section 21 – Special Provisions.

(a)	Minimum lot area	4,045 m ²
(b)	Minimum lot frontage	45.0 m
(c)	Maximum height	12.0 m
(d)	Maximum coverage	40%
(e)	Maximum open storage	0% of lot area
(f)	Minimum landscaped open space	5% of lot area
(g)	Minimum: front yard depth, rear yard depth, and exterior side yard depth	8.0
(h)	Minimum side yard depth	3.0 m
(i)	Any yard adjacent to a residential zone (minimum)	15.0 m
(j)	Maximum gross floor area of secondary retail uses	5% of gross floor area

17A.3 Zone Variations

If a use and/or a regulation is not specified, the applicable list of permitted uses and or regulations of Section 17A.1 and/or 17A.2 shall apply

SECTION 17B – PRESTIGE INDUSTRIAL (M5) ZONE *(By-law 500EX-88 & 500JG-94)*

17B.1 Uses Permitted

No person shall within the Prestige Industrial (M5) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

- commercial recreational establishment
- data processing establishment
- day care centres
- laboratories
- manufacturing establishments, excluding metal fabrication and/or an obnoxious use as defined by the Public Health Act
- office, medical/dental
- office, business
- office, professional
- office, service
- printing establishments
- service and repair establishment
- service trades
- warehousing
- parking garages, structures or lots
- assembly halls
- private clubs
- retail as a subsidiary to a permitted use

17B.2 Zone Requirements

No person shall within the Prestige Industrial (M5) Zone use any lot, erect, alter or use any building or structure except in accordance with the following or in accordance with the applicable provisions Section 21 – Special Provisions.

(a)	Minimum lot area	4,045 m ²
(b)	Minimum lot frontage	45.0 m
(c)	Maximum height	10.0 m
(d)	Maximum coverage	35%
(e)	Maximum open storage	0% of lot area
(f)	Minimum landscaped open space	10% of lot area
(g)	Minimum: front yard depth, rear yard depth, and exterior side yard depth	8.0
(h)	Minimum side yard depth	3.0 m
(i)	Any yard adjacent to a residential zone (minimum)	15.0 m
(j)	Maximum gross floor area of secondary retail uses	10% of gross floor area of main use

17B.3 Zone Variations

If a use and/or a regulation is not specified, the applicable list of permitted uses and or regulations of Section 17B.1 and/or 17B.2 shall apply

SECTION 17C – INDUSTRIAL COMMERCIAL (M6) ZONE *(By-law 500EX-88)*

17C.1 Uses Permitted

No person shall within the Industrial Commercial (M6) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

- automotive uses
- building or contractor supply stores
- catering establishments
- commercial recreational establishments
- private clubs
- financial institutions
- restaurants
- service trades
- clinics
- convenience stores
- day care centres
- dry cleaning and laundry depots
- duplicating shops
- hotels or motels
- household furnishing stores
- laboratories
- offices, medical/dental
- offices, business
- offices, professional
- offices, service
- personal service establishments
- parking garages, structures or lots

17C.2 Zone Requirements

No person shall within the Industrial Commercial (M6) Zone use any lot, erect, alter or use any building or structure except in accordance with the following or in accordance with the applicable provisions Section 21 – Special Provisions.

(a)	Minimum lot area	4,045 m ²
(b)	Minimum lot frontage	45.0 m
(c)	Maximum height	12.0 m
(d)	Maximum coverage	40%
(e)	Maximum open storage	0% of lot area
(f)	Minimum landscaped open space	10% of lot area
(g)	Minimum: front yard depth, rear yard depth, and exterior side yard depth	8.0
(h)	Minimum interior side yard depth	3.0 m
(i)	Maximum gross floor area	The maximum size of any convenience store or personal service establishment shall not exceed 300 m ² . Large single-purpose retail uses such as household furnishing stores shall have a minimum square area of 500 m ² .

17C.3 Zone Variations

If a use and/or a regulation is not specified, the applicable list of permitted uses and or regulations of Section 17C.1 and/or 17C.2 shall apply

SECTION 17D – INDUSTRIAL COMMERCIAL OFFICE (M6A) ZONE (By-law 500GA-91)

17D.1 Uses Permitted

No person shall within the Industrial Commercial Office (M6A) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

- financial institutions
- laboratories
- offices
- offices, medical/dental
- offices, professional
- office service
- data processing establishment
- hotel up to 200 suites

As an accessory use:

- golf course, restaurant
- personal service establishment

17D.2 Zone Requirements

No person shall within the Industrial Commercial (M6) Zone use any lot, erect, alter or use any building or structure except in accordance with the following or in accordance with other applicable provisions of By-law 500A-74 when not in conflict with this section:

(a)	Minimum lot area	6 hectares
(b)	Minimum lot frontage	650 m
(c)	Maximum height	12.0 m
(d)	Maximum coverage	30%
(e)	Setback from Regional Road	27 m
(f)	Landscaped open space	45% of the yard adjoining a Regional Road
(g)	Landscaped open space	10% of the lot area excluding the area of the yard adjoining a Regional Road
(h)	Maximum number of buildings permitted on one lot	9
(i)	Setbacks, all other yards	6 m

(k)	For the purpose of calculating a yard adjacent to Six and Eight Mile Creeks, the lot line abutting the creeks shall be 15 metres from the waters' edge or the top of bank whichever is greater as determined by the Ministry of Natural Resources and the Niagara Peninsula Conservation Authority.
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17D.3 No building shall be erected or used until such time as:

- (a) water supply services
- (b) firefighting services
- (c) storm water management services
- (d) traffic and road facilities
- (e) sanitary sewage capacities
- (f) waste disposal facilities

are approved by the Corporation, the Regional Municipality of Niagara and the Ministry of Transportation Ontario and said facilities are available to service the lands, buildings, or structures

SECTION 18 – OPEN SPACE (OS) ZONE

18.1 Uses Permitted

No person shall within the Open Space (OS) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Open Space Uses

- an aviary or arboretum
- a conservation area including flood control and other hazard area uses
- a dwelling unit or units permitted under the provisions of Section 3.9 of this By-law
- a bowling green or tennis court
- a golf course or driving range as defined in Section 2.36 of this By-law
- an outdoor skating rink
- a clubhouse
- a private park or zoo
- a swimming area
- a riding stable (providing the site is 10 acres or more in area)

18.2 Zone Requirements

No person shall within the Open Space (OS) Zone use any lot, erect, alter or use any building or structure except in accordance with Schedule “F” – Zone Requirements Table as applicable to the Open Space (OS) Zone or in accordance with the provisions of any applicable paragraph of Section 21 – Special Provisions.

SECTION 19 – INSTITUTIONAL (INST) ZONE

19.1 Uses Permitted

No person shall within the Institutional (INST) Zone, use any lot, erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- a dwelling unit or units permitted under the provisions of Section 3.9 of this By-law
- an eating establishment where included within an industrial building
- a parking lot

(b) Open Space

- a bowling green or tennis court
- an outdoor skating rink
- a private park or zoo including accessory buildings
- a swimming area

(c) Institutional Uses

- a cemetery
- a clubhouse
- a church or other religious institution
- a senior citizen's home, a hospital
- a museum
- a meeting hall
- a school
- a Public Use in accordance with the provisions of Section 3.21 of this By-law
- a day care facility

19.2 Zone Requirements

No person shall within the Institutional (INST) Zone use any lot, erect, alter or use any building or structure except in accordance with Schedule "F" – Zone Requirements Table as applicable to the Institutional (INST) Zone or in accordance with the provisions of any applicable paragraph of Section 21 – Special Provisions.

SECTION 20 – POTENTIAL DEVELOPMENT (HOLDING) (PDH) ZONE

20.1 Uses Permitted

In the Potential Development (Holding) (PDH) Zone, as designated on the Schedules to this By-law, the permitted uses within any lot shall be only those uses existing on the date of the passing of this By-law, which uses shall not be extended by the erection of further buildings or alteration of any existing building or structure except one or more of the following uses:

(a) Rural Uses

- a farm, except a new farm dwelling, but not a Specialized Use as defined under Section 2.32 of this By-law
- a farm produce storage facility
- a nursery or market garden

(b) Residential Uses

- a home occupation as defined in Section 2.41 of this By-law
- an addition or alteration to a one-family dwelling (*By-law 500 PE-01*)

20.2 Zone Requirements

No person shall within the Potential Development (Holding) (PDH) Zone use any lot, erect, alter or use any building or structure except in accordance with Schedule “F” – Zone Requirements Table as applicable to this Zone.