

The Corporation of the City of Port Colborne

By-law no. \_\_\_\_\_

Being a by-law to amend Zoning By-law 6575/30/18 respecting the land legally known as Part of Lot 31, Concession 2, Geographic Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara.

Whereas By-law 6575/30/18 is a by-law of The Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures; and

Whereas, the Council of The Corporation of the City of Port Colborne desires to amend the said by-law.

Now therefore, and pursuant to the provisions of Section 34 of the *Planning Act, R.S.O. 1990*, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A8" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from:

Residential Development (RD) Zone	to	Second Density Residential (R2-85) Site-Specific Zone (Part 1)
Residential Development (RD) Zone	to	Second Density Residential (R2-86) Site-Specific Zone (Part 2)
Residential Development (RD-65-H) Site-Specific Holding Zone	to	Second Density Residential (R2-86) Site-Specific Zone (Part 3)
Residential Development (RD) Zone	to	Third Density Residential (R3-87) Site-Specific Zone (Part 4)
Residential Development (RD-65-H) Site-Specific Holding Zone	to	Third Density Residential (R3-87) Site-Specific Zone (Part 5)
Residential Development (RD-65-H) Site-Specific Holding Zone	to	Fourth Density Residential (R4-88) Site-Specific Zone (Part 6)
Residential Development (RD) Zone	to	Public + Park (P) Zone (Part 7)
Residential Development (RD-65-H) Site-Specific Holding Zone	to	Public + Park (P) Zone (Part 8)

3. That Section 37 entitled "Special Provisions" of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

**Part 1 (R2-85):**

**Section 2 – General Provisions**

Notwithstanding the provisions of Permitted Encroachments, the following regulations shall apply:

- a. Deck or Platform Encroachment (height above ground floor level to 0.61m) are to have a minimum setback from the corner side lot line of 2-metres.
- b. Deck or Platform Encroachment (more than 0.61m but less than 1.2m) are to have a minimum setback from the corner side lot line of 2-metres.

### **Section 3 – Parking Provisions**

Notwithstanding the Parking Provisions of Section 3, the following regulation shall apply:

- a. Standard Parking Space Obstructed on Two Sides      3m x 5.2m

### **Section 6 – Second Density Residential (R2-85) Zone**

Notwithstanding the provisions of the Second Density Residential Zone, the following regulation shall apply:

- a. Minimum Lot Frontage      10 metres
- b. Minimum Lot Frontage – Corner Lot      14.25 metres
- c. Minimum Lot Area      0.03 hectares
- d. Minimum Front Yard      4.5 metres to dwelling  
6 metres to garage
- e. Minimum Corner Side Yard      2 metres

### **Part 2 and 3 (R2-86):**

#### **Section 2 – General Provisions**

Notwithstanding the provisions of Permitted Encroachments, the following regulations shall apply:

- a. Deck or Platform Encroachment (height above ground floor level to 0.61m) are to have a minimum setback from the corner side lot line of 1.6-metres, and a minimum setback from the front lot line of 1.5-metres.
- b. Deck or Platform Encroachment (more than 0.61m but less than 1.2m) are to have a minimum setback from the corner side lot line of 1.6-metres, a minimum setback from the rear lot line of 1.6-metres, and a minimum setback from the front lot line of 1.5-metres.
- c. Deck or Platform Encroachment (1.2m or greater) are to have a minimum setback from the rear lot line of 2-metres, and a minimum setback from the front lot line of 1-metre.

#### **Section 3 – Parking Provisions**

Notwithstanding the Parking Provisions of Section 3, the following regulation shall apply:

- a. The required parking spaces per unit for Detached Dwelling      1 space per unit 7.8-m
- b. The required parking spaces per unit for Detached Dwelling      1 space per unit 8.4-m
- c. Standard Parking Space Obstructed on Two Sides      3 m x 5.2 m
- d. Maximum Width of a parking area on a residential lot with 4 or fewer dwelling units      Delete

#### **Section 6 – Second Density Residential (R2-86) Zone**

Notwithstanding the provisions of the Second Density Residential Zone, the following regulations shall apply:

##### **7.8-metre Detached Dwellings**

- a. Minimum Lot Frontage      7.8 metres
- b. Minimum Lot Frontage – Corner Lot      8.9 metres
- c. Minimum Lot Area      0.0215 hectares

d. Minimum Front Yard	3 metres to dwelling
e. Minimum Interior Side Yard	0.6 metres on one side 1.2 metres on the other side
e. Minimum Corner Side Yard	2 metres
f. Minimum Rear Yard	7 metres
g. Maximum Lot Coverage	50%
h. Maximum Height	11 metres

#### 8.4-metre Detached Dwellings

a. Minimum Lot Frontage	8.4 metres
b. Minimum Lot Frontage – Corner Lot	9.4 metres
c. Minimum Lot Area	0.0125 hectares
d. Minimum Front Yard	3 metres to dwelling
e. Minimum Interior Side Yard	0.6 metres on one side 1.2 metres on the other side 3 metres if no attached garage
f. Minimum Corner Side Yard	1.6 metres
g. Minimum Rear Yard	4 metres 2.6 metres for corner lot
h. Maximum Lot Coverage	50%
i. Maximum Height	11 metres

### **Part 4 and 5 (R3-87):**

#### **Section 2 – General Provisions**

Notwithstanding the provisions of Accessory Buildings, the following regulations shall apply:

a. Maximum Lot Coverage	15%
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Notwithstanding the provisions of Accessory Uses to a Dwelling, Section 2.9.2 Home Based Business, the following regulations shall apply:

- a. The use occupies a maximum floor area of 50% of the total dwelling unit floor area
- b. There are to be separate entrances to the dwelling unit for the home-based business
- c. In addition to the parking provision of the By-law, on-street parking is permitted

Notwithstanding the provisions of Permitted Encroachments, the following regulations shall apply:

- a. Deck or Platform Encroachment (height above ground floor level to 0.61m) are to have a minimum setback from the corner side lot line of 2-metres, and a minimum setback from the front lot line of 1.5-metres.
- b. Deck or Platform Encroachment (more than 0.61m but less than 1.2m) are to have a minimum setback from the corner side lot line of 2-metres, a minimum setback from the rear lot line of 1.6-metres, and a minimum setback from the front lot line of 1.5-metres.
- c. Deck or Platform Encroachment (1.2m or greater) are to have a minimum setback from the rear lot line of 2-metres, and a minimum setback from the front lot line of 1-metre.

#### **Section 3 – Parking Provisions**

Notwithstanding the Parking Provisions of Section 3, the following regulation shall apply:

- a. 1 parking space per unit is required for 7.8-m Single-Detached Dwellings, 8.4-m Single-Detached Dwellings, Back-to-Back Townhouse Dwellings, and Live/Work Townhouse dwellings

- |  |             |
|--|-------------|
| b. Standard Parking Space<br>Obstructed on Two Sides   | 3 m x 5.2 m |
| c. Maximum Width of a parking area<br>on a residential lot with 4 or fewer<br>dwelling units | Delete      |

### **Section 7 – Third Density Residential (R3-87) Zone**

Notwithstanding the permitted uses of the Third Density Residential Zone, the following uses are to be permitted:

- a. 7.8 metre Single Detached Dwelling;
- b. 8.4 metre Single-Detached Dwelling;
- c. Back-to-Back Townhouse;
- d. Live/Work Townhouse;

Notwithstanding the provisions of the Third Density Residential Zone, the following regulation shall apply:

#### **Semi-Detached Dwelling**

- |                               |  |
|-------------------------------|--|
| a. Minimum Lot Frontage       | 16.5 metres (7.8m per unit)                  |
| b. Minimum Front Yard         | 4.5 metres to dwelling<br>6 metres to garage |
| c. Minimum Corner Side Yard   | 2 metres                                     |
| d. Minimum Rear Yard          | 5 metres                                     |
| e. Maximum Lot Coverage       | 50%  |
| f. Minimum Interior Side Yard | No minimum for common walls                  |

#### **Street Townhouse**

- |                                  |  |
|----------------------------------|--|
| a. Minimum Lot Frontage per Unit | 5.5 metres                                   |
| b. Minimum Lot Area              | 0.016 hectares                               |
| c. Minimum Front Yard            | 4.5 metres to dwelling<br>6 metres to garage |
| d. Minimum Interior Side Yard    | 1.2 metres<br>No minimum for common walls    |
| e. Minimum Corner Side Yard      | 2 metres                                     |
| f. Minimum Rear Yard             | 5 metres                                     |
| g. Landscape Buffer              | 1.2 metres                                   |

#### **Back-to-Back Townhouse**

- |                               |  |
|-------------------------------|--|
| a. Minimum Lot Frontage       | 5.8 metres                                   |
| b. Minimum Lot Area           | 0.0085 hectares                              |
| c. Minimum Front Yard         | 4.5 metres to dwelling<br>6 metres to garage |
| d. Minimum Interior Side Yard | 1.2 metres<br>No minimum for common walls    |
| e. Minimum Corner Side Yard   | 2 metres                                     |
| f. Minimum Rear Yard          | N/A  |
| g. Maximum Height             | 14 metres                                    |
| h. Minimum Landscaped Area    | 15%  |
| i. Landscape Buffer           | 1.2 metres                                   |

#### **Live/Work Townhouse**

- |                               |   |
|-------------------------------|---|
| a. Minimum Lot Frontage       | 5.5 metres                                |
| b. Minimum Lot Area           | 0.0150 hectares                           |
| c. Minimum Front Yard         | 3 metres to dwelling                      |
| d. Minimum Interior Side Yard | 1.2 metres<br>No minimum for common walls |
| e. Minimum Corner Side Yard   | 4.4 metres                                |
| f. Minimum Rear Yard          | 12 metres                                 |
| g. Maximum Height             | 14 metres                                 |
| h. Minimum Landscaped Area    | 25%                                       |

- i. Landscape Buffer 1.2 metres

7.8-m Single-Detached Dwelling and 8.4-m Single-Detached Dwelling

The zone requirements of the Second Density Residential (R2-86) Zone shall apply.

**Part 6 (R4-88):**

**Section 3 – Parking Provisions**

Notwithstanding the Parking Provisions of Section 3, the following regulations shall apply:

- a. The required parking spaces per unit for Apartment Building 1 space per unit
- b. The required parking spaces per unit for Stacked Townhouses 1.25 spaces per unit
- c. Standard Parking Space Obstructed on Two Sides 3 m x 5.2 m

Notwithstanding the Landscape Provisions for Parking Areas, the following regulations shall apply:

- a. The lot line abutting a public road is to be 3.0-metres from a proposed area with 100 or greater parking spaces.
- b. The lot line abutting a residential, institutional or public park zone is to be 3.0- metres from the proposed area with 100 or greater parking spaces.

**Section 8 – Fourth Density Residential (R4-88) Zone**

Notwithstanding the permitted uses of the Fourth Density Residential (R4) Zone, the following uses are to be permitted:

- a. Stacked Townhouse Dwelling

Notwithstanding the provisions of the Fourth Density Residential Zone, the following regulation shall apply:

Apartment Building

- a. Minimum Front Yard 4.2 metres
- b. Minimum Corner Side Yard 3 metres
- c. Maximum Height 23 metres
- d. Minimum Floor Area 27 metres squared
- e. Minimum Lot Area Per Unit 60 metres squared

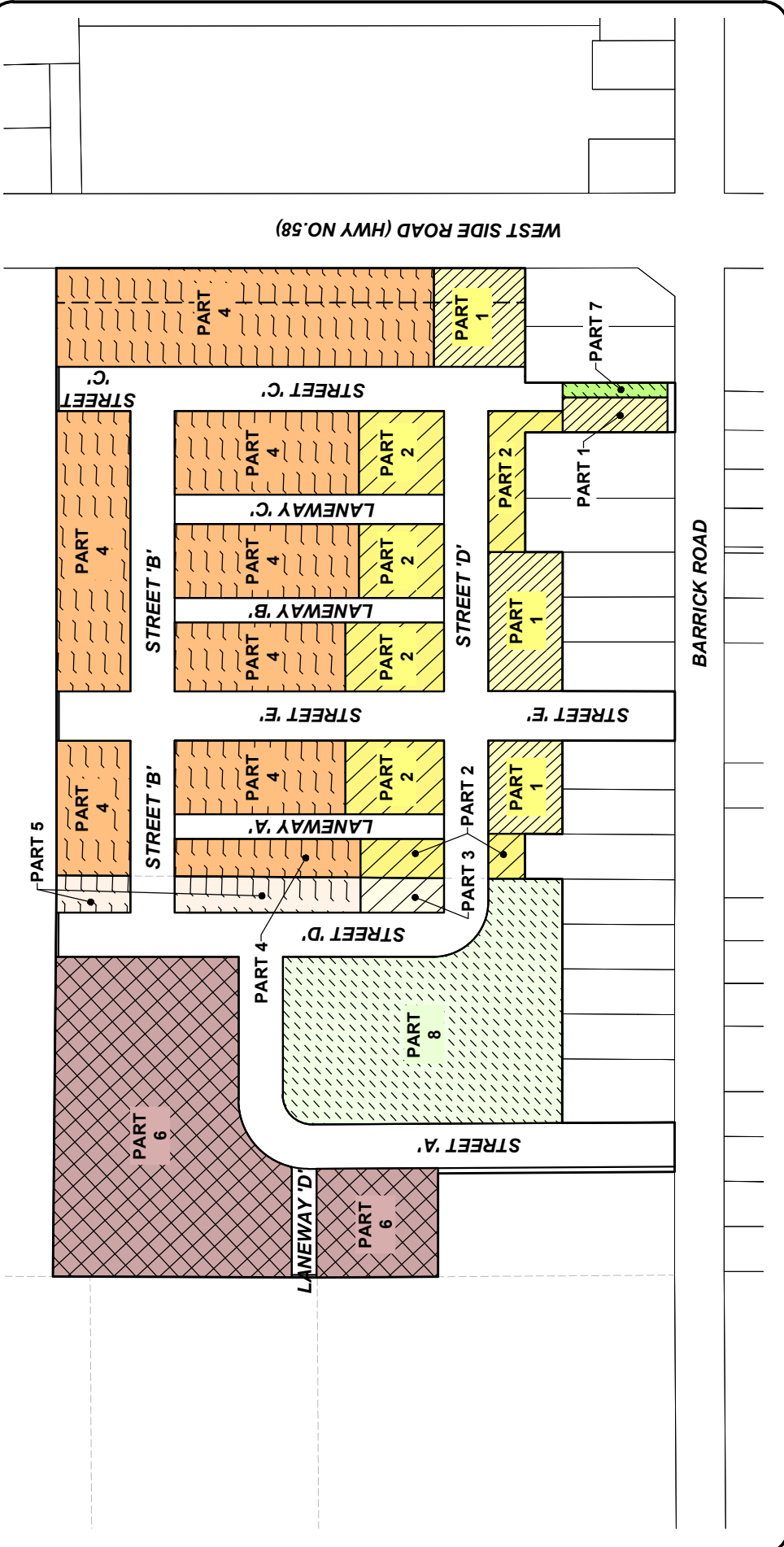
Semi-Detached Dwelling

- a. Minimum Lot Frontage 16 metres
- b. Minimum Lot Area 0.04 hectares
- c. Minimum Front Yard 4.5 metres to dwelling  
6 metres to garage
- d. Minimum Interior Side Yard No minimum for common walls

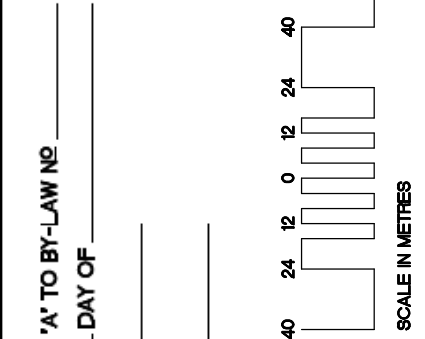
Stacked Townhouse

- a. Minimum Lot Frontage 40 metres
- b. Minimum Lot Area 0.015 hectares
- c. Minimum Front Yard 5 metres to dwelling
- d. Minimum Interior Side Yard 2 metres  
No minimum for common walls





THIS IS SCHEDULE 'A' TO BY-LAW NO. \_\_\_\_\_  
 PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
 Mayor \_\_\_\_\_  
 Clerk \_\_\_\_\_



**Legend**

PART	Residential Development (RD) Zone	Development	to	Residential Development (RD) Zone	to	Second Density Residential (R2-85) Site-Specific Zone (Part 1)
PART 1	Residential Development (RD) Zone	Development	to	Residential Development (RD) Zone	to	Second Density Residential (R2-85) Site-Specific Zone (Part 1)
PART 2	Residential Development (RD) Zone	Development	to	Residential Development (RD) Zone	to	Second Density Residential (R2-86) Site-Specific Zone (Part 2)
PART 3	Residential Development (RD-65-H) Site-Specific Holding Zone	Development	to	Residential Development (RD-65-H) Site-Specific Holding Zone	to	Second Density Residential (R2-86) Site-Specific Zone (Part 3)
PART 4	Residential Development (RD) Zone	Development	to	Residential Development (RD) Zone	to	Third Density Residential (R3-87) Site-Specific Zone (Part 4)
PART 5	Residential Development (RD-65-H) Site-Specific Holding Zone	Development	to	Residential Development (RD-65-H) Site-Specific Holding Zone	to	Third Density Residential (R3-87) Site-Specific Zone (Part 5)
PART 6	Residential Development (RD-65-H) Site-Specific Holding Zone	Development	to	Residential Development (RD-65-H) Site-Specific Holding Zone	to	Fourth Density Residential (R4-88) Site-Specific Zone (Part 6)
PART 7	Residential Development (RD) Zone	Development	to	Residential Development (RD) Zone	to	Public + Park (P) Zone (Part 7)
PART 8	Residential Development (RD-65-H) Site-Specific Holding Zone	Development	to	Residential Development (RD-65-H) Site-Specific Holding Zone	to	Public + Park (P) Zone (Part 8)

**SCHEDULE "A"**  
 To By law No. \_\_\_\_\_

**City of Port Colborne**