

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 79-120

A BY-LAW TO AMEND BY-LAW NO. 78-85, THE
COMPREHENSIVE ZONING BY-LAW FOR THE TOWN
OF LINCOLN PLANNING AREA AND TO REPEAL
BY-LAW NO. 79-17 AMENDING BY-LAW NO. 78-85.

WHEREAS the Council of the Corporation of the Town of Lincoln deems it advisable to implement certain amendments to the Comprehensive Zoning By-law for the Town of Lincoln Planning Area, being By-law No. 78-85 passed on the 23rd day of October, 1978, and deems it advisable to repeal By-law No. 79-17 passed on the 5th day of March, 1979, which amends By-law No. 78-85;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

(A) By-law No. 79-17, passed on the 5th day of March, 1979, amending By-law No. 78-85, be and the same is hereby repealed.

(B) The following amendments to By-law No. 78-85 are hereby enacted:

1. SECTION 1 INTERPRETATION Section, is hereby amended as follows:

(a) Subsection 1.5, ZONES, is amended by deleting the words "RM Residential Multiple" and replacing same with the following:

"RM1 Residential Multiple 1
RM2 Residential Multiple 2"

(b) Subsection 1.5 is amended by adding the following paragraph:

"1.5.5 Schedule "C", being formulas to establish minimum distance separation for livestock operations and other uses in the vicinity of livestock operations."

2. SECTION 2 DEFINITIONS Section, is hereby amended as follows:

(a) The definition for BASEMENT is amended by deleting the words "less than 1.8 metres" in the sixth line and replacing same with the words "not less than 1.8 metres".

(b) The title and definition for BORROW PIT is deleted in its entirety.

(c) An additional definition is inserted, between the definitions "COMMERCIAL, GENERAL" and "COMMERCIAL, NEIGHBOURHOOD", as follows:

"COMMERCIAL, HIGHWAY means uses which predominately provide services for the travelling public and rely mainly upon vehicular traffic for their economic existence."

- (d) The definition for DEVELOPMENT is deleted in its entirety and replaced with the following:

"DEVELOPMENT and REDEVELOPMENT mean the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or useability thereof, or the laying out or establishment of a commercial parking lot."

- (e) The definition for FLOOR AREA, GROSS is amended by deleting the words ", as defined herein" in the first line, and replacing same with the words "within a building which area is measured between the exterior faces of the exterior walls or supporting structures or from the centreline of a common or party wall,".

- (f) The definition for HOME OCCUPATION is deleted in its entirety and replaced with the following:

"HOME OCCUPATION means an accessory use conducted in a dwelling unit for gain or profit and which:

- (a) is clearly secondary to the use of the dwelling as a private residence;
- (b) does not change the character of the dwelling unit as a private residence;
- (c) does not have any exterior evidence of being conducted therein other than a sign as permitted under this By-law;
- (d) does not create or become a public nuisance, in particular with respect to noise, traffic or parking;
- (e) does not occupy more than twenty-five percent (25%) of the total floor area of the dwelling unit;
- (f) and complies with all provisions related to home occupations in this By-law.

- (g) The definition for KENNEL, PRIVATE, is deleted in its entirety and replaced with the following:

"KENNEL, COMMERCIAL means any building, structure or area of land where more than three dogs and/or domestic animals, exclusive of those listed under the definition of livestock operation, are bred, raised, or sold and/or groomed and/or boarded, and/or trained."

"KENNEL, PRIVATE, means any building, structure, or area of land where more than three but not more than 10 dogs and/or other domestic animals, exclusive of those listed under the definition of livestock operation, are bred, raised, or sold and exclusive of those uses permitted by definition of a commercial kennel."

- (h) The definition for LIVESTOCK OPERATION is amended by adding, after the word "ducks" in the last line, the following:
- ", or the raising of over 40 female rabbits, plus associated male rabbits, or the cumulative total of more than two animal units as defined in Schedule "C" to this By-law."
- (i) The title and definition for PRIVACY AREA is deleted in its entirety.
- (j) The definition for PROFESSIONAL OFFICE is deleted in its entirety.
- (k) The definition for REDEVELOPMENT is deleted and replaced with the following:
- "REDEVELOPMENT - For definition, see "DEVELOPMENT and REDEVELOPMENT".
- (l) The definition for SETBACK is deleted in its entirety and replaced with the following:
- "SETBACK means the horizontal distance from the lot line, measured at right angles to such lot line, to the nearest part of any building or structure on the lot."
- (m) The definition of SIGN, LEGAL is added, between the definitions for SIGN and SITE PLAN, as follows:
- "SIGN, LEGAL means a sign not exceeding 0.3 square metres as permitted under Subsection 3.13 of this By-law."
- (n) The definition for WATERCOURSE is amended by adding, after the word "water", the following:
- ", and man made features such as ponds or farm drainage channels."
- (o) The title and definition for WATER FRONTAGE is deleted in its entirety.
- (p) The title WAYSIDE PIT or WAYSIDE QUARRY and its definition is deleted in its entirety and replaced with the following:
- "WAYSIDE PIT or QUARRY means land from which consolidated or unconsolidated aggregate, as the case may be, has been, is being or may be excavated for use in a project of a public authority and that is located outside the limits of the right of way of a highway, but does not include a pit or quarry." The Pits and Quarries Act, 1971, as amended.

3. SECTION 3 GENERAL PROVISIONS FOR ALL ZONES is hereby amended as follows:

- (a) Sentence (ii) of Subsection 3.2.2 is deleted in its entirety and the numbering of the sentences following same amended accordingly.
- (b) Subsection 3.2, Paragraph 3.2.2, Clause (iv) is amended by deleting "Maximum area of stand....18.6 square metres
Maximum height of stand... 3.6 metres" and replacing same with the following:
- "Maximum area of stand.....19 m²
Maximum height of stand..... 3.8 m²

- (c) Subsection 3.3 USES NOT RESTRICTED IN CERTAIN ZONES, Clause (ii), is amended by changing "Minimum Lot width" to "Minimum Lot Frontage" and by adding the following:

"Minimum Lot Area
 In Urban Development and Urban Service Areas....0.2 ha
 In Other than Urban or Service Areas.....0.4 ha"

- (d) Subsection 3.4 Uses Prohibited, Clause (xx), is amended by deleting the word "milliers" in the last line and replacing same with the word "tonnes"; and is amended by adding to Clause (xxi) the following: "or as permitted by other provisions of this By-law."

- (e) Subsection 3.7, Paragraph 3.7.2, Clause (b) is amended by adding, after the word "system" in the last line, the following:

", or as approved by the Niagara Regional Health Unit."

- (f) Subsection 3.8 CONDITIONS OF DEVELOPMENT AND REDEVELOPMENT is deleted in its entirety and replaced with the following:

"3.8 CONDITIONS OF DEVELOPMENT AND REDEVELOPMENT

- (a) Any person proposing the development or redevelopment of any building other than a residential unit containing two (2) or less dwelling units is referred to the By-law passed pursuant to Section 35a of The Planning Act, 1979, relating to Site Plan Control."

- (g) Subsection 3.9, Paragraph 3.9.2, is amended by adding, after the word "amended" in the last line, the following:

"The Environmental Protection Act, 1971, and Ontario Regulation 229/74, as amended.";

and, Paragraph 3.9.6, is amended by deleting the word "width" in the first line and replacing same with the word "frontage".

- (h) Subsection 3.9, is amended by adding an additional paragraph as follows:

"3.9.14 SPECIAL PROVISIONS RELATED TO LIVESTOCK OPERATIONS AND RESIDENTIAL AND OTHER USES NEAR LIVESTOCK OPERATIONS."

All pertinent provisions of this By-law and more particularly the following provisions, shall apply to:

- (a) livestock operations permitted in a Rural Zone;
 - (b) new residential and other new uses within 300 metres of existing livestock operations.
- (1) For the purposes of this Subsection, Urban Area Boundaries shall mean those boundaries approved for urban development purposes in the Policy Plan for the Regional Municipality of Niagara; and uses of land other than those defined in this By-law as agricultural uses shall not be deemed to mean the residence of a livestock operator if such residence is located on the same lot as such livestock operation.
 - (2) The minimum setback for any structure housing a livestock operation, from any lot line, notwithstanding the requirements set out in Schedule "C" to this By-law, shall be 15 metres. The Chief Building
 - (3) Prior to the granting of a building permit for any new livestock operation or for the enlargement of an existing livestock operation the Chief Building Official shall determine the setback requirements based on the application of the relevant formula for determining such setbacks as set out in Schedule "C" to this By-law.
 - (4) No new livestock operation or expansion of an existing livestock operation is permitted within 150 metres of the boundary of any lot located within the urban area boundaries.

- (5) Prior to the granting of a building permit for land in the vicinity of or within 300 metres of an existing livestock operation, for uses other than agricultural uses as defined in this By-law, the Chief Building Official shall determine the required setbacks by application of the relevant formula for determining such setbacks as set out in Schedule "C" to this By-law.
- (6) Where a lot existing at the passing of this By-law is located in an R1, Ru2, RuR, ER or RMH Zone and where the application of the relevant formula for determining setbacks as set out in Schedule "C" to this By-law, prohibits the land being used for structures intended for human habitation, such lot may be used for:
- (i) agricultural uses as defined in this By-law, excepting human habitation and subject to the appropriate Rural Zone regulations,
 - (ii) the dwelling of a livestock operator, if such dwelling is located on the same property as such livestock operation.
- (7) Where a lot existing at the passing of this By-law is located within a Residential 1, Residential 2, Residential 3, Industrial, Commercial, Multiple Residential, Institutional, or Residential Development Zone and where the application of the relevant formula for determining setbacks as set out in Schedule "C" to this By-law prohibits a building permit being issued for a permitted use under such zones, the following regulation shall apply:
- (i) Where the lot and the uses proposed thereon comply with all other requirements of this By-law for the Zone in which the land is located, a building permit shall be issued by the Chief Building Official to conform to all such requirements and to conform as closely as possible to those setback requirements based on the relevant formula as set out in Schedule "C" to this By-law.
- (8) Where any conflict arises as a result of the application of the formulas set out in Schedule "C" to this By-law by the Chief Building Official, any such matter shall be resolved in accordance with the provisions of Section 42 of The Planning Act, R.S.O. 1970, as amended."

- (p) Subsection 3.11, Paragraph 3.11.4, Clause (b) is amended by deleting the words "For a maisonette or townhouse:" and replacing same with the words, "For maisonette, townhouse, or apartment buildings:"
- (q) Subsection 3.12, Clause (a), is amended by adding the word "areas" between the words "necessary," and "for" in the sixth line; and further amended by deleting the LOADING REQUIREMENT Tables, (a) and (b), and replacing same with the following:

<u>"GROSS FLOOR AREA</u>	<u>MINIMUM LOADING FACILITIES REQUIRED</u>
<u>(a) Commercial Uses</u>	
190 square metres or less.....	None
191 square metres to 950 square metres.....	1 loading spaces
Over 950 square metres.....	2 loading spaces
<u>(b) Industrial Uses</u>	
420 square metres or less.....	None
421 square metres to 2 400 square metres.....	1 loading space
2 401 square metres to 7 000 square metres.....	2 loading spaces
Over 7 000 square metres.....	3 loading spaces"

- (r) Subsection 3.13, Paragraph 3.13.1, is amended by adding an additional clause, as follows:

"(f) a Notice of a Plan of Subdivision is permitted, according to the requirements of the Regional Municipality of Niagara."

- (s) Subsection 3.13, Paragraph 3.13.2, clause (c), is amended by deleting the words "a sign not exceeding 0.3 square metres in area indicating the name and profession of a qualified medical practitioner or dentist;" and replacing same with the following:

"A sign not exceeding 0.3 square metres in area indicating the name and/or the profession or other home occupation permitted in a Rural Zone."

- (t) Subsection 3.13, Paragraph 3.13.3, is amended by deleting the words "a sign not exceeding 0.3 square metres in area indicating the name and profession of a qualified medical practitioner or another profession permitted in a residential zone." and replacing same with the following:

"A sign not exceeding 0.3 square metres in area indicating the name and/or the profession or other home occupation permitted in an R1, R2, R3, RuR and ER Zone."

- (u) Subsection 3.14, HOME OCCUPATIONS AND PROFESSIONAL OFFICES - PROVISIONS, is deleted in its entirety and replaced with the following:

"3.14 HOME OCCUPATIONS - PROVISIONS

The following provisions apply to a dwelling unit wherein a home occupation is permitted:

- (a) The home occupation shall only be permitted in a single family residence.
- (b) The home occupation shall be carried on by a member of the family residing in the dwelling.
- (c) No more than one assistant who is not a resident in said dwelling may operate in or from said dwelling.
- (d) Such home occupation shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling house or unit.
- (e) Not more than twenty-five percent (25%) of the gross floor area of the dwelling house or unit shall be used for the purpose of a home occupation.
- (f) No home occupation shall be located in a garage, shed or other accessory building on the premises.
- (g) The use shall not create or become a public nuisance in regard to noise, traffic or parking and parking spaces shall be provided in accordance with the provisions of Subsection 3.11 of this By-law.
- (h) No outside display, other than a legal sign which shall not exceed 0.3 square metres in size, and according to the provisions of Subsection 3.13, Paragraphs 3.13.2 and 3.13.3 of this By-law, is permitted to indicate that any part of the dwelling house or unit is being used for a purpose other than residential.
- (i) No outside storage of materials or goods associated with the home occupation is permitted.

- (j) Such home occupation shall not include a clinic, a private hospital, a nursing home, an eating establishment or an animal hospital.
- (k) Such home occupation shall not interfere with television or radio reception of others in adjacent buildings or structures.
- (l) Only one commercial vehicle in excess of the manufacturer's rated capacity of 2.5 tonnes but not exceeding the manufacturer's rated capacity of 5 tonnes, and not exceeding a length of 5.7 metres, may be parked or stored outside a dwelling house or unit in a residential zone, however one such vehicle may be parked or stored within a private garage."
- (m) The home occupation shall not generate regular or frequent delivery or pick-up of materials or commodities by commercial motor vehicles.
- (v) Subsection 3.15, Clause (c) is amended by adding, between the words "lesser" and "provided", in the fourth line, the following:

", except in the case of an Estate Residential Zone in which case the total lot coverage of all accessory buildings and structures shall not exceed two percent (2%),"
- (w) Subsection 3.15 (f) is deleted in its entirety and replaced with the following:

"A boat house, pump house, or dock may be erected and used in any front yard abutting a navigable waterway, provided such accessory buildings or structures are located no closer than 1.2 metres to the side lot line."
- (x) Subsection 3.16, SWIMMING POOLS, Paragraph 3.16.3, Fences, is amended by deleting the words "and not more than 4.5 metres" in the third and fourth lines, and by adding, between the words "gates" and "so" in the fifth line, the following: "and the wall of a building may be used as part of such fencing requirement subject to any opening from such wall, which may be used to gain access to a pool area, having a built-in self-locking or self-latching device,"

- (y) Subsection 3.17, Paragraph 3.17.1, is amended by changing the word "creek" to the word "watercourse" and by adding the footnote notation "(3.17.1.1)" at the end of the word "watercourse", and the following footnote explanation, following Paragraph 3.17.1:

"(3.17.1.1) Where a building, other than an accessory building or structure is to be erected in a zone designated other than Hazard, at a distance closer than 35 metres to a watercourse, the applicant for a building permit shall, on a voluntary basis, make reference to the Ministry of Natural Resources to determine the limits of flooding for such watercourse and shall take into account, on a voluntary basis, the advice of the Ministry in this respect."

4. SECTION 4 RURAL ZONES, is hereby amended, as follows:

- (a) Subsection 4.1 INTRODUCTION, is amended by deleting the words "Reference shall be made particularly to Subsection 3.8 of this By-law."
- (b) Subsection 4.2, PERMITTED USES IN RURAL ZONES, Agricultural, and Residential, is amended by adding footnote notation "(4.2.2)" after the words "Greenhouses", "Helphouses, permanent and seasonal", and by adding the footnote explanation as follows:
- "Shall be subject to a Site Plan Agreement under the provisions of Section 3, Subsection 3.8."
- (c) Subsection 4.2, PERMITTED USES IN RURAL ZONES, Agricultural, Residential, and Other, is amended by adding footnote notation "(4.2.3)" after the words "Livestock Operations", "One Single family detached dwelling on the agricultural parcel", "Helphouses, permanent and seasonal", and "Mobile homes used as help houses", and by adding the footnote explanation as follows:
- "(4.2.3) In accordance with the provisions of this section and any other relevant section, with particular reference to the provisions of Subsection 3.9, Paragraph 3.9.14."
- (d) Subsection 4.2 PERMITTED USES IN RURAL ZONES, Other, is amended by deleting the following uses from the Ru1 and Ru2 Zones: "Churches", "Firehalls, Police Stations", "Schools", "Community Halls"; and by adding the following words to Notation (4.2.1): ", and reference should be made to the provisions of Subsection 3.9, Paragraph 3.9.1 ."
- (e) Subsection 4.2, PERMITTED USES IN RURAL ZONES, Other, is amended by adding "Wayside Pits" as a Permitted Use under the "Ru2 Rural Zone" and the footnote notation "(4.2.4)" immediately following same; and further amended by adding the footnote explanation following Notation (4.2.3):
- "(4.2.4) Wayside pits shall be located in areas of low agricultural value and not in areas designated as good tender fruit or good grape lands, and reference shall be made to the Policy Plan for the Regional Municipality of Niagara in determining the location of such areas; and further, such wayside pits shall be rehabilitated by fill and the reinstatement of topsoil."
- (f) Subsection 4.2 PERMITTED USES IN RURAL ZONES, Other, is amended by deleting the words "Professional office in a single family residence", and by adding, after the words "Home Occupations in a single family residence", the footnote notation "(4.2.5)" and the footnote explanation as follows:
- "(4.2.5) Subject to the provisions of Subsection 3.14";
- and further amended by adding, after the word "Kennels", the words, "Private and Commercial"; and the footnote notation "(4.2.6)", and by adding the following footnote explanation:
- "(4.2.6) Subject to the provisions of Subsection 4.11."
- (g) Subsection 4.3, Rural Lot, Site and Building Standards, Setbacks, For Livestock Operations., is amended by deleting the words, "See Subsection 4.5" and replacing same with the words "See Subsection 3.9, Paragraph 3.9.14, and Subsection 4.5."

- (h) Subsection 4.3, Rural Lot, Site and Building Standards, Setbacks, For Residential Uses within 300 metres of Livestock Operations: is amended by deleting the words "See Subsection 4.5" and replacing same with the words: "See Subsection 3.9, Paragraph 3.9.14 and Subsection 4.5."
- (i) Subsection 4.4, Paragraph 4.4.1 Lot and Site Requirements for New Greenhouses or Additions to Existing Greenhouses, is deleted in its entirety and replaced with the following:

"Lot and Site Requirements for New Greenhouses or Additions to Existing Greenhouses"

Setbacks

- Minimum Front Yard15 metres
- Minimum Side Yard or Rear Yard
abutting a Residential Zone,
or Residential Development Zone.....15 metres
- Minimum Side Yard or Rear Yard
abutting a lot occupied by
an existing residence:
- (a) where discharge fans are
located on the side facing
the existing residence25 metres (4.4.1.1)
- (b) where discharge fans are
not located on the side
facing the existing residence15 metres (4.4.1.2)
- Minimum (Other) Side Yard6 metres (4.4.1.3)
- Minimum (Other) Rear Yard6 metres (4.4.1.3)

Lot Requirements

- Minimum Lot Area1.2 hectares
(4.4.1.4) (4.4.1.5)
- Minimum Lot Frontage60 metres
- Maximum Lot Coverage

Notations:

- (4.4.1.1) except the allowable setback may be reduced to 15 metres where the distance from the proposed greenhouse to the said residence on the abutting lot exceeds 40 metres.
- (4.4.1.2) except the allowable setback may be reduced to 6 metres where the distance from the proposed greenhouse to the said residence on the abutting lot exceeds 40 metres, however any subsequent installation of a discharge fan other than in accordance with Subsection 4.4.1 of this By-law shall be considered a breach of this By-law.
- (4.1.4.3) where no discharge fans are used, however any subsequent installation of a discharge fan other than in accordance with Subsection 4.4.1 of this By-law shall be considered a breach of this By-law.
- (4.4.1.4) does not apply to additions to greenhouses or new greenhouses on existing operations.
- (4.4.1.5) for every help house for both new and existing greenhouse operations, 0.4 hectares in addition to the 1.2 hectares shall be required, i.e., the minimum size to permit one help house is 1.6 hectares; for two help houses is 2 hectares."

- (j) Paragraph 4.4.2, Animals, is deleted in its entirety and the numbering of the following paragraphs amended accordingly.
- (k) Subsection 4.5 is amended by deleting the title "SPECIAL PROVISIONS RELATED TO LIVESTOCK OPERATIONS AND RESIDENTIAL USES NEAR LIVESTOCK OPERATIONS" and replacing same with the following:

"SPECIAL PROVISIONS RELATED TO LIVESTOCK OPERATIONS, AND
USES OTHER THAN AGRICULTURAL USES NEAR LIVESTOCK OPERATIONS."

- (l) Subsection 4.5, b), is deleted and replaced with the following:

" b) New residential and other new uses within 300 metres of an existing livestock operation."

- (m) Subsection 4.5, is amended by deleting Paragraphs 4.5.1, 4.5.2, and 4.5.3 in their entirety and replacing same with the following:

"4.5.1 Prior to the granting of a building permit for any new livestock operation, or for the enlargement or expansion of any existing livestock operation, or for the granting of a permit for new residential or other uses, with the exception of agricultural uses as defined in this By-law, within 300 metres of existing livestock operations, the Chief Building Official shall apply the provisions of Subsection 3.9.14 and the relevant formula in Schedule "C" to this By-law in order to determine the setback requirements which shall apply."

- (n) Subsection 4.6, Paragraph 4.6.1, Buildings For Mushroom Farming, is amended by adding a footnote notation "(4.6.1.1)" following the figure "150 metres" in Clause d), and by adding footnote explanation as follows:

"(4.6.1.1) Where the Mushroom Farm operates with a non-odorous dry compost system, the setback distance may be reduced to 90 metres."

(o) Subsection 4.11, SPECIAL PROVISIONS FOR KENNELS, is amended by deleting the Setback and Lot Requirement Tables in their entirety and replacing same with the following:

" Private Kennel Commercial Kennel

Setbacks

Minimum Front Yard.....	60 metres.....	120 metres
Minimum Side Yard.....	60 metres.....	120 metres
Minimum Rear Yard.....	60 metres.....	120 metres

Lot Requirements

Minimum Lot Frontage.....	150 metres.....	150 metres
Minimum Lot Area.....	1.2 hectares....	2.4 hectares
Maximum Lot Coverage.....	20%.....	20%

Licensing of kennel operations is provided for in other Municipal legislation and any proposed new kennel operation shall meet all requirements of the provisions of this Subsection prior to a kennel license being issued for such new operation."

(e) Subsection 5.3 RESIDENTIAL LOT, SITE AND BUILDING STANDARDS, Notations:, is amended as follows:

(i) The explanation for Notation (5.3.7) is deleted in its entirety and replaced with the following:

"(5.3.7) In Residential R1, R2 and R3 Zones located within the Urban Development Boundaries or within the Village Residential Boundaries, as established in the Official Plan for the Town of Lincoln and the Policy Plan for the Regional Municipality of Niagara, where total municipal services are not provided, the lot requirements shall be as follows:

	<u>With Municipal Water but No Sanitary Sewer</u>	<u>With Neither Municipal Water Nor Sanitary Sewer</u>
Minimum Lot Area.....	1 395 m ²	1 860 m ²
Minimum Lot Frontage.....	30 m	30 m
Maximum Lot Coverage.....	20 %	15 % "

(ii) An additional Notation is added as follows:

"(5.3.8) These standards do not apply to apartment buildings. For apartment buildings, see requirements in the Supplementary Table, Subsection 5.4."

(f) Subsection 5.4 SUPPLEMENTARY LOT, SITE AND BUILDING STANDARDS, first Table shown on Page 5-5, is deleted in its entirety and replaced with the following:

"TABLE 1

	Apartment Dwellings	Boarding and Rooming Houses	Converted Dwellings	Double Duplex Dwellings	Duplex Dwellings
<u>SETBACKS:</u>					
Minimum Front Yard	9 m (5.4.8)	(5.4.4)	(5.4.4)	(5.4.4)	(5.4.4)
Minimum Side Yard	6 m (5.4.6) (5.4.8)	1.8 m (5.4.1)	1.8 m (5.4.1)	1.8 m (5.4.1)	1.8 m (5.4.1)
Minimum Exterior Side Yard	7.5 m (5.4.6) (5.4.8)	(5.4.4)	(5.4.4)	(5.4.4)	(5.4.4)
Minimum Rear Yard	9 m (5.4.7) (5.4.8)	9 m	9 m	9 m	9 m
Minimum Distance Be- tween two buildings on same lot	(5.4.9)	----	----	----	----
<u>LOT REQUIREMENTS:</u>					
Maximum Lot Coverage Minimum	25%	(5.4.4)	(5.4.4)	(5.4.4)	(5.4.4)
Land Area Per Unit		185 m ²	185 m ²	230 m ² (5.4.5)	325 m ²
RM 1 Zone	140 m ² (5.4.10)				
RM 2 Zone	93 m ² (5.4.10)				
Minimum Frontage	30 m (5.4.11)	16 m	16 m	24 m	21 m
<u>BUILDING REQUIREMENTS:</u>					
Minimum Floor Area Per Unit	----	140 m ²	70 m ²	----	88 m ²
<u>or</u> , Minimum per Bachelor Unit	46 m ²	----	----	47 m ²	----
<u>and</u> , Minimum per 1 Bedroom Unit	60 m ²	----	----	60 m ²	----
<u>and</u> , Minimum per 2 Bedroom Unit	79 m ²	----	----	80 m ²	----
<u>and</u> , Minimum for each additional bedroom	14 m ²	----	----	14 m ²	----
Maximum Building Height	(5.4.12)	10.5 m	10.5 m	10.5 m	10.5 m

(g) Subsection 5.4 SUPPLEMENTARY LOT, SITE AND BUILDING STANDARDS, is amended by adding the words "TABLE 2" at the head of the second Table shown on Page 5-6.

(h) Subsection 5.4 SUPPLEMENTARY LOT, SITE AND BUILDING STANDARDS, Notations, is amended by deleting the explanation for Notation (5.4.4) and replacing same with the following: "See Subsection 5.3";

and is further amended by deleting the words "or any other form of multiple residential development" in the second line of Notation (5.4.5);

and is further amended by the addition of the following Notations:

"(5.4.6)...or half the height of the building, whichever is the greater.

(5.4.7)...or .8 times the height of the building, whichever is the greater.

(5.4.8)...except that, where any yard abuts the Side or Rear Yard of a Single Family Residential Zone, the required setback shall be a minimum of 12 metres.

(5.4.9)...Where walls of two separate buildings are facing:

- (i) and there are no windows of habitable rooms in either of such walls, the distance between such buildings shall be a minimum of 7.5 metres;
- (ii) and where there is a window or windows of a habitable room or rooms in either of such facing walls, the distance between such buildings shall be a minimum of 11 metres.

(5.4.10)..In no case shall the density exceed 28.6 units per hectare in an R1 Zone and 43 units per hectare in an RM2 Zone.

(5.4.11)..or 2.5 times the height of the building, whichever is the greater.

(5.4.12)..For apartment buildings:

- (i) in an RM2 Zone.....4½ storeys
- (ii) in an R1 Zone.....3 storeys "

(i) An additional Paragraph is added to Section 5.4, as follows:

"5.4.1 SPECIAL PROVISIONS FOR APARTMENT BUILDINGS IN THE R1 AND R2 ZONES:

(a) Balconies and Patios:

A balcony for units located on other than the ground floor and a patio for units located on the ground floor, shall be provided for every unit and such balcony or patio shall be not less than the following area sizes and widths:

	<u>Area Size</u>	<u>Width</u>
(i) Bachelor, 1 bedroom or 2 bedroom unit.....	5.5 m ²	1.8 m
(ii) 3 bedroom, 4 bedroom or greater unit.....	7.5 m ²	4.8 m

(b) Elevators:

An elevator shall be provided in any apartment building having more than 3 storeys above grade.

(c) Laundry Facilities:

One automatic washer and one automatic dryer shall be provided for every 12 units. Such facilities may be grouped on the ground floor of an apartment building, or in the basement level, or may be situated on each floor of such building. A wash tub and/or basin shall be provided along with such facilities.

(d) Illumination Requirements:

- (i) Exterior floodlighting or similar means of illumination shall be installed in order to ensure the safe and efficient use of such facilities as driveways, walkways, entrances, and loading areas.
- (ii) All exterior illumination shall be installed with the light deflected downward and away from any windows of habitable rooms of units on the same property, or units located on nearby properties, or any public street.
- (iii) A minimum illumination level of 2.16 lumens per metre squared shall be provided over all driveways, walkways, entrances and loading areas, from dusk to dawn on every day.
- (iv) All illumination fixtures shall be a minimum distance of 1.5 metres from any public street.
- (v) Where light standards are used in the provision of illumination, the maximum height of such standards shall be 9 metres.

(e) Planting Strip:

- (i) Where an apartment development abuts a Single Family Residential Zone, a planting strip shall be provided.
- (ii) The minimum width of such planting strip shall be 3 metres.

- (iii) Such planting strip shall be curbed with continuous poured concrete curbing and/or suitably barricaded where it abuts a parking area or driveway area.
- (iv) Such planting strip shall consist of at least one continuous unpierced hedgerow of trees, evergreens, or shrubs, not less than 1.8 metres high, immediately adjoining the lot line or portion thereof along which such planting strip is required.
- (v) A planting strip may form part of the landscaped area required under this subsection.

(f) Landscaped Area:

- (i) A minimum of at least 30% of the lot area on which an apartment building is located shall be landscaped area.
- (ii) Where possible, all existing mature trees shall be retained.
- (iii) At least one tree, a minimum of 1 centimetre diameter shall be provided on the site for each dwelling unit.
- (iv) All land not covered by buildings, structures, concrete or pavement shall be landscaped in accordance with plans prepared by an architect or landscape architect and approved by the Town.

(g) Play Area Requirements:

A play area for children shall be provided on lands on which an apartment building or complex is located, according to the following requirements:

- (i) The minimum play area required shall be 2 square metres for each bedroom, exclusive of a master bedroom and such required minimum play area shall be in addition to the required 30% minimum landscaped open space area.
- (ii) A play area shall not be separated from the apartment building by a driveway or parking lot, and shall not be located in any front yard.
- (iii) Every play area shall be located a minimum distance of 3 metres from walls of buildings which do not contain windows of habitable rooms, and a minimum distance of 7.5 metres from walls of buildings in which windows of habitable rooms are located.
- (iv) Every play area shall be a minimum distance of 3 metres from any parking area or parking space and a minimum distance of 6 metres from any side or rear street or any apartment complex roadway.
- (v) Every play area shall be enclosed by a fence a minimum of 1 metre in height and suitable play equipment shall be made available in every play area.

- (j) Subsection 5.6 SPECIAL PROVISIONS FOR DAY NURSERIES, is amended by adding the words "and all day nurseries shall be subject to the provisions of the Day Nurseries Act, R.S.O. 1970, Chapter 104."

6. SECTION 6 COMMERCIAL ZONES is amended as follows:

- (a) Subsection 6.2 PERMITTED USES IN COMMERCIAL ZONES, Paragraph (1), Table (d) Miscellaneous, is hereby amended by deleting the word "Reports" from the phrase "Artists, Reports, Writers".
- (b) Subsection 6.2 PERMITTED USES IN COMMERCIAL ZONES, Paragraph (1), Table (a) Other Retail Stores, is hereby amended by adding an "X" under the Neighbourhood Commercial C1 category for "Tobacconists".
- (c) Subsection 6.3, Paragraph 6.3.2, Notations, is amended by deleting Notation explanation (6.3.2.2) in its entirety and replacing same with the following: "(6.3.2.2) Where the side yard or rear yard abuts a navigable waterway no setback from the waterway is required for accessory uses or structures to the principal use or structure on the property."
- (d) Subsection 6.6, Paragraph (a), Table of Lot and Setback Requirements, is deleted in its entirety and replaced with the following:

	<u>Interior Lot</u>	<u>Corner Lot</u>
Minimum Frontage.....	36 m	36 m
Minimum Lot Depth.....	30 m	30 m
Minimum Front Yard.....	12 m	12 m
Minimum Side Yard Abutting		
a Street.....	---	12 m

- (e) Subsection 6.6, Paragraph (b), is amended by deleting the words "may be reduced to 7.5 metres" in the last line of sentence (ii) and replacing same with the words "shall be 7.5 metres.";

and further amended by adding the following sentence:

"(iii) Where an automobile service station, motor vehicle repair garage, motor vehicle body shop or automatic motor vehicle wash, is developed in conjunction with other permitted uses on a property and within the same building or structure as such other uses, and is under the same ownership or management as such other uses, the sideyard and rearyard setback requirements for such other permitted uses shall apply, subject however to the provisions of the Gasoline Handling Act, R.S.O. 1970, as amended."

- (f) Subsection 6.6, Paragraph (c), Location of Certain Structures, is amended by adding the following:

"(iv) A landscaped strip, a minimum width of 1.4 metres, shall be provided along the frontage or flankage of any lot, with the exception of entrance and exit areas. Permitted light standards and signs may be located within such landscaped strip, subject to a minimum distance of .75 metres from the lot line for any part of such light standard or sign.";

and further amended by deleting the figure "7.5 metres" in the third line of sentence 1) and replacing same with the figure 4.5 metres".

- (g) Subsection 6.7, Paragraph (b) (ii), is amended by deleting the words "may be reduced to 7.5 metres" and replacing same with "shall be 7.5 metres."

7. SECTION 7 INDUSTRIAL ZONES, is hereby amended as follows:

(a) Subsection 7.2 PERMITTED USES IN INDUSTRIAL ZONES, Paragraph 7.2.3, Recreation, is amended by adding "Indoor Tennis Facility" as a Permitted Use in the "M1 Light Industrial Zone".

(b) Subsection 7.2, PERMITTED USES IN INDUSTRIAL ZONES, Paragraph 7.2.6, Extractive, is amended by deleting the words "and Borrow Pits" from the last line of this Paragraph and adding footnote notation "(7.2.12)" and further adding footnote explanation at the end of the Notations for Permitted Uses Section, as follows:

"(7.2.12) Wayside Pits shall be located in areas of low agricultural value and not in areas designated as good tender fruit or good grape lands, and reference shall be made to the Policy Plan for the Regional Municipality of Niagara in determining the location of such areas; and further, such wayside pits shall be rehabilitated by fill and the reinstatement of topsoil."

(c) Subsection 7.3, Paragraph 7.3.1, Lot and Building Requirements, Extractive Industrial ME1, Maximum Building Height, is amended by adding the footnote notations "(7.3.1)" and "(7.3.2)" beside the figure "10.5 m", and by adding footnote explanations as follows:

"(7.3.1) The height measurement shall be measured from the average grade of the land surrounding the quarry or pit."

"(7.3.2) A temporary structure of greater height than that permitted in this Subsection may be erected prior to necessary excavations on a quarry or pit site, however, in no case shall such temporary structures remain on the site for a period longer than one year."

(d) Subsection 7.4 SPECIAL REGULATIONS FOR INDUSTRIAL ZONES, Paragraph 7.4.2.2, Yard Requirements for Extractive Uses, is deleted in its entirety and replaced with the following:

"7.4.2.2 Yard Requirements for Extractive Uses

	<u>Buildings</u>	<u>Excavations</u>
Minimum Distance from Lot Line.....	30 m	15 m
Minimum Distance from Road		
Allowance.....	30 m	30 m
Minimum Distance from an Occupied		
Dwelling.....	30 m	30 m
No building, pit or quarry or outside storage of materials, equipment, finished or unfinished products, or parking of equipment is permitted within 90 metres of a Residential Zone or a Residential Development Zone."		

8. Metric Symbols and Number Configurations:

All Sections of By-law No. 78-85 are amended by changing, wherever necessary, the metric symbols and number configurations to conform with those standards approved for use by the Regional Municipality of Niagara.

9. SECTION 9 EXCEPTIONS, is hereby amended as follows:

(a) Industrial Exceptions are amended as follows:

- i) Sub-headings "M1 ZONE" and "M2 ZONE" are added.
- ii) Exceptions "M1-8" and "M1-9", as established under By-law No. 79-17 which amended By-law 78-85 and which is repealed by the provisions of this By-law, are deleted.
- iii) Exception "M1-10" as established under By-law 79-35, which amends By-law 78-85, is renumbered as Exception "M1-8" and explanation for same added, as follows:

"Notwithstanding the permitted uses in Subsection 7.2 for the M1 Light Industrial Zone, the lands zoned as M1-8 on Map 9 of Schedule "A" to this By-law, and being Parts 44 and 45 of Plan 30R-333, are permitted to be used for one restaurant to a maximum size of 140 square metres total gross floor area. (Van Es, By-law 79-35)

- iv) Exception "M1-9" is added, as follows:

"Notwithstanding the permitted uses in Subsection 7.2 for the M1 Light Industrial Zone, the lands zoned as M1-9 on Map 9 of Schedule "A" to this By-law are not permitted to be used for those uses listed as follows:

Fruit and vegetable canning, feed mill, leaf tobacco processing, tobacco products, rubber footwear, agricultural implements, commercial refrigeration and air-conditioning equipment, office and store machinery, motor vehicle parts and accessories, electrical and industrial equipment, pharmaceuticals and medicines, toilet preparations, wholesale trade of petro-chemical products and motor vehicle body shops. All other permitted uses under the M1 Light Industrial Zone are permitted for the subject lands."

- v) Exception "M1-10" is added, as follows:

"Notwithstanding the permitted uses for the M1 Light Industrial Zone, the area zoned M1-10 is permitted to be used for the following industries, in addition to all those uses permitted under the M1 Zone:

Sash and Door, Wooden Box, Coffin and Casket, Outdoor Furniture Manufacturing."

- vi) Exception "M1-11" is added, as follows:

"Notwithstanding the permitted uses for the M1 Light Industrial Zone, the area zoned M1-11 is permitted to be used for the following industries, in addition to all those uses permitted under the M1 Zone:

Prefabricated Metal Industries and Glass Building Manufacturing."

- vii) Exception "M1-12" is added, as follows:

"Notwithstanding the permitted uses for the M1 Light Industrial Zone, the area zoned M1-12 is permitted to be used for the following industries, in addition to all those uses permitted under the M1 Zone:

Ornamental and Architectural Metal, Metal Stamping, Pressing and Coating, Wire and Wire Products, Machine Shops."

viii) Exception "M1-13" is added, as follows:

"Notwithstanding the permitted uses for the M1 Light Industrial Zone, the lands zoned M1-13 are permitted to be used for the following industries, in addition to all those uses permitted under the M1 Zone:

Concrete Products, Ready Mix Concrete, Clay Products,
Stone Products."

ix) Exception "M1-14" is added, as follows:

"Notwithstanding the permitted uses for the M1 Light Industrial Zone, the lands zoned M1-14 are permitted to be used for the following, in addition to all those uses permitted under the M1 Zone:

Building Construction Contractor."

x) Exception "M1-15" is added, as follows:

"Notwithstanding the permitted uses for the M1 Light Industrial Zone, the lands zoned M1-15 are permitted to be used for "Wineries" in addition to all those uses permitted under the M1 Zone. (Podamer)

xi) Exception "M2-11" as established under By-law No. 79-57, which amends By-law No. 78-85, is renumbered Exception "M2-1" and explanation for same added, as follows:

"Notwithstanding the permitted uses in Subsection 7.2 for the M2 General Industrial Zone, the lands zoned as "M2-1" on Map 5 of Schedule "A" to this By-law, are only permitted to be used for Poultry Processing Operations, Slaughtering of Poultry, Field Crops, Agricultural Buildings and Structures saving and excepting a building for human habitation. (Leontis, By-law No. 79-57)

(b) Commercial Exceptions are amended, as follows:

i) Sub-headings "C1 ZONE", "C2 ZONE" and "C3 ZONE" are added.

ii) Exception "C2-10" as established under By-law 79-32, which amends By-law 78-85, is renumbered Exception "C2-4", and the explanation for same added, as follows:

"Notwithstanding the provisions of the C2 General Commercial Zone, the area zoned as "C2-4" shall conform to the following regulations:

The permitted uses shall be limited to farm machinery and implement repair, and those uses permitted in Subsection 4, Rural Rul Zone;

The minimum Lot Area shall be 0.2 hectares;

The minimum Lot Frontage shall be 38.0 metres.

(Valerio - By-law 79-32 - Part Lot 8, Concession 3, former Township of Clinton)"

iii) Exception "C2-5" is added, as follows:

"Notwithstanding the permitted uses under the C2 General Commercial Zone, the lands zoned as "C2-5" shall be permitted to be used for a Poultry Egg Hatchery operation according to the provisions of the C2 General Commercial Zone, except that the parking requirement shall be one parking space for each person employed at this location. (Fleming - Part Lot 17, Concession 2, former Township of Clinton)(By-law No. 79-101)"

iv) Exception "C2-6" is added, as follows:

"Notwithstanding the permitted uses of the C2 General Commercial Zone, the lands zoned as C2-6 are permitted to be used only for the following uses:

Custom wool dying, designing, preparing and retailing of materials, and teaching, associated with the rug hooking craft; single family residence."

(Rittermere Craft Studio, Lot 5, Con. 3, Clinton)

(c) Residential Exceptions are amended, as follows:

- i) Exceptions "R-4, R-5, R-7, R-9, R-10, R-11 and R-12, Permitted Uses", are amended by deleting the words "professional offices excluding offices of medical practitioners" and replacing same with the words "home occupation in a dwelling".
- ii) Exceptions "R-5" and "R-7" are further amended by adding as a permitted use, the following: "day nurseries in dwellings provided these accommodate no more than ten (10) children at one time".

10. Schedule "A" to By-law No. 78-85, is amended as follows:

(1) Map 1 of Schedule "A" is amended, as follows:

- (a) A specific area of land as indicated on Schedule "A" to this By-law and located in Part Lot 23, Broken Front Concession, former Township of Clinton, is zoned "RuR Rural Residential" according to By-law No. 79-41.

(2) Map 2 of Schedule "A" is amended as follows:

- (a) A specific area located in part of Lot 5, Concession 3, of the former Township of Clinton, as indicated on Schedule "A" to this By-law, and being approximately 46 metres by 90 metres, is zoned as "C2-6" "General Commercial With an Exception".
- (b) A specific area of land located in Part of Lot 11, Concession 1, of the former Township of Clinton, and as indicated on Schedule "A" to this By-law, is zoned "I-2 Institutional With An Exception" according to By-law No. 79-11 which amends By-law No. 78-85.
- (c) A specific area of land located in Part Lot 11, Concession 1, former Township of Clinton, and indicated on Schedule "A" to this By-law is zoned "RuR Rural Residential", according to By-law No. 79-59 which amends By-law 78-85.
- (d) A specific area of land is zoned "C2-4 General Commercial With An Exception" as indicated on Schedule "A" to this By-law and according to By-law No. 79-32 which amends By-law No. 78-85, the lands being located in part of Lot 8, Concession 3 of the former Township of Clinton.
- (e) A specific area of land located in Part of Lot 4, Concession 2, former Township of Clinton, and being 218.5 metres south of Greenlane Road, as indicated on Schedule "A" to this By-law and according to By-law No. 79-4, is zoned "RuR Rural Residential".

(3) Map 3 of Schedule "A" is amended as follows:

- (a) Specific "R1" designations which are now situated outside the Urban Development Boundaries, and as indicated on Schedule "A" to this By-law are designated as "RuR Rural Residential".
- (b) A specific area of land in Part of Lots 21 and 22, Concession Broken Front, former Township of Louth on the North Service Road of the Queen Elizabeth Way as shown on Schedule "A" to this By-law is zoned "C3 Highway Commercial".

(4) Map 4 of Schedule "A" is amended as follows:

- (a) A specific area of land located in Part Lot 14, Concession 2 former Township of Louth, indicated on Schedule "A" to this By-law and according to By-law No. 79-7, is zoned "RuR Rural Residential".

(5) Map 5 of Schedule "A" is amended as follows:

- (a) A specific area of land located in Part Lot 16, Concession 8, former Township of Clinton, as indicated on Schedule "A" to this By-law and according to By-law No. 79-57 which amends By-law No. 78-85, is zoned "M2-1 General Industrial With An Exception".

(6) Map 6 of Schedule "A" is amended as follows:

- (a) A specific area of land located in part Lot 10, Concession 8, former Township of Clinton, as indicated on Schedule "A" to this By-law and according to By-law No. 78-88, is zoned "RuR Rural Residential".

(7) Map 9 of Schedule "A" is amended as follows:

- (a) Specific "RM Residential Multiple" designations are deleted and replaced with the designation "RM1 Residential Multiple 1", as indicated on Schedule "A" to this By-law.
- (b) The "M1-3 Light Industrial With an Exception" zone is relocated according to Schedule "A" to this By-law, in order to correct an error in its placement on Schedule "A" to By-law No. 78-85, the subject lands being Part 41, Plan 30R-333.
- (c) A specific portion of the "M1 Light Industrial" zone, being part of Lot 15, Concession 1 of the former Township of Clinton and as indicated on Schedule "A" to this By-law is amended by redesignating same as "M2 General Industrial", including the area designated as "M2" under By-law No. 79-47 amending By-law No. 78-85.
- (d) Specific areas located in part of Lot 21, Corporation Plan 3, former Town of Beamsville and part of Lot 17, Concession 2, former Township of Clinton, and designated as "RD Residential Development" in By-law No. 78-85, are amended by designating same as "OS Open Space" as indicated on Schedule "A" to this By-law.
- (e) A specific area of land, previously owned by the Ministry of Transportation and Communications in part of Lot 17, Concession 1 of the former Township of Clinton, and on which no zoning designation was indicated in By-law No. 78-85, and an additional area in part of Lot 18, Concession 1 of the former Township of Clinton designated as "RuR Rural" in By-law No. 78-85, are zoned as "M1 Light Industrial" as indicated on Schedule "A" to this By-law.

- (f) A specific area of land in part of Lot 22, Corporation Plan 3 of the former Town of Beamsville, designated in By-law No. 78-85 as "RD Residential Development", is amended by designating same "R3 Residential 3" as indicated on Schedule "A" to this By-law.
- (g) A portion of the area fronting the west side of Bartlett Road in part of Lot 15, Concession 2, designated as "RD Residential Development" in By-law No. 78-85, is amended by zoning same as "OS Open Space" as indicated on Schedule "A" to this By-law.
- (h) A specific area of land zoned as "C2 General Commercial" in By-law No. 78-85, being part of Lot 17, Concession 2 of the former Township of Clinton, as indicated on Schedule "A" to this By-law is zoned "C2-5 General Commercial With An Exception" to permit a Poultry Egg Hatchery Operation and to establish parking regulations specific to this use.
- (i) Specific "R1 Residential 1" and "R2 Residential 2" designations which are now situated outside the Urban Development Boundaries, as indicated on Schedule "A" to this By-law, are designated as "RuR Rural Residential".
- (j) Specific areas of land located in part of Lots 16, 17 and 18, Concession 1, former Township of Clinton, as indicated on Schedule "A" to this By-law, are designated as "M1-9 Light Industrial With Exceptions" in order to limit the Permitted Uses of the subject lands.
- (k) A specific area of land in part of Lot 16, Concession 1 of the former Township of Clinton, as indicated on Schedule "A" to this By-law is designated as "M1-14 Light Industrial With An Exception" to permit a Building Construction Contractor's operation.
- (l) A specific area of land, being part of Lot 55, and Lots 48, 49 and 50 of Corporation Plan 3 of the former Town of Beamsville, designated as "RD" and "R3" in By-law No. 78-85, is amended by designating same as "Rm1 Residential Multiple 1", as indicated on Schedule "A" to this By-law.
- (m) A specific area of land as indicated on Schedule "A" to this By-law, being in part of Lot 16, Concession 1 of the former Township of Clinton, and according to By-law No. 79-35 which amends By-law No. 78-85, is zoned "M1-8 Light Industrial With An Exception".
- (n) A specific area of land indicated on Schedule "A" to this By-law being Parts 1, 2, 3, 4, 5 and 6 of Plan 30R-749 and located in part of Lot 16, Concession 1 of the former Township of Clinton, is zoned as "M1-15 Light Industrial With an Exception" to permit "Wineries" in addition to all other uses permitted under the M1 Light Industrial Zone.

(8) Map 10 of Schedule "A" is amended as follows:

- (a) The "RM Residential Multiple" designations are deleted and replaced with "R1 Residential Multiple 1" and "R2 Residential Multiple 2" designations, as indicated on Schedule "A" to this By-law.
- (b) A specific area of land in part of Lot 15, Concession 3 of the former Township of Clinton, which was designated as "RD" and "M1" and "I" in By-law No. 78-85, is amended by designating same as "OS Open Space" as indicated on Schedule "A" to this By-law.
- (c) A specific area of land designated as "R3 Residential 3" in By-law No. 78-85, located in part of Lot 347, Corporation Plan 3 of the former Town of Beamsville, is amended by designating same as "OS Open Space" as indicated on Schedule "A" to this By-law.
- (d) Specific areas located in part of Lot 21, Corporation Plan 3, former Town of Beamsville, and part of Lot 17, Concession 2, former Township of Cointon, and Part of Lots 162, 163 and 165 of Corporation Plan 3 of the former Town of Beamsville, designated as RD Residential Development in By-law No. 78-85, are amended by designating same as "OS Open Space", as indicated on Schedule "A" to this By-law.
- (e) A specific area of land in part of Lot 22, Corporation Plan 3 of the former Town of Beamsville, designated as RD Residential Development in By-law No. 78-85, is designated as "R 3 Residential 3", as indicated on Schedule "A" to this By-law.
- (f) Specific "R2 Residential 2" designations which are now situated outside the Urban Development Boundaries, are amended by designating same as "RuR Rural Residential" as indicated on Schedule "A" to this By-law.
- (g) A specific area zoned as "C2 General Commercial" in By-law No. 78-85, being part of Lot 17, Concession 2 of the former Township of Clinton and as indicated on Schedule "A" to this By-law, is zoned as "C2-5 General Commercial With An Exception", to permit a Poultry Egg Hatchery Operation and to establish parking regulations specific to this use.
- (h) A specific area designated as "M1 Light Industrial" in By-law No. 78-85, fronting the west side of Bartlett Road is amended to the following Zones, to permit Exceptions to the M1 Light Industrial Zone, as indicated on Schedule "A" to this By-law.
 - (i) A specific area, being Parts 1, 2, 3 and part of Part 9 of Plan 20R-908 is zoned as "M1-10 Light Industrial With Exceptions".
 - (ii) A specific area, being Part 5 of Plan 30R-908, is zoned as "M1-11 Light Industrial With Exceptions".
 - (iii) A specific area, being part of Part 11 of Plan 30R-908 and Part of Lot 165, Corporation Plan 3 of the former Town of Beamsville is zoned "M1-12 Light Industrial With Exceptions".

(iv) A specific area, being Part 12 of Plan 30R-908, part of Lot 165, Corporation Plan 3 of the former Town of Beamsville and part of Lot 15, Concession 3 of the former Township of Clinton, is zoned "M1-13 Light Industrial With Exceptions".

(i) A specific area of land, being part of Lot 55 and Lots 48, 49, and 50 of Corporation Plan 3 of the former Town of Beamsville, designated as "RD" and "R3" in By-law No. 78-85, is amended by designating same as "R1 Residential Multiple 1" as indicated on Schedule "A" to this By-law.

(j) A specific area of land being Lot 163 of Corporation Plan 3 of the former Town of Beamsville, designated as "RD Residential Development" in By-law 78-85, is zoned as "C2 General Commercial" as indicated on Schedule "A" to this By-law.

(k) Specific RM Residential Multiple zones are amended by designating same as "R1 Residential Multiple 1" as indicated on Schedule "A" to this By-law.

(l) A specific area zoned as R3 Residential 3 and RM Residential Multiple, in By-law No. 78-85, located in part of Lots 127, 128, 129, 130 and 131, Corporation Plan 3 of the former Town of Beamsville, is amended by zoning same as "R1 Residential Multiple 1" as indicated on Schedule "A" to this By-law.

(m) A specific area zoned as R3 Residential 3 in By-law No. 78-85 and located in part of Lot 127, Corporation Plan 3 of the former Town of Beamsville, is amended by zoning same as "C2 General Commercial", as indicated on Schedule "A" to this By-law.

(9) Map 11 of Schedule "A" is amended, as follows:

(a) The RM Residential Multiple designation in Part Lot 76, Plan M-2, Vineland, is deleted and replaced with the "R1 Residential Multiple 1" designation as indicated on Schedule "A" to this By-law.

(b) Specific "R1", "R2" and "R3" Residential designations which are now situated outside the Urban Development Boundaries are designated as "RuR Rural Residential", as indicated on Schedule "A" to this By-law.

(c) A specific area of land zoned in By-law 78-85 as RD Residential Development, and located in Part Lot 166, Plan M-2, Vineland, as indicated on Schedule "A" to this By-law, is zoned as "R1 Residential Multiple 1".

(d) A specific parcel of land, being situated in part of Lot 21, Plan M-2, Vineland, zoned as Institutional in By-law No. 78-85, is zoned as "R2 Residential 2" as indicated on Schedule "A" to this By-law and according to By-law No. 79-53 which amends By-law No. 78-85.

(10) Map 12 of Schedule "A" is amended as follows:

(a) Specific parcels of land designated as R1 Residential 1 in By-law No. 78-85 and which are now outside the Urban Development Boundaries are zoned "RuR Rural Residential" as indicated on Schedule "A" to this By-law.

(11) Map 13 of Schedule "A" is amended as follows:

- (a) The "RM Residential Multiple" designation is deleted and replaced with the "RMI Residential Multiple 1" designation, as indicated on Schedule "A" to this By-law.
- (b) A specific area designated as "RD Residential Development" in By-law No. 78-85 is amended by designating a portion of same as "I Institutional" and a portion of same as "Rul Rural", as indicated on Schedule "A" to this By-law, the subject lands being located in part of Lot 18, Concession 4 of the former Township of Louth.
- (c) A specific area of land zoned as "R1 Residential 1" in By-law No. 78-85 and now situated outside the Urban Development Boundaries is zoned as "RuR Rural Residential" as indicated on Schedule "A" to this By-law.

THIS BY-LAW SHALL NOT BE EFFECTIVE UNTIL APPROVED BY THE
ONTARIO MUNICIPAL BOARD.

READ a FIRST time this 17th day of December, 1979.

READ a SECOND and THIRD time and FINALLY PASSED this 17th
day of December, 1979.


MAYOR


CLERK