

SECTION 15 - RESIDENTIAL MULTIPLE 2 (RM2) ZONE

15.1 Subject to the general provisions of Section 6 and all other applicable requirements of this By-law, the provisions of this section shall apply to all Residential (RM2) zones.

15.2 PERMITTED USES

- Fourplexes
- Apartment dwellings
- Home for the Aged
- Residential uses existing at the date of passing of this by-law
- Assisted Living House
- Nursing Home
- Uses, buildings and structures accessory to the foregoing permitted use

15.3 REGULATIONS FOR APARTMENT DWELLINGS AND ASSISTED LIVING HOUSE

Minimum Lot Frontage	30m
Minimum Lot Area	115 sq. m. per unit
Maximum Lot Coverage	40 percent
Minimum Front Yard	7.5m
Minimum Side Yard	One-half of the building height or 4m, whichever is greater
Minimum Exterior Side Yard	One-half of the building height or 6m whichever is the greater
Minimum Rear Yard	One-half of the building height or 7.5m whichever is the greater
Minimum floor area per dwelling unit	Bachelor Unit: 40 sq. m One-Bedroom Unit: 50 sq. m Two-Bedroom Unit: 60 sq. m Unit comprising three or more bedrooms: 79 sq. m plus 7 sq. m for each bedroom in excess of three

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Maximum Height	9 storeys or 26 metres whichever is the greater
Landscaped Area	For every lot on which the buildings or structures are situated, there shall be provided and maintained on the lot at least 25 percent of the lot area as a landscaped area unused for access or maneuvering space or parking space or any other purpose other than landscaped area and playground

**15.4 MINIMUM DISTANCE BETWEEN ANY ABUTTING
RESIDENTIAL ZONE AND DRIVING LANES OR PARKING AREAS**

- (a) No driving lane shall be closer than 3 metres to any lot line abutting any Residential Zone.
- (b) No parking area shall be closer than 3.0 metres to any lot line abutting any Residential Zone, except that the regulations governing the location of a driving lane and a parking area in relation to a lot line shall not apply to prevent the use of a jointly owned driving lane or parking area which serves two row house dwellings on adjoining lots.

15.5 REGULATIONS FOR FOURPLEXES

The regulations of Section 14.7 shall apply.

EXCEPTIONS TO THE RESIDENTIAL MULTIPLE 2 (RM2) ZONE

RM2-51(129-1990) 255 High Street

Nothing shall prevent the continued use of the lands indicated as RM2-51 on Schedule "A" for a senior citizen's complex and uses, buildings and structures accessory thereto and the following special regulations shall apply thereto:

- (a) The maximum number of dwelling units permitted on this land shall be 56 units.
- (b) The minimum front yard shall be 39 metres.
- (c) The minimum side yard abutting the residential zone on the northerly lot line shall be 19 metres.
- (d) The minimum rear yard shall be 60 metres.
- (e) The maximum height for an apartment house shall be 6 storeys.

RM2-53 (129-1990) 1 Albany Street

Nothing shall prevent the continued use of the lands indicated as RM2-53 on Schedule "A" for an apartment building and uses, buildings and structures accessory thereto and the following special regulation shall apply thereto:

- (a) Maximum number of dwelling units: 100

RM2-54 (129-1990) 43 King Street

Nothing shall prevent the continued use of the lands indicated as RM2-54 on Schedule "A" for non-profit housing and uses, buildings and structures accessory thereto and the following special regulations shall apply thereto:

- (a) The maximum number of dwelling units permitted on this land shall be 50 units.
- (b) The maximum height for an apartment house shall be 5 storeys.
- (c) The minimum side yard abutting the Residential Zone on the southerly lot line shall be 15 metres.
- (d) The minimum front yard shall be 50 metres.
- (e) The minimum side yard abutting the northerly lot line shall be 7.5 metres.
- (f) The minimum rear yard shall be 7.5 metres.
- (g) The minimum distance between parking areas and any abutting Residential Zone shall be 9 metres.

RM2-58 (9-1991) Hagey Avenue, north side, west of Hospital Drive

These lands are zoned "Residential Multiple 2 RM2-58 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 2 RM2 Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 RM2-58 Zone" except:

- (a) that notwithstanding the requirements of Subsection 15.3 the minimum lot area shall be 161 square metres per unit, and;
- (b) that notwithstanding the requirements of Subsection 15.3 the maximum height of the building shall not be greater than 3 storeys.

RM2-61(H) (92-1992) Albany Street, north side @ King Street

These lands are zoned "Residential Multiple 2 Holding RM2(H)-61 Zone". Once the (H) has been removed by Council after the Lakeshore Road Pumping Station has been upgraded to accommodate additional development, the development on this property shall comply with all of the provisions of Section 15 - RM2 Zone Residential Multiple 2 except:

- (a) that notwithstanding the requirements of Subsection 15.2 - Permitted Uses, these lands shall only be used for block townhouse dwellings, apartment houses and uses, buildings and structures accessory to the foregoing permitted uses;
- (b) the maximum number of dwellings units shall not be greater than 116 units;
- (c) the minimum lot area shall not be less than 1.2 hectares;
- (d) the minimum lot frontage shall not be less than 165 metres;
- (e) the maximum lot coverage shall not be greater than 30%;

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- (f) there shall be provided and maintained on the lot at least 50% of the lot area as a landscaped area, unused for access or manoeuvring space or parking space or any other purpose other than landscaped area;
- (g) that notwithstanding the parking requirements in Subsection 6.20 (A) (b), the following requirements shall apply:
- (h) a minimum of 1.5 parking spaces per dwelling unit shall be provided and maintained on site, and;
- (i) all block townhouse dwelling units shall have an attached garage, and;
- (j) a minimum of 1 underground parking space per apartment dwelling unit shall be provided on site.
- (k) the following regulations shall apply to the apartment house;
 - the maximum number of apartment dwelling units shall not be greater than 91 units.
 - The minimum front yard abutting Albany Street shall not be less than 7.5 metres.
 - The minimum easterly side yard shall not be less than ½ of the building height or 7.5 metres whichever is greater.
 - The minimum westerly side yard abutting King Street shall not be less than ½ of the building height or 28 metres whichever is greater.
 - The minimum rear yard shall not be less than ½ of the building height or 7.5 metres whichever is the greater.
 - Maximum building height for an apartment house shall not be greater than 10 storeys.
 - The minimum floor area per dwelling unit shall not be less than the following:

<u>Type of Dwelling Unit</u>	<u>Minimum Floor Area</u>
One Bedroom Unit	69 square metres
Two Bedroom Unit	83 square metres
Three or more Bedrooms	138 square metres

- (i) The following provisions shall apply to the block townhouse units:
 - The minimum front yard abutting Albany Road shall not be less than 7.5 metres on a public street or 6.2 metres on an internal roadway.
 - The minimum side yard shall not be less than 4.5 metres except that any side yard abutting a street shall not be less than 7.5 metres or on an internal roadway shall not be less than 6.7 metres.
 - The minimum rear yard shall not be less than 7.5 metres.

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- The maximum building height shall not be greater than 2 storeys.
- The minimum floor area shall not be less than the following:

<u>Type of Dwelling Unit</u>	<u>Minimum Floor Area</u>
Two Bedroom Unit	90 square metres
Three Bedroom Unit	110 square metres

- The minimum distance between buildings on the same lot - the face of one townhouse shall not be closer to any side of any other townhouse than 9 metres; any face of any townhouse shall not be closer than 15 metres to any face of another townhouse; any side of any townhouse shall not be closer than 4 metres to any side of any other townhouse.
- The maximum number of units in a row shall not be greater than 8.
- The minimum lot area shall not be less than 270 square metres per unit.

RM2-63(H) (129-1990) Albert Street, east side, north of Albany Street

Repealed by By-law 106-2002

RM2-64 (272-1990) 757 Nancy Road

These lands are zoned "Residential Multiple-2 RM2-64 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 2 RM2 Zone" by this by-law shall apply to those lands zoned "Residential Multiple-2 RM2-64 Zone" except:

- (a) that notwithstanding the requirements of Subsection 15.2, these lands shall be used for an apartment house with not more than 54 dwelling units and uses, buildings and structures accessory to the apartment house, and;
- (b) that notwithstanding the requirements of Subsection 15.3, the minimum lot frontage shall not be less than 21.2 metres, and;
- (c) that notwithstanding the requirements of Subsection 15.3, the minimum side yard shall not be less than 7.5 metres, and;
- (d) that notwithstanding the requirements of Subsection 15.3, the minimum rear yard shall not be less than 7.5 metres, and;
- (e) that notwithstanding the requirements of Subsection 15.3, the maximum height shall not be greater than 5 storeys.

RM2-65(H) (30-1991) Dominion Road, north side @ Albert Street

Repealed and replaced by By-law 134-2002

RM2-118 (90-1994) 3926 Farr Avenue

These lands are zoned "Residential Multiple 2 RM2-118 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 2 RM2 Zone" shall apply to those lands zoned "Residential Multiple 2 RM2-118 Zone" on Schedule A except:

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- (a) that notwithstanding the list of permitted uses set out in Subsection 15.2 - Permitted Uses, the lands shown as "RM2-118 Zone" on Schedule A may only be used for an apartment house containing not more than six (6) apartment dwelling units, and uses, buildings and structures accessory to the foregoing permitted use;
- (b) that notwithstanding the requirements of Subsection 15.3, the minimum lot frontage shall not be less than 31.1 metres, and;
- (c) that notwithstanding the requirements of Subsection 15.3, the minimum lot area shall not be less than 1,414 square metres.

RM2-129 (16-1995) 1175 Taylor Avenue (RELOCATED TO C3-129)

RM2-205 (200-1998) 3659 Cutler Street

These lands are zoned "Residential Multiple 2 RM2-205 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 2 RM2 Zone" shall apply to those lands zoned "Residential Multiple 2 RM2-205 Zone" on Schedule A except:

- (a) That notwithstanding the requirements of Subsection 15.2 (Permitted Uses) these lands may be used for an apartment building with not more than three dwelling units;
- (b) that notwithstanding the requirements of Subsection 15.3, the minimum lot frontage shall not be less than 11.2 metres;
- (c) that notwithstanding the requirements of Subsection 15.3, the minimum lot area shall not be less than 190 square metres per unit;
- (d) that notwithstanding the requirements of Subsection 15.3, the minimum easterly side yard shall not be less than .97 metres and the minimum westerly side yard shall not be less than .99 metres for the existing building.

RM2-215(H) (212-1999) Disher Street, north side, west of Ridge Road North

DELETED DECEMBER 9, 2002, REPLACED BY BY-LAW 243-2002

RM2-226 (130-2000) Derby Road, west side @ Michener Road

These lands are zoned "Residential Multiple 2 RM2-226 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 2 RM2 Zone" by this By-law shall apply to those lands zoned "Residential Multiple 2 Holding RM2-226 Zone" on Schedule A, except:

- (a) that notwithstanding the permitted uses in Subsection 15.2, apartment dwellings shall only be permitted in the existing buildings on these lands.
- (b) that notwithstanding Subsection 15.3, the minimum lot area shall not be less than 427 square metres/unit.

RM2-241(H) (184-2001) 56 Belfast Road South (RELOCATED TO CMU2-241 (H))

RM2-277 (Board Order Z 920023) Esme Lane and Weber Court

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For the purpose of permitting not more than 26 block townhouse dwelling units, 20 apartment units and 1 cooperative centre.

Lands illustrated, outlined and shown on Schedule "A" as being zoned "Residential Multiple Two - RM2-277" and shall be subject to the following regulations:

- | | | |
|-----|---|--|
| (a) | Maximum Number of Dwelling Units | 26 Block Townhouse Units
20 Apartment Units |
| (b) | One Cooperative Centre | Maximum gross floor area of 368 sq. m or 3,961 sq. ft. |
| (c) | Minimum Parking Requirements | 1.5 spaces/dwelling unit.
1 space/15 sq. m of gross floor area of Cooperative Centre. |
| (d) | Minimum Rear Yard Setback | 32.8 ft. 10 m |
| (e) | Minimum Side Yard Setback for Block Townhouse & Apartment Dwellings | 19.7 ft 6m |
| | except the minimum Side Yard Abutting an Internal Road shall be | 20.9 ft. 6.4 m |
| | Minimum Side Yard Setback for Cooperative Centre | 32.8 ft. 10 m |
| (f) | Minimum Front Yard Setback on a Street or an Internal Roadway for Block Townhouse & Apartment Dwellings | 21.98 ft. 6.7 m |
| | Minimum Front Yard Setback for Cooperative Centre | 32.8 ft. 10 m |
| (g) | Maximum Density | 11.03 units/ac 26.8units/ha |
| (h) | Minimum Lot Area | 4.17 ac 1.716 ha |
| (i) | Minimum Lot Frontage | 275 ft. 83.82 m |
| (j) | Maximum Building Height | 2 storeys |
| (k) | Minimum Floor Area | 549 sq. ft. 51.0 sq.m |
| (l) | Any face of one Townhouse shall be no closer to any side of another Townhouse than | 29.5 ft. 9 m |

Any face of any Townhouse shall be no closer to any face of another Townhouse than	49.2 ft. 15 m
Any side of one Townhouse shall be no closer to any side of another Townhouse than	29.5 ft. 9 m
(m) Minimum Landscaped Area	50%
(n) Planting strip	4.9 ft. 1.5 m
(o) Maximum number of Townhouse Units in a row	6

RM2-331(H) (10-05) 672 Edgemere Road at Helena Street

These lands are zoned Residential Multiple 2 Holding RM2-331(H) Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Residential Multiple 2 RM2 Zone by this by-law shall apply to those lands zoned Residential Multiple 2 Holding RM2-331(H) Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the requirements of Subsection 15.3, the following special provisions shall apply:
 - Minimum Lot Area: **134.7 square metres per unit**
 - Minimum Front Yard along Edgemere Road: **3.4 metres**
 - Minimum Interior Side Yard: **6.1 metres**
 - Maximum Building Height: **3 stories and not greater than 11.4 metres**
- b) Notwithstanding the requirements of Subsection 6.20(I), the parking area along Helena Street shall be permitted to be within 0m of the street line and the parking area along Floyd Place shall be permitted to be located within 1.5m of the street line.

RM2-414(H) (139-09) 33 Princess Street

These lands are zoned Residential Multiple 2 Holding RM2-414(H) Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Residential Multiple 2 RM2 Zone by this by-law shall apply to those lands zoned Residential Multiple 2 Holding RM2- 414 (H) Zone on Schedule A subject to the following special provisions:

- a) that notwithstanding the requirements of Subsection 15.3:
 - i. the minimum front yard setback shall not be less than 2.7 metres;
 - ii. the minimum exterior side yard abutting Princess Street should not be less than 3.29 metres;

- iii. the minimum exterior side yard abutting John Street should not be less than 1.2 metres;
 - iv. the minimum rear yard setback shall not be less than 4.52 metres;
 - v. the maximum building height shall not be greater than 3 storeys;
 - vi. the minimum landscape area shall not be less than 10%; and
 - vii. the minimum lot area shall not be less than 107 square metres per unit.
- b) that notwithstanding the requirements of Subsection 6.20(I) the parking area shall not be closer than 1.5 metres to a street line and 1.16 meters to the rear lot line.

RM2-417 (102-210) West Jarvis Residential Revitalization Zone

These lands are zoned "Residential Multiple 2 Holding RM2-417(H) Zone" and all of the provisions that relate to lands zoned "Residential Multiple 2 RM2 Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 Holding RM2-417(H) Zone" on the attached Schedule A-1 subject to the following special provisions:

- a) The Holding provision shall not be lifted, nor shall the subject lands be used for residential purposes until:
 - all required environmental studies have been completed, and a plan for any required site remediation has been submitted to and approved by the appropriate regulatory agencies, and;
 - A Site Plan Agreement pursuant to Section 41 of The Planning Act has been entered into between the developer and /or property owner and the Municipality.

RM2-422 (102-10) Bridgeburg Residential Intensification Area

These lands are zoned "Residential Multiple 2 RM2-422 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 2 RM2 Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 RM2-422 Zone" on the attached Schedule A-7 subject to the following special provisions:

- a) Notwithstanding the requirements of Subsection 15.3, the maximum building height of a building in this zone shall be four (4) stories.
- b) The overall density for this zone shall be a minimum of 25 units/gross hectare and a maximum of 50 units/gross hectare.

RM2-423 (102-10) Horton Residential Revitalization Area

These lands are zoned "Residential Multiple 2 Holding RM2-423(H) Zone" and all of the provisions that relate to lands zoned "Residential Multiple 2 RM2 Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 Holding RM2-423(H) Zone" on the attached Schedule A-9 subject to the following special provisions:

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- a) Notwithstanding the requirements of Subsection 15.2, uses permitted under Section 14.2 shall also be permitted in this zone, and the requirements of Section 14.3, 14.4, 14.5, 14.6 and 14.7 shall apply to such uses.
- b) Notwithstanding the requirements of Subsection 15.3, the maximum building height of a building in this district shall be six (6) stories.
- c) Local Commercial uses shall be permitted in accordance with Subsection 19.2.
- d) The overall residential density for this district shall be a minimum of 25 units/gross hectare and a maximum of 50 units/gross hectare.
- e) The Holding provision shall not be removed from any lands in this zone, nor shall any lands within this zone be used for residential purposes until:
 - i. all required environmental studies have been completed, and a plan for any required site remediation has been submitted to and approved by the appropriate regulatory agencies, and;
 - ii. a Land Use Compatibility Study has been submitted to and approved by the Regional Municipality of Niagara, and;
 - iii. a Site Plan Agreement pursuant to Section 41 of The Planning Act has been entered into between the developer and/or property owner and the Municipality.

RM2-425(H) 40 Jennet Street

These lands are zoned Residential Multiple 2 Holding RM2-425(H) Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Residential Multiple Holding RM2-423(H) Zone by this by-law shall apply to those lands zoned Residential Multiple 2 Holding RM2-425(H) Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the requirements of the “RM2-423(H) Zone”, the following additional uses shall be permitted while the Holding (H) Zone provisions are applied to the property, but only within buildings existing at the date of passing of this By-law:
 - i. storage and warehousing
 - ii. office uses
 - iii. assembly of goods and materials
 - iv. forging processes excluding those involving a drop forge

In addition to the above, outside storage is permitted provided it is screened from view from any street bordering the property.

- b) The uses permitted under paragraph a) above shall be subject to the regulations of Section 27 of Zoning By-law 129-90. In addition, the expansion and intensification of uses within existing buildings, as well as the establishment of any new uses, shall demonstrate compliance with Ministry of the Environment Guideline D6 and shall require approval of a Site Plan Agreement pursuant to Section 41 of the

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Planning Act with respect to landscaping and stormwater management within one (1) year of the approval of the Bridgeburg Secondary Plan by Town Council.

- c) The Holding provision related to the residential development of this property shall not be removed from any lands in this zone, nor shall any lands within this zone be used for residential purposes until:
- i. all required environmental studies have been completed, and a plan for any required site remediation has been submitted to and approved by the appropriate regulatory agencies, and;
 - ii. a Land Use Compatibility Study has been submitted to and approved by the Regional Municipality of Niagara, and;
 - iii. a Site Plan Agreement pursuant to Section 41 of the Planning Act has been entered into between the developer and/or property owner and the Municipality.

RM2-429(H) (103-10) 465 and 469 Central Avenue

These lands are zoned Residential Multiple 2 Holding RM2-429(H) Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Residential Multiple Holding RM2-423(H) Zone by this by-law shall apply to those lands zoned Residential Multiple 2 Holding RM2-429(H) Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the requirements of the “RM2-423(H) Zone”, the lands located at 465 Central Avenue described as ARN 2703-010-047-02800-0000 and lands located at 469 Central Avenue described as ARN 2703-010-047-02805-0000 may also be used for commercial uses as described in Section 25 of By-law 129-90 while the Holding (H) Zone is applied to the lands.
- b) The uses permitted in paragraph a) above shall be subject to the regulations of Section 25 of Zoning By-law 129-90.
- c) The Holding provision shall not be removed from any lands in this zone, nor shall any lands within this zone be used for residential purposes until:
 - i. all required environmental studies have been completed, and a plan for any required site remediation has been submitted to and approved by the appropriate regulatory agencies, and;
 - ii. a Land Use Compatibility Study has been submitted to and approved by the Regional Municipality of Niagara, and;
 - iii. a Site Plan Agreement pursuant to Section 41 of the Planning Act has been entered into between the developer and/or property owner and the Municipality.

RM2-468 Northeast Corner of Thunder Bay Road and Prospect Point Road and West of Maple Leaf Avenue (Ridgeway Shores Phase 2)

These lands are zoned Residential Multiple 2 RM2-468 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Residential Multiple 2 (RM2)

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Zone by this by-law shall apply to those lands zoned Residential Multiple 2 RM2-468 Zone on Schedule A subject to the following special provisions:

- a) In addition to the list of Permitted Uses in Section 15.2 the lands shown on Appendix 1 shall also permit single detached dwellings, semi-detached dwellings, duplexes, triplexes and townhouse dwellings.
- b) Notwithstanding the Zone Regulations in Section 15.3 and Section 15.5, all dwellings shall be subject to the following special provisions:
 - i) Minimum distance between side of dwelling unit and property line – 4.5 metres.
 - ii) Minimum distance between side of dwelling unit and municipal road allowance – 4.5 metres.
 - iii) Minimum distance between side of dwelling unit to property line where the property line abuts the Open Space OS-471 Zone – 1.5 metres.
- c) Townhouse dwellings shall be subject to the regulations of Section 14.3 except for the following special provisions:
 - i) Minimum front yard – 4 metres to the front face of the dwelling unit.
 - ii) Minimum interior side yard – 1 metre from dwelling unit line.
 - iii) Minimum exterior side yard – 2 metres from dwelling unit line.
 - iv) Minimum rear yard – 3.9 metres from dwelling unit line.
 - v) Maximum building height – 11 metres.
 - vi) Minimum landscaped area – 35% for block townhouses.
 - vii) Maximum lot coverage - 45%.
 - viii) Planting strip – not required where the boundary of an RM1 zone abuts an R1, R2 or R3 zone.
- d) Semi-detached dwellings shall be subject to the regulations of Section 13.4.
- e) Single detached dwellings shall be subject to the regulations of Section 11.3.
- f) Duplex dwellings shall be subject to the regulations of Section 13.5.
- g) Triplex dwellings shall be subject to the regulations of Section 14.7.

RM2-517 (70-2015) - Stevensville Medium Density Areas (various)

These lands are zoned "Residential Multiple 2 (RM2-517) Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Residential Multiple 2 (RM2) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 (RM2-517) Zone" subject to the following special provisions:

- a) In addition to the permitted uses set out in Section 15.2, a Nursing Home shall be a permitted use

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b) Notwithstanding Section 14.3, the following regulations shall apply:

Maximum Density:	50 units/ha.
Minimum Density:	17 units/ha.
Maximum Height:	i) 3 Storeys ii) 12m

c) Where Home for the Aged or Nursing Home comprises the use on the site in whole or in part, the maximum density shall be 75 un/ha for the proportionate share.

RM2-518 (70-2015) - 3801-3803 Main Street West, Stevensville

These lands are zoned "Residential Multiple 2 (RM2-518) Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Residential Multiple 2 (RM2) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 (RM2-518) Zone" subject to the following special provisions:

a) Notwithstanding Section 15.3, the following regulations shall apply:

Minimum Lot Frontage:	40m
Minimum Lot Area:	314 sq.m. per unit
Maximum Number of Units:	7
Maximum Density:	32 un/ha
Maximum Height:	i) 3 Storeys ii) 12m

b) Notwithstanding Section 5.99(b) access to the dwelling units may be through a common or separate entrance.

RM2-529 (70-2015) – West end of Paul Lane (0 Paul Lane)

These lands are zoned "Residential Multiple 2 (RM2-529) Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Residential Multiple 2 (RM2) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 (RM2-529) Zone" in addition to the following special provision:

a) Notwithstanding Section 15.2 to the contrary, a residential dwelling would be permitted on a vacant lot of record subject to the provisions of Section 11.

RM2-549 (35-2016) – 0 Black Creek Road – North Portion of parcel immediately south of Faith Reformed Church, between Netherby Road and Black Creek Road

These lands are zoned "Residential Multiple 2 (RM2-549) Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Residential Multiple 2 (RM2) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 (RM2-549) Zone" subject to the following provisions:

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a) Notwithstanding Section 15.3, the following regulations shall apply:

Maximum Lot Area	200 sq.m. per unit
Minimum Setback from Black Creek Road	15m
Minimum Landscape Strip along Black Creek Road (except for driveways)	15m
Maximum Density	50 units/ha.
Minimum Density	17 units/ha.
Maximum Height	3 storeys (12m)

b) Where Home for the Aged or Nursing Home comprises the use on the site, the maximum density shall be 75 units/ha. and 135 sq.m. per unit for such use.

RM2-565 (104-2016) 223-227 Gilmore Road

These lands are zoned “Residential Multiple 2 (RM2-565) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-565) Zone” and shall be subject to the following provisions:

a) Notwithstanding the zone Regulations for Apartment Dwellings and Assisted Living Houses in Section 15.3, apartment dwellings shall be subject to the following provisions:

- i) Minimum front yard setback – 0.41 metres
- ii) Minimum interior side yard setback- 1.73 metres
- iii) Minimum landscaped area – 4%
- iv) Minimum dwelling unit floor area – 39 square metres

b) Notwithstanding the zone Regulations for Minimum Distance between any abutting Residential Zone and Driving Lanes or Parking Areas in Section 15.4, 223-227 Gilmore Road shall be subject to the following provisions:

- i) No driving lane shall be closer than 0 metres to any lot line abutting any Residential Zone.
- ii) No parking area shall be closer than 0 metres to any lot line abutting any Residential Zone

a. Notwithstanding the Regulations for Covered or Uncovered Porches, Balconies, Steps and Patios in Section 6.40, apartment dwellings shall be subject to the following provisions:

- i) Minimum front yard setback to steps – 0 metres
- ii) Minimum interior side yard setback to steps – 0.5 metres

RM2-579(H) (53-2017) Fort Erie Hills Subdivision

These lands are zoned “Residential Multiple 2 Holding (RM2-579) (H) Zone” (Part 7), and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned

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“Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 Holding (RM2-579) (H) Zone shown as Part 7 on the attached Appendix “1” and shall be subject to the following provisions:

- a) Notwithstanding the “Regulations for apartment Dwellings and assisted living house” in Section 15.3, the permitted uses shall be subject to the following provisions:
 - i) Maximum building height 8 storeys
 - ii) Minimum Exterior Side Yard (Thompson and Phipps Street) -35 metres”

RM2-580 (H) (53-2017) Fort Erie Hills Subdivision

These lands are zoned “Residential Multiple 2 Holding (RM2-580) (H) Zone” (Part 8), and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 Holding (RM2-580) (H) Zone”, shown as Part 8 on the attached Appendix “1” and shall be subject to the following provisions:

- a) Notwithstanding the list of “Permitted Uses” in Section 15.2, the subject lands may also be used for a stormwater management facilities and/or pumping station.
- b) Notwithstanding the “Regulations for apartment dwellings and assisted living house” in Section 15.3, the permitted uses shall be subject to the following provision:
 - i) Maximum building height 6 storeys”

RM2-581 (H) (53-2017) Fort Erie Hills Subdivision

These lands are zoned “Residential Multiple 2 Holding (RM2-581) (H) Zone” (Part 9), and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 Holding (RM2-581) (H) Zone, shown as Part 9 on the attached Appendix “1” and shall be subject to the following provisions:

- a) Notwithstanding the “Regulations for apartment dwellings and assisted living house” in Section 15.3, the permitted uses shall be subject to the following provision:
 - i) Maximum building height 6 storeys

RM2-585 (78-2017) 21 Wintemute Street

These lands are zoned “Residential Multiple 2 (RM2-585) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-585) Zone” on the attached Appendix “1” and shall be subject to the following exceptions:

- a) Notwithstanding the Zone Regulations in Section 15.3, apartments shall be subject to the following special provisions.
 - i) Minimum front yard – 3.17 metres
 - ii) Minimum Interior Side Yard- 3.29 metres
 - iii) Minimum Exterior Side Yard-3.42

iv) Minimum lot area – 229 square metres per unit”

b) Notwithstanding Definition 5.99 (b) “Dwelling, Apartment” shall mean:

“**DWELLING, APARTMENT**” means a dwelling containing 4 or more dwelling units accessible from a corridor system connecting with a common entrance from outside the dwelling, or from individual exterior entrances where the occupants of such units have the common right to use halls, stairs, elevators and yards, the said dwellings being located on a single lot with or without other dwellings, such lot being held and maintained under one ownership or under condominium ownership pursuant to The Condominium Act, 1998 as amended, or any successor legislation.

RM2-598 (2-2018) – 0 Gilmore Road (Southwest corner of Concession Rd. at Gilmore Rd.)

These lands are zoned “Residential Multiple 2 (RM2-598) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-598) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- a) Minimum Lot Area 290 sq.m. per unit
- b) Minimum Front Yard 15m (to Gilmore)
- c) Minimum Side Yard 15m (to Rail ROW)
- d) Minimum Ext. Side Yard 6m (to Concession)
- e) Minimum Rear Yard 30m (to southerly Property Line)
- f) Maximum Height 3 storeys

Notwithstanding Subsection 15.2, Street Townhouses and Block Townhouses may also be permitted subject to regulations of Subsection 14.3, except that:

- g) Maximum Lot Area 580 sq.m. per unit
- h) Minimum Setback to West Property Limit 15m

RM2-599 (2-2018) – 0 Lavinia St. and Southeast corner of Lavinia St. and Aberdeen St. (also a 0 Lavinia St. address)

These lands are zoned “Residential Multiple 2 (RM2-599) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-599) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- a) Minimum Frontage 21m
- b) Maximum Height 3 storeys

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Notwithstanding Subsection 15.2, the follow uses may also be permitted:

- Fourplexes
- Street Townhouses
- Block Townhouses

Subject to regulations of Subsection 14.3, except that:

- | | |
|---|--------------------|
| a) Maximum Lot Area | 290 sq.m. per unit |
| b) Minimum Setback to West Property Limit | 15m |

RM2-600 (2-2018) – 190, 194, 198 and 202 Bertie St.

These lands are zoned “Residential Multiple 2 (RM2-600) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-600) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- | | |
|---------------------|--------------------|
| a) Maximum Lot Area | 316 sq.m. per unit |
| b) Maximum Height | 3 storeys |

Notwithstanding Subsection 15.2, the follow uses may also be permitted:

- Street Townhouses
- Block Townhouses

Subject to regulations of Subsection 14.3, except that:

- | | |
|---------------------|--------------------|
| a) Minimum Lot Area | 220 sq.m. per unit |
| b) Maximum Lot Area | 240 sq.m. per unit |

Notwithstanding Subsection 15.2, the follow uses may also be permitted:

- Single Detached
- Semi-Detached

Singles Subject to regulations of Subsection 13.4, except that:

- | | |
|--|-----------|
| a) Minimum Lot Area for singles on a private road | 290 sq.m. |
| b) Minimum Rear Yard setback for singles on private road | 6m |

Semis Subject to regulations of Subsection 12.3, except that:

- | | |
|--|-----------|
| a) Minimum Lot Area for semi-detached on a private road | 220 sq.m. |
| b) Minimum Rear Yard setback for singles on private road | 6m |

RM2-601 (2-2018) – 223 Stanton St.

These lands are zoned “Residential Multiple 2 (RM2-601) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-601) Zone” subject to the following provisions:

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Notwithstanding Subsection 15.3 the following shall apply:

- a) Minimum Lot Frontage 30m
- b) Maximum Height 2 storeys
- c) Minimum Lot Area 195 sq.m. per unit

Notwithstanding Subsection 15.2, Street Townhouses and Block Townhouses may also be permitted subject to regulations of Subsection 14.3, except that:

- d) Maximum Height 2 storeys
- e) Minimum Lot Area for Townhouse on a private road 275 sq.m. per unit

RM2-602 (2-2018) – 0 Goderich St. (n/w corner of Goderich St. and Queen St.)

These lands are zoned “Residential Multiple 2 (RM2-602) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-602) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- a) Minimum Lot Area 140 sq.m.per unit
- b) Minimum Front Yard 3.0m (to Goderich St.)
- c) Minimum Side Yard 16m (from North Property Line)
- d) Minimum Ext. Side Yard 4.5m (to Queen St.)
- e) Minimum Rear Yard 9m (to westerly Property Line)
- f) Maximum Height 3 storeys

Notwithstanding Subsection 6.20 the following shall apply:

- g) Resident Parking 1 space per unit (permitted in side or rear yard only)

RM2-603 (2-2018) – 25 Forsythe Street

These lands are zoned “Residential Multiple 2 (RM2-603) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-603) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- a) Minimum Lot Area 120 sq.m. per unit
- b) Minimum Front Yard 1.2m (to Forsythe St.)
- c) Minimum Ext. Side Yard 3.0m (to Waterloo St.)
- d) Maximum Height 3 storeys

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RM2-604 (2-2018) – 215-219, 221-229, 237, 253 and 263 Niagara Boulevard and 22 Lavinia

These lands are zoned “Residential Multiple 2 (RM2-604) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-604) Zone” subject to the following provisions:

In addition to Subsection 15.2, the follow use may also be permitted:

Private Parking Lot subject to the following:

- a) Residential parking in an area of a private parking lot immediately adjacent or across the street from the dwelling unit, that contains an easement in favour of the owner of the dwelling unit registered on title.
- b) minimum landscape buffer of 3 m across the Niagara Boulevard frontage

Notwithstanding Subsection 15.3 the following shall apply:

- a) Minimum Frontage 18m
- b) Maximum Height 5 storeys (16m)
- c) Minimum Lot Area 120 sq.m. per unit
- d) Maximum Lot Area 165 sq.m. per unit
- c) Minimum Front Yard 3m or half building height, whichever is greater
- d) Minimum Ext. Side Yard 4m or half building height, whichever is greater
- e) Minimum Side Yard 4m or half building height, whichever is greater
- f) Minimum distance to driveway 1.5m and drive aisle from R1, R2, R2A, R2B or R3 Zone

RM2- 654 (33-2021) Royal Ridge Phase 2 Subdivision

These lands are zoned “Residential Multiple 2 (RM2-654) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-654) Zone”, and shall be subject to the following provisions:

a) Notwithstanding the list of Permitted Uses in Section 15.2, the lands may only be used for the following:

- Apartment dwellings

b) Notwithstanding the zone Regulations for Apartment dwellings in Section 15.3, the lands shall be subject to the following provisions:

- i) Minimum lot area - 82 sq.m per unit
- ii) Maximum height – 4 storeys
- iii) Minimum side yard – 4 m at the northwest corner
- iv) Minimum exterior side yard – 6 m

- v) Minimum rear yard – 4 m

RM2-661 (68-2021) 255 High Street

These lands are zoned “Residential Multiple 2 (RM2-661) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-661) Zone” subject to the following special regulations:

- a) Minimum Lot Area 92.5 sq.m per unit
- b) Minimum Front Yard 39 m
- c) Minimum Rear Yard 19 m
- d) Maximum Height 8 storeys at front 10 storeys at rear 26 m
- e) Minimum Side Yard 19 m (northerly) 40 m (southerly)
- f) Maximum number of dwelling units 118”

RM2-744 (57-2022) 1107 Garrison Road (Part 2)

These lands are zoned "Residential Multiple 2 (RM2-744) Zone" (Part 2), and all of the provisions that relate to lands zoned "Residential Multiple 2 (RM2) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 (RM2-744) Zone", subject to the following special provisions:

- a) Minimum Lot Area – 111 square metres per unit

RM2-762 (16-2023) 0-17482 and 0-17484 Black Creek Road (Part 1)

- a) These lands are zoned “Residential Multiple 2 (RM2-762) Zone”, and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-762) Zone” subject to the following special provisions Notwithstanding the list of “Permitted Uses” in Subsection 15.2, the lands may also be used for block townhouse dwellings, subject to the regulations of Subsection 14.3
- b) The overall density for this zone shall be a minimum of 17 units per hectare and a maximum of 75 units per hectare
- c) Notwithstanding the “Regulations for Apartment Dwellings and Assisted Living House” in Section 15.3, apartment dwellings shall be subject to the following special provisions:
 - i) Minimum Lot Frontage – 12 m
 - ii) Minimum Lot Area – 129 m² per unit
 - iii) Maximum Height – 4 storeys (14 m)
 - iv) Minimum Interior Side Yard – 5 m

- v) Minimum Setback from Netherby Road – 14 m”

RM2-767 (26-2023) 97 Gorham Road

These lands are zoned “Residential Multiple 2 (RM2-767) Zone” and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-767) Zone” subject to the following special provisions:

- a) Minimum Lot Area - 89.83 sq m per dwelling unit
- b) Prohibited Uses: Short Term Rental is prohibited. For the purpose of this provision, “Short Term Rental” means “all or part of a dwelling unit, subject to licencing by the Town, to provide sleeping accommodation for any period of thirty (30) calendar days at a time or less in exchange for payment, but does not include any type of institutional dwelling, hotels, or other similar uses”
- c) That notwithstanding the Parking Area Regulations in Subsection 6.20 (A) for Apartment Dwellings, the Minimum Parking Requirement shall be 1.25 parking spaces per dwelling unit.”

RM2-776 (66-2023) 644 Garrison Road (Parts 1 and 2)

These lands are zoned “Residential Multiple 2 (RM2-776) Zone” and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-776) Zone” subject to the following special provisions:

- a) Minimum Lot Area - 79.67 sq m per unit
- b) That notwithstanding the Parking Area Regulations in Subsection 6.20 (A) for Apartment Dwellings in Section 6 - General Provisions the Minimum Parking Requirement shall be 1.25 parking spaces per non-affordable dwelling unit and one (1) parking space per affordable dwelling unit. For the purpose of this provision, an “affordable dwelling unit” is a dwelling unit that is consistent with the definition of “Affordable Housing” in the Town’s Official Plan.
- c) That notwithstanding the Landscaping and Planting Strips requirements in Subsection 6.21 (b) in Section 6 - General Provisions the minimum width of a planting strip shall be 2.34 m measured perpendicular to the lot line it adjoins.”

RM2-780 (95-2023) 214 Courtwright Street

These lands are zoned “Residential Multiple 2 (RM2-780) Zone” and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-780) Zone” subject to the following special provisions that apply for the existing apartment dwelling:

- a) Notwithstanding the Parking Area Regulations in Subsection 6.20 (A) for Apartment Dwellings the Minimum Parking Requirement for the subject property

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shall be four (4) parking spaces for the existing five (5) five dwelling units and one (1) home occupation. A maximum of two (2) parking spaces are permitted to encroach onto the road allowance subject to an encroachment agreement with the Town.

- b) Notwithstanding the Ingress and Egress regulations in Subsection 6.20 (D) the requirement for an ingress and egress driveway is deleted (0.00 m driveway).
- c) Notwithstanding the Parking Area Location on Lot regulations in Subsection 6.20 (I) the minimum distance of parking areas shall be 0.00 m from the front street line (Courtwright Street), 2.10 m from the west interior lot line and 0.00 m from the east interior lot line.
- d) Notwithstanding the Landscaping and Planting Strip requirements of Subsection 6.21(a) and (b) the minimum width of a planting strip along adjacent to a Residential Zone shall be 0.50 m along the west interior lot line and 0.40 m along the rear lot line.
- e) Notwithstanding the Landscaping and Planting Strip requirements of Subsection 6.21(g) the minimum required open space area in the front yard shall be 20%.
- f) Notwithstanding the Permitted Uses in Subsection 15.2 the existing apartment dwelling with five (5) dwelling units and one (1) home occupation is permitted.
- g) Notwithstanding the Regulations for Apartment Dwellings and Assisted Living House in Subsection 15.3 the following special provisions shall apply:
 - i. Minimum Lot Frontage - 15.24m
 - ii. Maximum Lot Coverage - 46%
 - iii. Minimum Front Yard - 5.14 m
 - iv. Minimum Side Yard - 0.50m west side, 5.40 m east side
 - v. Minimum Rear Yard - 0.40m
 - vi. Minimum Floor Area Per Dwelling Unit - as existing
- h) Notwithstanding the Minimum Distance Between Any Abutting Residential Zone and Driving Lanes or Parking Areas in Subsection 15.4 (a) and (b) the following special provisions shall apply:
 - i. The requirement for a driving lane and the minimum setback from an abutting Residential Zone is deleted.
 - ii. No parking area shall be closer than 2.10 m to the western lot line abutting the Residential Zone to the west.”

RM2-799(H) (58-2024) 1127 Garrison Road

These lands are zoned “Residential Multiple 2 Holding (RM2-799(H)) Zone”, and all of the provisions that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-

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law shall apply to those lands zoned “Residential Multiple 2 Holding (RM2-799(H)) Zone” subject to the following special provisions:

- a) Notwithstanding the “Permitted Uses” in Section 15.2, stacked townhouses shall be a permitted use.
- b) Notwithstanding the “Zone Regulations” in Section 15.3, the stacked townhouses shall be subject to the following special provisions:
 - i. Minimum lot area 90.00 sq m per unit
 - ii. Maximum building height 3 storeys and 12.00 m
- c) Notwithstanding the regulations in Section 6-General Provisions, the subject lands shall be subject to the following special provisions:
 - i. Notwithstanding Subsection 6.15 (b), 40 parking spaces required for the stacked townhouses may be provided in the C3-798(H) portion of the subject lands.
 - ii. Notwithstanding Subsection 6.20(I), a parking area may be setback a minimum of 2.60 m to a Residential Zone or a lot line.
 - iii. Notwithstanding Subsection 6.21 (b), a planting strip width of 2.60 m is permitted adjacent to a Residential Zone.
 - iv. Notwithstanding Subsection 6.40 (a), a Sunken Patio may project 1.90 m into the rear yard. For the purpose of this provision, “Sunken Patio” means “a roofless unenclosed area accessory to a dwelling, constructed below grade.”