

**SECTION 27 – INDUSTRIAL (IN) ZONE**

**27.1** Subject to the General Provisions of Section 6 and all applicable requirements of this By-law, the provisions of this section shall apply in all Industrial (IN) zones.

**27.2 PERMITTED USES**

- (a)
- Automotive uses
  - Bakery
  - Business or commercial trades school
  - Catering establishments
  - Construction trades establishment
  - Commercial refuelling stations
  - Communication facilities
  - Courier and delivery service
  - Dry cleaning plants
  - Equipment rentals and servicing
  - Factory outlet
  - Food processing establishment
  - Gasoline bars
  - Industrial uses
  - Laundries
  - Machine shops
  - Medical Marijuana Grow and Production Facilities
  - Motor Vehicle Body Shops
  - Motor Vehicle Repair Shops
  - Manufacturing
  - Pet Day Care Establishments
  - Plumbing shops
  - Printing establishments
  - Public storage
  - Public uses and operations
  - Scientific or medical laboratories
  - Service shops
  - Tradesperson's shops
  - Transportation depots
  - Transport truck terminals
  - Veterinarian Clinic in wholly enclosed building
  - Warehousing
  - Wholesale establishments
- (b) Uses, buildings and structures accessory to the foregoing, except human habitation.

**27.3 REGULATIONS**

|                                  |   |
|----------------------------------|---|
| Minimum Lot Frontage             | 30m   |
| Minimum Lot Area                 | 1400 sq. m.   |
| Maximum Lot Coverage             | 50 percent  |
| Minimum Front Yard               | 15m   |
| Minimum Interior Side Yard       | 6m, except<br>(i) 10.5m abutting a side lot line which is the boundary of any Residential Zone  |
| Minimum Exterior Side Yard       | 10.5m   |
| Minimum Rear Yard                | 7.5m, except:<br>(i) 15m abutting a rear lot line which is the boundary of any Residential Zone<br>(ii) No rear yard need be provided abutting any railway right-of-way or railway siding<br>(iii) For the purposes of this Section, any rear yard abutting a street shall be deemed to be a front yard and all provisions herein relating to front yards shall apply thereto |
| Minimum Loading Requirements     | No loading space shall be established in any front yard or any yard adjacent to a residential zone  |
| Minimum Landscaping Requirements | A landscaping area of a minimum width of 3m shall be provided and thereafter maintained adjacent to any residential or commercial zone or a street that abuts the front, side or rear yard  |
| Outside Storage Regulations      | There shall be no outside storage of materials, waste matter, finished or unfinished products, equipment or parts which shall be placed, kept or allowed to remain, except in accordance with the following outside storage requirements:<br>(i) Outside storage is permitted in the rear and interior side yard provided it is screened from view from any street.           |
| Building Façade Regulations      | No exterior walls that face a street shall be constructed of concrete blocks unless the same are decorative masonry units or are used in a decorative pattern form or are surfaced with stucco or with a permanent coloured finish (does not include paint).  |

**27.4 REGULATIONS FOR “PET DAY CARE ESTABLISHMENTS”**

The requirements of Section 6.52 shall apply in addition to the regulations governing this section.

**27.5 BUILDINGS WITH EXPOSURE TO THE QEW**

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| Minimum Lot Frontage                         | 30m  |
| Minimum Lot Area                             | 1400 sq. m.  |
| Maximum Lot Coverage                         | 50 percent   |
| Minimum Front Yard                           | 15m  |
| Minimum Interior Side Yard                   | 6m, except<br>(i) 10.5m abutting a side lot line which is the boundary of any Residential Zone   |
| Minimum Exterior Side Yard                   | 10.5m  |
| Minimum Rear Yard                            | 7.5m, except:<br>i) 15m abutting a rear lot line which is the boundary of any Residential Zone<br>ii) No rear yard need be provided abutting any railway right-of-way or railway siding<br>iii) For the purposes of this Section, any rear yard abutting a street shall be deemed to be a front yard and all provisions herein relating to front yards shall apply thereto |
| Minimum Loading Requirements                 | No loading space shall be established in any front yard or any yard adjacent to a residential zone or QEW.   |
| Minimum Parking Requirements                 | No parking space shall be established in any front yard or yard adjacent to a residential zone or QEW.   |
| Minimum Landscaping Requirements             | i) A landscaping area of a minimum width of 3m shall be provided and thereafter maintained adjacent to any residential or commercial zone or a street that abuts the front, side or rear yard<br><br>ii) A landscape area of a minimum width of 6 m shall be provided and thereafter maintained adjacent to the QEW.   |
| Outside Storage Regulations                  | i) There shall be no outside storage of materials, waste matter, finished or unfinished products, equipment or parts in yards adjacent to the QEW.<br><br>ii) There shall be no outside storage of materials, waste matter, finished or unfinished products, equipment or parts in any front yard or exterior side yard.   |
| Building Façade Regulations for QEW Exposure | Walls must consist of brick or decorative masonry units or are surfaced with stucco  |

**27.6 REGULATIONS FOR MEDICAL MARIHUANA GROW AND PRODUCTION FACILITIES**

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| Minimum Lot Frontage                     | 40m  |
| Minimum Front Yard                       | 15m, except:<br>i) that where the yard abuts a Residential Zone, residential use or other sensitive land use, 70m is required but this setback does not apply to existing buildings or structures.   |
| Minimum Interior Side Yard And Rear Yard | 6m, except:<br>ii) that where the yard abuts a Residential Zone, residential use or other sensitive land use, 70m is required but this setback does not apply to existing buildings or structures.   |
| Minimum Exterior Side Yard               | 10.5m except:<br>i) that where the yard abuts a Residential Zone, residential use or other sensitive land use, 70m is required but this setback does not apply to existing buildings or structures.  |
| Maximum Lot Coverage                     | 60%  |
| Maximum Building Height                  | i) 12m   |
| Minimum Landscaping Requirements         | A landscaping area in the form of a 3m wide planting strip shall be provided and maintained adjacent to every portion of any lot line that abuts a Residential Zone, residential use or other sensitive land use.  |
| Minimum Loading Requirements             | No loading space shall be established in any front yard or any yard adjacent to a residential zone or QEW.   |
| Outside Storage Requirements             | Outside storage of goods, materials or supplies is not permitted.  |
| Building Façade Regulations              | No exterior walls that face a street shall be constructed of concrete blocks unless the same are decorative masonry units or are used in a decorative pattern form or are surfaced with stucco or with a permanent coloured finish (does not include paint).   |
| Visible Nighttime Lighting               | Where a building or structure consists of more than 40% of glass and where artificial lighting is required a closed of wood board on board or composite/vinyl fence shall be provided and maintained adjacent to every portion of any lot line that abuts a Residential Zone, residential use or other sensitive land use. |
| Parking                                  | 1 parking space for every 100 sq. m. of gross floor area or every 2 employees, whichever is the greater.   |

**EXCEPTIONS TO THE INDUSTRIAL (IN) ZONE**

**IN-36 (129-1990) Bridge Street, North Side, East Side of Pettit Road  
(RELOCATED TO OS-36)**

**IN-40 (129-1990) 410 Jarvis Street**

Nothing shall prevent the continued use of the lands indicated as IN-40 on Schedule "A" for activities of the Fort Erie Society for the Prevention of Cruelty to Animals, including uses, buildings and structures accessory thereto.

**IN-41 (129-1990) 1818 Thompson Road**

Nothing shall prevent the continued use of the lands indicated as IN-41 on Schedule "A" for vehicle and metal recycling.

**IN-172 (48-1997) 1200 Gilmore Road**

These lands are zoned "Industrial IN-172 Zone" and all of the provisions that relate to lands zoned "Industrial IN Zone" by this by-law shall apply to those lands zoned "Industrial IN-172 Zone" on Schedule "A" except that in addition to the permitted uses set out in Subsection 27.2, these lands may also be used for those uses set out in Subsection 22.2 (a) including the sale of gasoline, motor fuels and petroleum and an automotive service shop.

**IN-176 (70-1997 & 105-10) Dunlop Street, west side, north of Gilmore Road**

These lands are zoned "Industrial IN-176 Zone" and all of the provisions that relate to lands zoned "Industrial IN Zone" by this by-law shall apply to those lands zoned "Industrial IN-176 Zone" on Schedule "A" except:

- a) that notwithstanding the requirements of Subsection 6.5, the subject lands shall be permitted to front on a private easement / right-of-way 66' in width running from the northern terminus of Dunlop Street to the southern boundary of the subject lands, and;
- b) that notwithstanding the requirements of Subsection 27.3, the minimum lot frontage shall not be less than 20 metres, and;
- c) that the southerly lot line shall be considered the front lot line and that notwithstanding the requirements of Subsection 27.3, the minimum front yard setback shall not be less than 6 metres.
- d) that notwithstanding the prohibited use in Section 6.22 (a) (xix), the subject lands may be used as a Salvage Yard.
- e) that notwithstanding the permitted uses in Subsection 27.2, these lands may also be used for a Salvage Yard.

- f) That notwithstanding the requirements of Subsection 27.3, outside storage of material from the salvage operation will be permitted.

**IN-424 (102-10) Fort Erie Industrial Park**

These lands are zoned "Industrial IN-424 Zone" and all of the provisions that relate to lands zoned "Industrial IN Zone" by this by-law shall apply to those lands zoned "Industrial IN-424 Zone" on the attached Schedule A-15 subject to the following special provisions:

- a) Notwithstanding the requirements of Subsection 27.3, the lands shown as "Industrial IN-424 Zone" shall also be subject to the following provisions:
- No new buildings or structures other than those required for flood erosion control or flood management purposes shall be permitted in the Hazard Area (1 in 100 year floodplain) as determined by the Niagara Peninsula Conservation Authority.
  - Extensions, enlargements or reconstructions of existing buildings and structures may be permitted within the 1 in 100 year floodplain provided they are protected up to the 1 in 100 year flood level.
  - Prior to the issuance of any building permit within the 1 in 100 year floodplain, the Town shall consult with the Niagara Peninsula Conservation Authority regarding the administration of the Authority's fill and construction regulations to address any proposed flood damage reduction measures which may include such matters as building setbacks, basement elevations, the strength of foundation walls, the placement of fill and control of building opening elevations.

**IN-521 (70-2015) – Part of West Half of 3565 Eagle Street**

These lands are zoned "Industrial IN (IN-521) Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Industrial IN (IN) Zone" by this by-law shall apply to those lands zoned "Industrial IN (IN-521) Zone" subject to the following special provisions:

- a) New development of industrial lands shall comply with the D-6 Guidelines relative to Institutional and Medium Density designated lands south of the CP Rail right-of way.
- b) Outside storage of materials and goods shall only be permitted in areas screened from residences or public realm."