

**SECTION 27: DRY INDUSTRIAL DI ZONE**

27.1 Permitted Uses

The following uses are permitted in a Dry Industrial DI Zone:

- (1) manufacturing, providing no water requirements are necessary for processing purposes;
- (2) automobile service and repair establishment;
- (3) vehicle body shop;
- (4) building materials establishment;
- (5) carpentry shop;
- (6) contractor's yard and/or shop;
- (7) construction trades establishment;
- (8) custom workshop;
- (9) equipment sales, rental and service;
- (10) printing and/or publishing establishment;
- (11) warehouse;
- (12) retail uses accessory to the foregoing uses, provided that such retail uses do not occupy more than 10 percent of the gross floor area of the industrial premises;
- (13) offices accessory to the foregoing uses;
- (14) outside storage accessory to the foregoing uses;
- (15) buildings and structures accessory to the foregoing uses and in accordance with the provisions of Section 27.3.

27.2 Zone Provisions

No person shall use any land or erect or use any building or structure in a Dry Industrial DI Zone except in accordance with the following:

- (a) Minimum Lot Area (hectare) 1
- (b) Minimum Lot Frontage (metres) 60
- (c) Front Yard Setback (metres) 7.5
- Exterior Side Yard Setback (metres) 6

- (d) Minimum Rear Yard Setback - 6 metres except that the minimum rear yard:
  - (i) may be reduced to nil abutting a hydro right-of-way or rail siding serving the site; and
  - (ii) abutting a Residential Zone or residential use shall be 10 metres;
- (e) Interior Side Yard Setback - 3.5 metres except that the interior side yard:
  - (i) may be reduced to nil abutting a hydro right-of-way or rail siding serving the site; and
  - (ii) abutting a Residential Zone or residential use shall be 10 metres;
- (f) Maximum Lot Coverage (percent of lot area) 15
- (g) Minimum Floor Area (square metres) 380
- (h) Building Height (metres) 15
- (i) Environmental requirements: Every lot and use shall be in compliance with the applicable provisions of the Public Health Act and the Environmental Protection Act and the regulations made thereunder, and with all requirements of the Regional Niagara Public Health Department.

### 27.3 Provisions for Accessory Buildings and Structures in a DI Zone

Accessory buildings and structures DI Zone are permitted in accordance with the following provisions:

- (a) No accessory building or structure shall be used for human habitation;
- (b) An accessory building or structure is not permitted within any front yard or required exterior side yard;
- (c) The minimum distance from an accessory building or structure to a rear or a side lot line shall be 3.5 metres; however, where such rear or side lot line butts a Residential Zone, or residential use, any accessory building or structure shall be a minimum of 7.5 metres from said lot line;
- (d) Not be established until or unless the main building or use to which it is accessory is established;
- (e) Not be used for gain or profit;
- (f) Not be located within, or partially within, any utility easement, corridor or storm drainage swale;
- (g) Maximum building height shall be 6 metres.

#### 27.4 Provisions for Open Storage in a DI Zone

The open storage of goods and materials is permitted subject to the following:

- (a) Open storage shall be directly related to the permitted use on a lot;
- (b) Open storage shall be permitted in the rear yard and interior side yard and in the case of a corner lot, not within the required exterior side setback;
- (c) Open storage shall not be permitted within 6 metres of a Residential Zone;
- (d) Open storage shall be screened from view:
  - (i) at a plane level which is a minimum of 1.5 metres from grade level of an adjacent street; or
  - (ii) when abutting a residential zone or a permitted residential use at a plane level which is a minimum of 1.5 metres from the finish grade level at the property line;

by means of landscaping features to be located within a planting strip.

#### 27.5 Provisions for Landscaping in a DI Zone

Every lot in a DI Zone shall be subject to the following requirements:

- (a) Minimum Landscaped Open Space (percent of lot area)      10
- (b) Required planting strips:
  - (i) adjacent to front lot line, side lot line and rear lot line abutting a street or an abutting Residential Zone having a minimum width of 5 metres,
  - (ii) the required planting strip will form part of the minimum 10 percent landscaped open space requirement,
  - (iii) the required planting strip when containing landscaping features to screen outside storage then said landscaping features shall have a minimum height of 1.5 metres.

#### 27.6 Provisions for Loading Spaces in a DI Zone

Loading spaces are subject to the following provisions;

- (a) Loading spaces shall not be permitted in a required front yard or a required side yard abutting a street;
- (b) Loading spaces in a rear yard or side yard shall be screened from view from a street;
- (c) Loading spaces in a rear or side yard shall not be located within 3 metres of a lot line.

### 27.7 Provisions for Parking in a DI Zone

In addition to the parking requirements in Section 6.15, the following requirements apply in the DI Zone:

- (a) all parking areas, loading areas, driveway and access and egress areas shall have a cement or asphalt binder or other permanent type of surfacing;

### 27.8 Special Provisions

In accordance with Section 5.1.3 the following special provisions shall apply to those lands shown on the zoning schedules as having reference to the corresponding special provision number:

#### **DI-1            1108 Beaverdams Road, Part Twp. Lots 43 and 44**

Notwithstanding the provisions of the Dry Industrial DI Zone, in addition to the permitted uses of the DI Zone, the lands indicated as DI-1 on Schedule A2 may be used as an automobile recycling facility.

#### **DI-2            Part Twp. Lot 43 and 44**

Notwithstanding the provisions of the Dry Industrial DI Zone, in addition to the permitted uses of the DI Zone, the lands indicated as DI-2 on Schedule A2 may be used as an asphalt/concrete recycling facility and to include an asphalt plant.

#### **DI-3            2251 Allanport Road, Part Twp. Lot 117 - Schedule A10 2015 Allanport Road, Part Twp. Lot 140 - Schedule A11 1709 Allanport Road, Part Twp. Lot 184 - Schedule A11 1714 Allanport Road, Part Twp. Lot 183 - Schedule A11 1706 Allanport Road, Part Twp. Lot 183 - Schedule A11 1806 Allanport Road, Part Twp. Lot 139 - Schedule A11 1360 Chippawa Creek Road, Part Twp. Lot 200, R.P. 59R-774, Part 1 - Schedule A3 North side of Beaverdams Road, Part Twp. Lot 44 - Schedule A2**

Notwithstanding the provisions of the Dry Industrial DI Zone, in addition to the permitted uses of the DI Zone, the lands indicated as DI-3 on Schedules A10 and A11 may be used for a single detached dwelling.

#### **DI-4            Allanport Road, W.S., Part Twp. Lot 184**

Notwithstanding the provisions of the Dry Industrial DI Zone, in addition to the permitted uses of the DI Zone, the lands indicated as DI-4 on Schedule A11 may be used as an asphalt/concrete recycling facility.

#### **DI-5            1829 Allanport Road, Part Twp. Lot 140**

Notwithstanding the provisions of the Dry Industrial DI Zone, in addition to the permitted uses of the DI Zone, the lands indicated as DI-5 on Schedule A11 may be used as a chemical waste disposal and transfer facility.

**DI-6 1668 Allanport Road, Part Twp. Lot 183**

Notwithstanding the provisions of the Dry Industrial DI Zone, in addition to the permitted uses of the DI Zone, the lands indicated as DI-6 on Schedule A11 may be used for the purpose of a drop forge within the existing building on the subject lands.

**DI-7 2066 Allanport Road, Part Twp. Lot 116, R.P. 59R-8901 Parts 1 & 2**

Notwithstanding the provisions of the Dry Industrial DI Zone, in addition to the permitted uses of the DI Zone, the lands indicated as DI-7 on Schedule A3 may be used for the purpose of a second storey dwelling unit within the existing building on the subject lands.

**DI-8 South side of Turner Road, Unopened Road Allowance, Part Twp. Lot 184**

Notwithstanding the provisions of the Dry Industrial DI Zone, in addition to the permitted uses of the DI Zone, the lands indicated as DI-8 on Schedule A11 may be used as a waste transfer facility, subject to the following provisions:

- (a) Turner Road is to be upgraded to municipal standards as per Section 6.7.1 of this By-law;
- (b) That the applicant enter into a Site Plan Agreement with the City of Thorold, to be registered on the title to the subject lands.

**DI(H)-9 R.P. 59R-5279, Part 2 Allanport Road East Side, Part Twp. Lot 140**

Notwithstanding the provisions of the Dry Industrial DI Zone, the lands indicated as DI(H)-9 on Schedule A11 may be used for a lumber mill subject to the following provisions:

- (a) Tender is awarded for the construction of the Allanport Municipal Drain;
- (b) That the applicant enter into a Site Plan Agreement with the City of Thorold, to be registered on the title to the subject lands.

**DI-10 1548 Allanport Road, Part Twp. Lot 200**

Notwithstanding the provisions of the Dry Industrial DI Zone, the lands shall be used for a single detached dwelling on a lot and a home industry subject to Section 6.22 Home Industry except for Subsection 6.22 (b) and (d), and the following special provisions apply:

- (a) The use of the subject site, or the operation of any equipment shall be in accordance with the provisions of a Certificate or Approval issued in accordance with the provisions of the Environmental Protection Act.
- (b) Maximum building size for a home industry (square metres) 300
- (c) Maximum number of employees 4
- (d) Minimum rear yard setback for the single detached dwelling (metres) 150
- (e) Minimum side yard setback for the single detached

- dwelling which abuts 2010 Allanport Road (metres) 20
- (f) Minimum separation distance between the single detached dwelling and the onsite home industry (metres) 20

**DI-11 1108 Beaverdams Road, Part Township Lot 43**

Notwithstanding the provisions of the Dry Industrial DI Zone, in addition to the permitted uses of the DI Zone, the lands indicated as DI-11 on Schedule A2 may be used as an automobile recycling facility, including open storage, subject to the following provisions:

- (a) A minimum front yard setback of 60 metres shall be provided within which is to be located an appropriate planting strip and landscaped area.
- (b) A minimum easterly interior side yard of 13 metres shall be provided within which is to be located an appropriate planting strip.
- (c) The open storage of goods and materials shall not exceed a height of 3.1 metres.

\*\* Holding Provision removed by By-law No. 19-2015 dated February 3, 2015

**DI-12 Part Lot 183, Part 2, Reference Plan 59R-6046, Allanport Road**

Notwithstanding the provisions of the Dry Industrial DI Zone in addition to the permitted uses of the DI Zone, the lands indicated as DI-12 on Schedule A11 may be used for a water and soil reclamation facility, which is defined as:

“land and buildings used to recycle water, oily water and sediment taken from water collection facilities such as storm sewer catch basins, car wash catch basins and car wash separators.”

**DI-13 2004 Allanport Road**

Notwithstanding the provisions of the Dry Industrial Zone, in addition to the permitted uses of the DI Zone, the lands indicated as DI-13 on Schedule A11 may be used as a Transport Depot.