

GENERAL

These Codes (Architectural and Urban Regulations) are not intended to be static and will be reviewed and updated periodically to consider such things as improved building materials and techniques, as well as to clarify intent as required.

These Regulations are strictly aesthetic in their intent. Any conflict between these regulations and locally applicable codes shall result in these regulations being overridden, with notification given to the Town Architect. The Town Architect shall approve all color selections.

These Regulations are intended to produce buildings which are compatible with the historic architecture of Niagara-on-the-Lake. For a better understanding of the traditional architecture of the region, designers are directed to the guidebook *The Early Architecture of the Town and Township of Niagara* by Peter John Stokes, published by the Niagara Foundation; and *Traditional Construction Patterns* by Steven Mouzon, published by McGraw Hill. For structures containing retail, designers are required to also consult The Village at Old Niagara Retail Regulations.

Civic Buildings are to be treated on a site and project specific basis. They should be exemplary designs to reflect their civic nature, placement and role in The Village. They will be held to a higher standard than the minimum required by The Codes.

Variances to the Architectural Regulations may be granted on the basis of architectural merit or hardship.

Buildings shall be designed with appropriate concern given to handicapped accessibility and energy efficiency.

The term “brick” refers to clay brick in a traditional color.

Hardiplank or an equivalent cementitious board, in its smooth-surfaced variety, may be substituted for wood in all applications.

WALLS MATERIALS

Walls shall be finished in brick, stone, hardiplank, cedar shingles, stucco (or polymer coating,) or wood siding sealed with paint or stain.

Foundation Walls, Piers and Pilings shall be parged block or smooth-finished poured concrete, wood, or other systems approved by the Town Architect.

Undercrofts may be skirted with horizontal wood boards or framed wood, with spaces between members not larger than 1.5” or smaller than 0.75”. Lattice (horizontal and vertical only) shall be installed between piers and pilings.

Picket fences required by the Urban Regulations should be wood, but may be substituted by a garden wall or dense shrubbery of the same height. Fences may also be of a wrought-iron design approved by the Town Architect.

Garden Walls shall be made of clay brick, stuccoed concrete, regional stone, or sheathed (on both sides) with wood siding in a continuation of the sheathing of the house (with all openings cased.) Gates in garden walls shall be wood or wrought iron. Garden walls shall not be perforated with precast elements.

Privacy Fences shall be made of smooth cedar. Wood fences may be painted or stained and may have stucco or clay brick piers. Cedar fences may be left to age naturally.

Retaining Walls shall be brick, local stone, or stuccoed where visible from the public realm.

CONFIGURATIONS & TECHNIQUES

Walls may be built of no more than two materials and shall only change material along a horizontal line, i.e. cedar shingles may be combined with wood siding when the material change occurs horizontally, (typically at a floor line or a gable end), with the heavier material below the lighter. Walls of a single building shall be built of the same materials in the same configuration. Wood clapboard and shingles shall be horizontal. Brick or stone may be combined.

Wood Siding shall appear in one of the following configurations: clapboard, shiplap, tongue & groove, or board and batten. Wood Siding shall be horizontal, maximum 6” to the weather, with the exception of authentic board and batten.

Shingles shall be maximum 8” to the weather. Decorative shingles shall not be permitted unless authentic to the design. Shingles shall be machine cut with bottom edges aligned.

Stucco shall be applied to concrete block or poured concrete. (Stucco shall not be applied to plywood, or show any joints.) Stucco shall be sand finished or steel trowelled to a smooth or evenly pebbled surface. Acrylic, sprayed and/or vitriolic stucco systems (EIFS) are not permitted.

Foundation Walls shall be exposed a minimum of 6” and a maximum of 36” above grade at the wall.

Trim shall be minimum grade ‘B’ trim lumber and shall not exceed 6” in width at corners and 4” in width around openings, except at the front door where it may be any size or configuration. Exceptions may be granted for shingle structures and for authentic classical detailing.

Garden Walls shall be a minimum 8” thick and have a horizontal cap.

Front Fences are permitted to have the same design for a maximum of two contiguous lots. The designs shall be approved by the Town Architect. Picket Fences shall be designed in a traditional picket or paling configuration, made of wood, and painted white. Board configurations are also allowed if they present an articulated top edge (not flat). Iron fences of traditional design may substitute a picket fence.

CODES - URBAN REGULATIONS

NIAGARA-ON-THE-LAKE, ONTARIO

ELEMENTS MATERIALS

Chimneys shall be brick, local stone, or stuccoed. Flues for pot belly stoves shall be metal.

Piers and Arches shall be brick, stone, or stuccoed.

Columns, Posts, Spindles and Balusters shall be made of wood or approved composite and their designs shall be approved by the Town Architect. Porches may be enclosed with glass or screens; however, glass enclosures are not permitted at frontages. Porch ceiling framing may be enclosed with painted wood; exposed joists shall be painted or stained.

Arcades shall be brick, stone, stuccoed and/or metal.

Porches and Stoops shall be made of wood, brick or concrete. If concrete, a stoop shall have brick or stucco cheek walls, or be parged.

Patios and Stoops may have horizontal surfaces made of brick or stone.

Decks shall be located only in rear yards and where not visible from streets or paths.

Signs shall be made of wood and (carefully) hand painted. Metal signs may be approved at the discretion of the Town Architect but cannot exceed two square feet in face area per side.

Cloth or metal awnings are not permitted at residential frontages.

Metal Elements shall be natural-colored galvanized steel, anodized or electrostatic-plate aluminum, or marine-grade aluminum.

CONFIGURATIONS & TECHNIQUES

Chimneys shall be a minimum 2:1 proportion in plan and capped to conceal spark arresters. Fireplace enclosures and chimneys shall extend to the ground. Gas chimney exhaust shall be black and of minimum height.

Masonry piers shall be no less than 12"x12".

Arches should be no less than 8" thick (from front to back).

Arcades and Breezeways shall have vertically proportioned openings.

Screened Porches shall have screens framed in wood installed behind framed railings. If not visible from a street or path the framing may be aluminium if approved by the Town Architect's office.

Front stoops shall be sized and shaped in a manner appropriate to the mass of the house, and are subject to the review of the Town Architect.

Classical Columns and detailing (The Orders), if provided, shall be historically precedented and compatible to the style of the building, with proportions and profiles approved by the Town Architect. *The American Vignola* is recommended as a sourcebook.

Posts shall be no less than 5"x5", and their proportions and profile shall be approved by the Town Architect's office.

Railings shall have top and bottom rails and be made of wood or metal. Wood top rails shall be eased and bottom rails shall have a vertically proportioned section. Top and bottom rails shall be centered on the pickets. The openings between spindles and balusters shall not exceed 4".

Balconies shall be structurally supported by brackets or vertical posts.

Wood Elements that are visible from any public realm shall be painted or sealed with an opaque or semisolid stain, except walking surfaces which may be left natural.

Exterior Lighting shall follow the lighting policy of the Town Architect's office. All exterior bulbs shall be of an equivalent spectrum.

ROOFS MATERIALS

Roofs shall be clad in one of the following materials, in its natural color: wood shingles, galvanized steel (corrugated, 5 V crimp or standing seam), galvalume, copper, or natural slate. Artificial slate and asphalt shingles are acceptable if approved by the Town Architect.

Gutters and Downspouts, when used, shall be made of galvanized steel, copper (not copper-coated), anodized or painted aluminum. Splash blocks shall be made of concrete, brick or gravel. In the absence of gutter, brick, or other pervious materials, gravel shall be placed at the drip line.

Fascia shall be wood or hardiplank.

Flashing shall be copper, lead or aluminum.

Copper roofs, flashing, gutters and downspouts shall be allowed to age naturally (not painted or sealed).

CONFIGURATIONS & TECHNIQUES

Principal Roofs on all freestanding buildings shall be a symmetrical hip, gable, gabled hip, hipped gable, or cross gable, with a slope of 4:12 to 12:12. Also acceptable if historically accurate are the following types of roof: gambrel, hipped gambrel, mansard, gabled mansard, and saltbox (see *The Early Architecture of the Town and Township of Niagara*).

Ancillary Roofs (attached to walls at the upper portion) may be sheds sloped no less than 3:12.

Flat Roofs that are non accessible shall have a parapet wall or 20" maximum decorative railing. Flat roofs shall not be permitted on single-family residences, semis and townhouses, but may be used on garages, carports or screened-in porches if approved by the Town Architect's office.

Pitched roofs shall not have their downward pitch in the direction of an immediately adjacent (party wall) building.

Parapets shall be horizontal in elevation when viewed from the street, unless articulated in a traditional symmetrical composition that masks a gable end, either parallel to the gable slope, stepped, or authentic Dutch.

Eaves shall be continuous, shall overhang less than 16" and should have a closed soffit.

Downspouts shall be placed at the corners of the building least visible from nearby streets, or symmetrically arranged as an integral part of the facade composition. Gutters shall be half-round, rectangular, or ogee. Downspouts shall be round or rectangular.

Dormers shall be habitable, placed flush with the front façade and a minimum of 3' from side building walls, and have gable or hipped roofs with a slope not to exceed that of the principal roof, or shed roofs with a slope of one half the slope of the principal roof. Dormers shall be no larger than is necessary to hold their windows and framing (2 x 4's with rigid insulation), and only shed dormers may hold more than one window. Dormer windows shall match the standard window size of the house or be smaller. All dormers easily visible from adjacent streets shall be of the same design.

Roof Penetrations, except stucco or brick chimneys, shall be placed so as not to be easily visible from streets or paths. Roof penetrations, except stucco or brick chimneys, shall be painted black or to match the color of the roof and shall extend minimum heights.

Skylights shall be flat and placed only where not easily visible from streets or paths.

Overlapping Gables - Roof ends in which a smaller gable sits in front of a larger gable, from which it projects less than ten feet, are only permitted when the smaller gable is a front porch roof.

**OPENINGS
MATERIALS**

Windows shall be made of painted wood, solid vinyl or painted aluminum — the latter two to be approved by the Town Architect — and shall be glazed with clear glass. Basement and attic windows exposed to the public realm are subject to the same requirements as other windows.

Bay Windows shall be made of trim lumber, brick or stone.

For each building, a maximum of one arched window may be easily visible from adjacent streets and, if present, it shall be located above the front door.

Doors (including garage doors) shall be wood, composite, plank or steel-clad wood plank. Doors shall be painted or stained. Metal-skinned or fiberglass doors are only permitted on elevations exposed to the public realm if approved by the Town Architect's office.

Shutters shall be wood. Metal, fypon or fiberglass shutters may be allowed if approved by the Town Architect's office.

Security Doors and Window Grilles shall be approved by the Town Architect.

CONFIGURATIONS & TECHNIQUES

Windows should be operable. They shall be rectangular, and vertically proportioned, with a minimum height: width ratio of 1.5:1. Transoms may be oriented horizontally with panes of vertical proportion. The window sash shall be located interior to the centerline of the wall.

In residential buildings, each window easily visible from adjacent streets shall be separated from the window next to it by a section of wall no narrower than the glass portion of the window, with exceptions granted for solar exposure on southern facades. When the above exception allows multiple windows to occur in the same rough opening, they shall be separated by a 4" minimum post.

A total of five different window types may occur in facades of houses facing streets, as follows:

1. a standard window type; 2. an upstairs type that is equal in width to the first-floor type but need not be as tall; 3. a dormer type; 4. a basement type; 5. transoms, sidelights, and other glass located in the entry bay of the house. Types 1, 2, and 3 may all be identical. Pane size and shape should be either identical or proportionately consistent for all windows. Facades shall be designed as a coherent whole, and in concert with adjacent side facades.

Window Muntins are required and shall be true divided light or fixed on the exterior window surface (and preferably the interior surface as well), and shall create panels of square or vertical proportion. 4 over 4, 6 over 6, 8 over 8, and 12 over 12 windows are encouraged. 2 over 0, 4 over 0, and 6 over 0 are permitted. Retail store windows do not require muntins or divisions.

Bay Windows shall have a minimum of 3 sides and shall either extend to the ground or be structurally supported by brackets. They shall return to the building at a 90° angle.

Storm Windows and Screens shall be integral with the window. Screens shall be made of brass, bronze or black vinyl.

Front Doors should be located on the frontage line in residential structures, but recessed doors shall be allowed if approved by the Town Architect's office. For houses on corners, the principal entry should be located on the side of the house facing the larger street (except in the case of row houses (Type IV) in which front doors on corner lots may be located on the flank side of the building.) Paired main entry doors are not permitted at the frontages of residential buildings; however, a front door may sit behind a paired screen door of equal total width. Transoms and sidelights are encouraged.

Doors shall be hinged. Doors, except garage doors, shall be constructed of planks or raised panels (not flush with applied trim) which express the construction technique. Residential front doors shall be a symmetrical design of 2 to 8 rectangular panels and may not contain glass. Other styles may be permitted if approved by the Town Architect.

Garage Doors shall be a maximum of 9' in width. Garage doors facing an alley shall have a cantilevered light fixture centered above the door with a minimum 40 watt bulb. Motion activated lights are not permitted. Garage doors shall be painted or stained.

Shutters shall be sized and shaped to match their openings and with proper hardware and shall appear to be fully operable.

Stucco Trim articulations shall be subject to approval by the Town Architect.

Fan louvers and vents shall generally be avoided on elevations facing streets. When not avoidable, they shall be shaped and placed to form an integral part of the facade composition, and painted the trim color of the house.

MISCELLANEOUS

All exterior colours shall be selected from the Town Architect's Paint Schedule. **Walls** shall be no more than one colour per material used. **Trim** (balconies, porches, window surrounds etc.), shall be one colour. **One additional Accent Colour**, for items such as the front door and shutters, may be used subject to approval from the Town Architect. For walls of natural wood colour, trim shall be white semi-gloss paint. **Colours of stucco, polymer coating, and other similar materials** shall be in the off-white, buff, and grey range. **Front fences** shall be painted white. **Privacy fences** shall be board fences which are painted or stained a natural color. Cedar boards may be left to age naturally.

Driveways and Garage Aprons shall be of square or rectangular brick, concrete pavers, tar and chip, D.O.T. base, crushed brick, gravel or asphalt with stones and fines with no less than HL4.

The following shall be selected from the Town Architect's Master List: Brick, mortar colours, fence designs.

The following shall be permitted only in rear yards and where not easily visible from streets or paths: solar panels, satellite dishes, permanent grills, permanent play equipment and hot tubs (those at ground level shall be covered). Direct vent fireplaces, if visible, shall be screened from public view and painted to match the wall. HVAC equipment, electrical and gas meters should be located in rear yards wherever possible and shall be screened from public view.

CODES - URBAN REGULATIONS

NIAGARA-ON-THE-LAKE, ONTARIO

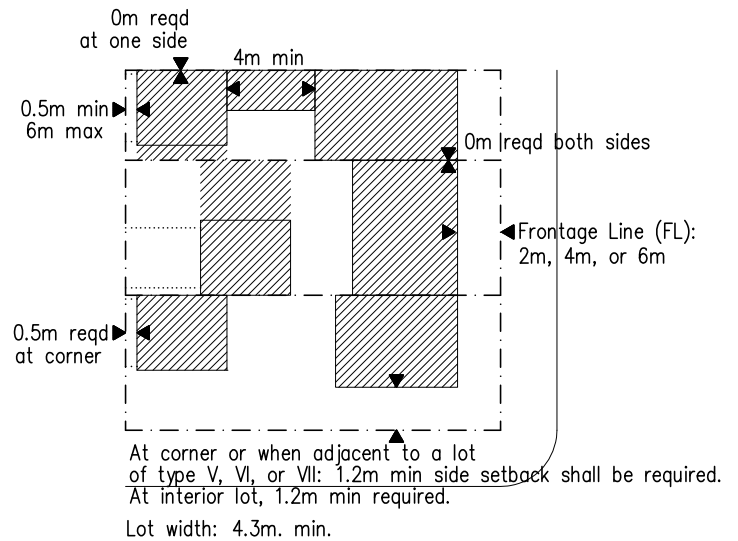
TYPE IV - ROWHOUSE / SEMI

NOTES

- All proposed designs shall be submitted for approval to the Town Architect's office as stipulated in The Village Design Review Procedures. These regulations may be supplemented by additional review criteria.
- Type IV is allowed in the Visitor Commercial, Local Commercial, Local Commercial Mixed, RM5 and RM5-1 zones.
- The term "Frontage Line" (FL) refers to the line upon which the front wall of a building sits and is synonymous with its setback requirement. Frontage Lines also exist for side walls facing a street or path. As specified, porches, stoops, balconies, and bay windows may protrude beyond the Frontage Line.
- A corner condition exists whenever a road intersects with another road, a plaza, or a pedestrian path with a width of 5 meters of greater.
- These regulations are strictly aesthetic in their intent. In cases of contradiction with local safety codes, these regulations shall be overruled, with notification given to the Village Architect. In no way does compliance with these regulations exempt a structure from conformance with other applicable codes.
- These regulations may be overridden by The Village Regulating Plan.
- Exceptions to these regulations may be granted on the basis of architectural merit or hardship.
- Mobile homes, trailers, boats and watercraft shall not be stored or parked on site except if inside a garage.

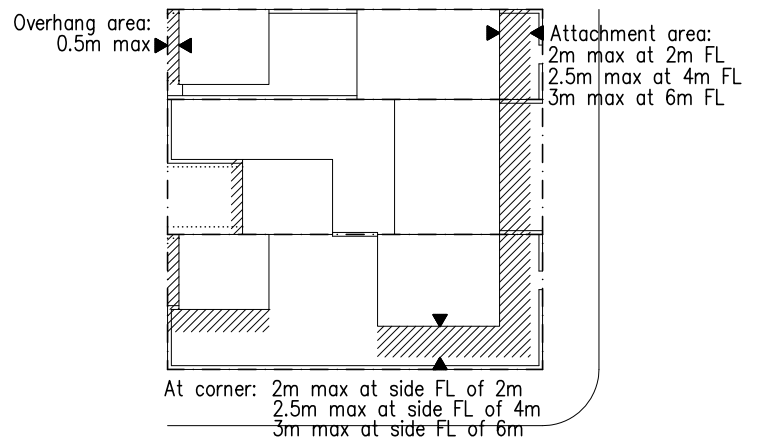
PLACEMENT

- Buildings shall be placed on the lot relative to the property lines as shown.
- The building may have its Frontage Line at 2m, 4m, or 6m, as specified in the Regulating Plan.
- All rowhouses which share a party wall should have the same Frontage Line.
- Buildings may have no more than 4 outside corners on the principal frontage, including porches.
- The garage shall sit at a distance of 0.5m minimum, and 6m max. from the rear Property Line.
- The street facade shall extend along 100% of the Frontage Line, with the exception of corner conditions.
- Rowhouses shall be set back 1.2m minimum from the corner property line. In addition, side property line setback shall be 1.2m minimum at corners or when adjacent to the following lot types: V, VI, VII.
- Rowhouses on corner lots may have their entrances on the side facade, in which case the side elevation shall be designed to resemble a house front, with a minimum of three windows on each of the first two stories.
- An accessory structure is allowed within the parking area.



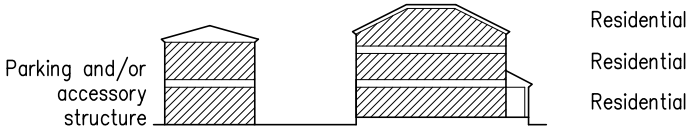
ELEMENTS

- Any allowed porches, stoops, balconies, roof overhangs, and/or bay windows may encroach within the Attachment Area shown.
- When allowed, front picket fences shall be built on the front Property Line, with openings where access is required. Where no building wall is present, a garden wall or privacy fence shall be built on shared side property lines.
- A garden wall or a privacy fence shall be built at a distance of 0m from the alley Property Line, with openings where access is required.
- Attachments: balconies, roof overhangs, and bay windows are always permitted within the area shown. Porches, stoops, and/or fences are required to be present in one of the following configurations:
 - * If the Frontage Line is at 2m, either a stoop or a porch is required. Neither may be greater than 10 sq.m. in area. No front picket fence is permitted.
 - * If the Frontage Line is at 4m or 6m, one of the following conditions is required: a porch, or a stoop.
- In addition, porches, stoops, balconies, roof overhangs, bay windows and other attachments are always permitted within the footprint described in Placement above.
- Openings in garden walls and privacy fences shall be gated.
- Porches shall be a minimum of 2m deep. Balconies shall be a minimum of 1m deep.



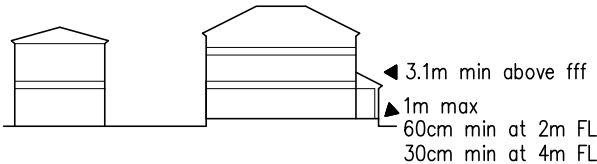
USE

- 1. Uses within the buildings shall be as shown.



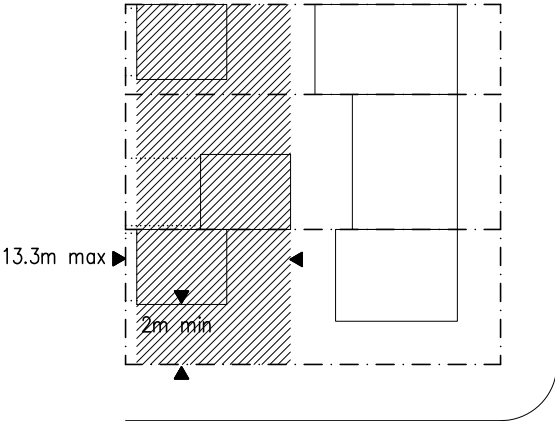
HEIGHT

- 1. Building height shall be measured according to the applicable N.O.T.L Zoning Bylaws.
- 2. The finished first floor (fff) is determined as shown.
- 3. The minimum exterior exposed front wall shall be 3.1m from the finished first floor (fff).
- 4. Privacy fences and garden walls shall be between 1.5m and 2.4m in height.
- 5. Picket fences shall be 60cm to 1m tall.



PARKING

- 1. The N.O.T.L Zoning Bylaws shall determine the minimum number of parking spaces that shall be provided for the building on-site.
- 2. Buildings on corner lots shall have garages if on an alley.
- 3. All on-site parking shall be accessed via the alley.
- 4. Trash containers shall be located within the parking area and shall be screened from view.



CODES - URBAN REGULATIONS

NIAGARA-ON-THE-LAKE, ONTARIO

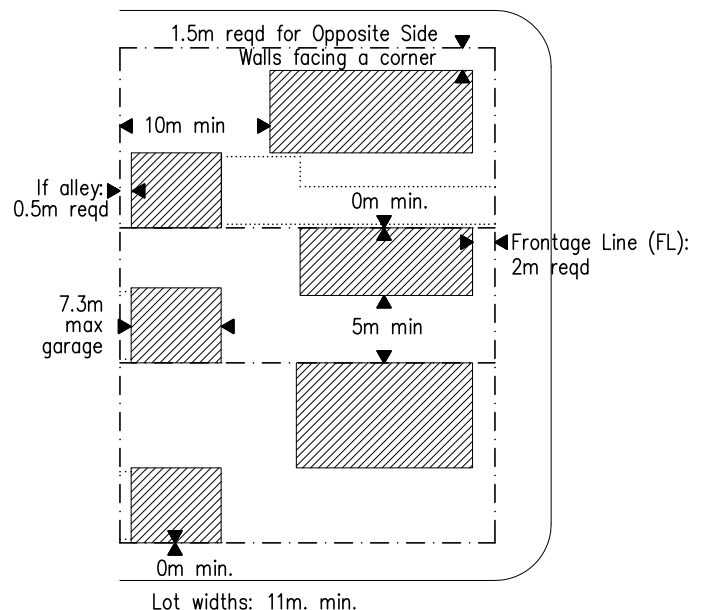
TYPE V - SIDEYARD HOUSE

NOTES

1. All proposed designs shall be submitted for approval to the Town Architect's office as stipulated in The Village Design Review Procedures. These regulations may be supplemented by additional review criteria.
2. Type V is allowed in the RM5 and RM5-1 zones.
3. The term "Frontage Line" (FL) refers to the line upon which the front wall of a building sits and is synonymous with its setback requirement. Frontage Lines also exist for side walls facing a street or path. As specified, porches, stoops, balconies, and bay windows may protrude beyond the Frontage Line.
4. A corner condition exists whenever a road intersects with another road, a plaza, or a pedestrian path with a width of 5 meters or greater.
5. These regulations are strictly aesthetic in their intent. In cases of contradiction with local safety codes, these regulations shall be overruled, with notification given to the Village Architect. In no way does compliance with these regulations exempt a structure from conformance with other applicable codes.
6. These regulations may be overridden by The Village Regulating Plan.
7. Exceptions to these regulations may be granted on the basis of architectural merit or hardship.
8. Mobile homes, trailers, boats and watercraft shall not be stored or parked on site except if inside a garage.

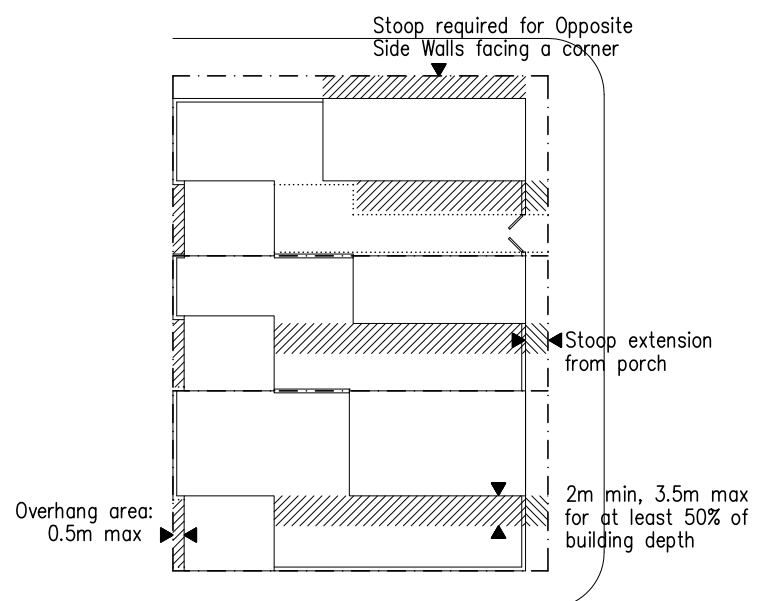
PLACEMENT

1. Buildings shall be placed on the lot relative to the property lines as shown.
2. Buildings shall have one side wall on a side Property Line and the other side wall on a side setback of at least 5m. The only exception is when an Opposite-Side Wall occurs at a corner, in which case it shall be set back 2m and treated like a house front (as shown).
3. The buildings may be placed in one of two configurations: Detached or Duplex. In the Detached configuration, adjacent houses face in the same direction and share no party walls. In the Duplex configuration (not shown), adjacent houses share a party wall at the lot line and thus face in opposite directions.
4. Detached sideyard houses should typically face south or east.
5. The house shall have its Frontage Line at 2m and shall be set back 10m minimum from the rear Property Line.
6. The front facade shall be composed as a single plane.
7. Garages shall be set against the side Property Line which is faced by the sideyard porch and shall be no more than 7.3m deep.
8. An accessory structure is allowed within the parking area.



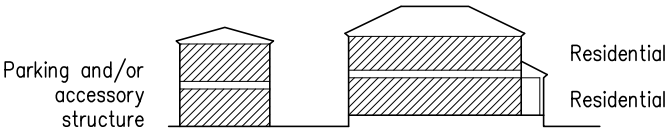
ELEMENTS

1. A one or two-story side porch is required on the side of the house as shown and shall be a minimum of 50% as long as the house and between 2m and 4m deep. Porches may extend to meet garages.
2. A stoop is required in the front yard at the end of the porch.
3. Side walls on property lines shall provide no visual access into the adjoining lot. Clerestories and translucent windows are permitted.
4. Roof overhangs may encroach a neighbor's yard a maximum of 24". House roof edges overhanging a neighbor's yard shall be guttered and drained on-site.
5. In addition, porches, stoops, balconies, roof overhangs, bay windows, and other attachments are always permitted within the footprint described in Placement above.
6. Opposite-Side Walls which face a street shall have a front door with a covered stoop and shall be composed as a house front, with a minimum of three windows per story.
7. Where no building wall is present, a front wall shall be built on the street Frontage Line. This wall shall be surfaced to match the front of the house.
8. If there is an alley, a garden wall or privacy fence shall be built at a distance of 0m from the alley Property Line, with openings where access is required. If there is no alley, a garden wall or privacy fence shall be built on the rear Property Line.
9. Openings in garden walls, privacy fences and front walls shall be gated.



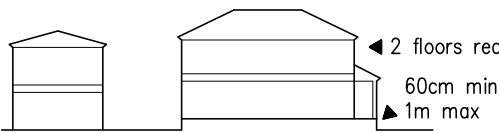
USE

- 1. Uses within the buildings shall be as shown.



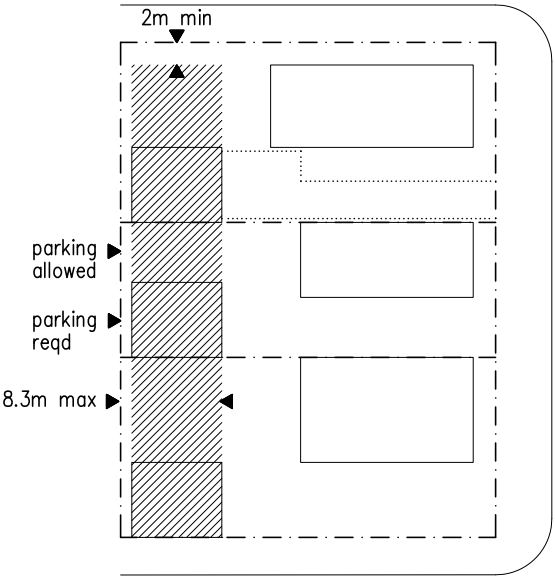
HEIGHT

- 1. Building height shall be measured according to the applicable N.O.T.L Zoning Bylaws.
- 2. The finished first floor (fff) is determined as shown.
- 3. The minimum exterior exposed front wall shall be 3.1m from the finished first floor (fff).
- 4. Privacy fences and garden walls shall be between 1.5m and 2.4m in height.
- 5. Picket fences shall be 60cm to 1m tall.



PARKING

- 1. The N.O.T.L Zoning Bylaws shall determine the minimum number of parking spaces that shall be provided for the building on-site.
- 2. Buildings on corner lots shall have garages if on an alley.
- 3. Driveways from streets are only allowed for houses with no alley access. Front-access driveways on corner lots shall be located interior to the block.
- 4. For corner lots with no alley access, the parking area shall be accessed directly from the side-street side of the lot.
- 5. Trash containers shall be located within the parking area and shall be screened from view.



CODES - URBAN REGULATIONS

NIAGARA-ON-THE-LAKE, ONTARIO

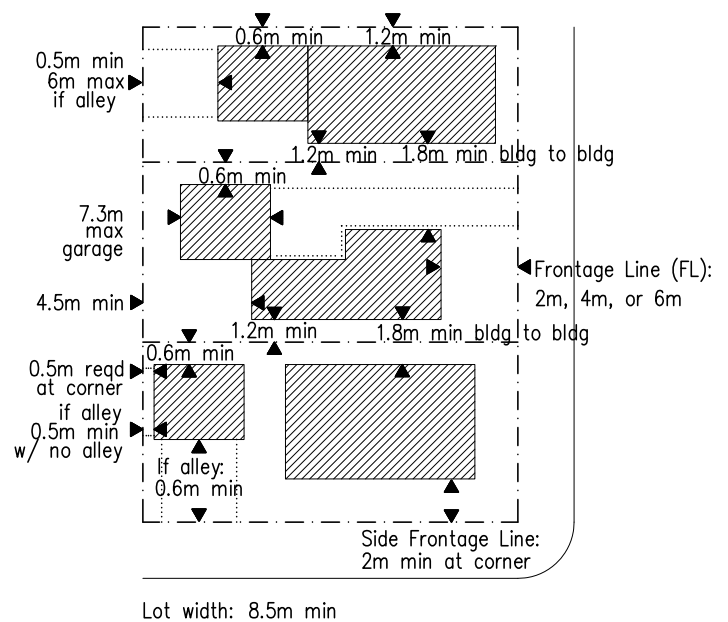
TYPE VI - HOUSE

NOTES

1. All proposed designs shall be submitted for approval to the Town Architect's office as stipulated in The Village Design Review Procedures. These regulations may be supplemented by additional review criteria.
2. Type VI is allowed in the RM5 and RM5-1 zones.
3. The term "Frontage Line" (FL) refers to the line upon which the front wall of a building sits and is synonymous with its setback requirement. Frontage Lines also exist for side walls facing a street or path. As specified, porches, stoops, balconies, and bay windows may protrude beyond the Frontage Line.
4. A corner condition exists whenever a road intersects with another road, a plaza, or a pedestrian path with a width of 5 meters or greater.
5. These regulations are strictly aesthetic in their intent. In cases of contradiction with local safety codes, these regulations shall be overruled, with notification given to the Village Architect. In no way does compliance with these regulations exempt a structure from conformance with other applicable codes.
6. These regulations may be overridden by The Village Regulating Plan.
7. Exceptions to these regulations may be granted on the basis of architectural merit or hardship.
8. Mobile homes, trailers, boats and watercraft shall not be stored or parked on site except if inside a garage.

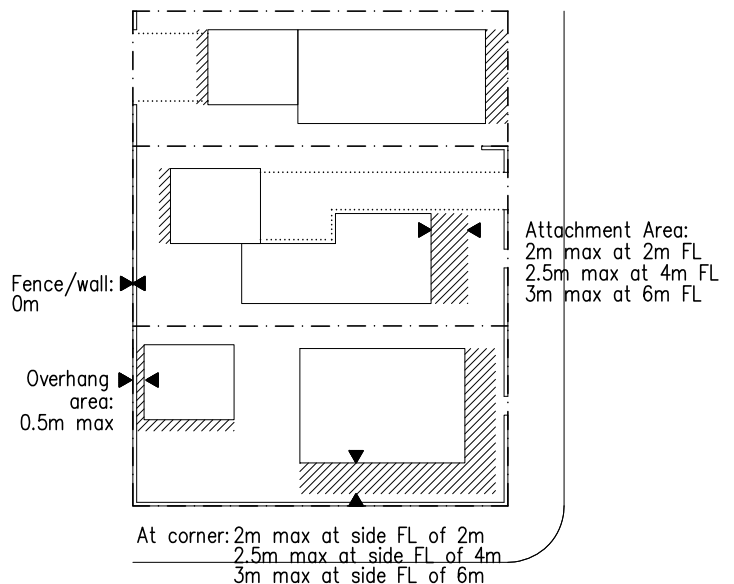
PLACEMENT

1. Buildings shall be placed on the lot relative to the property lines as shown.
2. The building may have its Frontage Line at 2m, 4m, or 6m.
3. Buildings may have no more than 4 outside corners on the principal frontage, including porches.
4. The rear of the principal house shall remain 4.5m minimum from the rear Property Line.
5. Side setbacks of all houses shall be 1.2m minimum. Side setbacks of garages and accessory buildings shall be 0.6m minimum.
6. Garages shall be no more than 7.3m deep.
7. If there is an alley, any garage shall sit at a distance of 0.5m minimum and 6m maximum from the alley Property Line.
8. For houses with no alley access, the garage shall be set back a minimum of 6m behind the Frontage Line.
9. An accessory structure is allowed within the parking area.



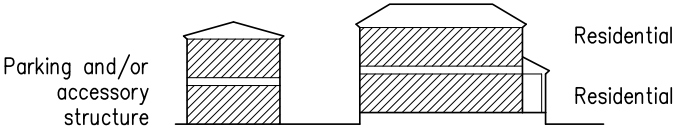
ELEMENTS

1. Porches, stoops, balconies, roof overhangs, and/or bay windows may encroach within the Attachment Area shown.
2. When allowed, front picket fences shall be built on the front Property Line, with openings where access is required. Where no building wall is present, a garden wall or privacy fence shall be built on shared side property lines.
3. A garden wall or a privacy fence shall be built at a minimum distance of 0m from the alley Property Line, with openings where access is required.
4. Attachments: balconies, roof overhangs, and bay windows are always permitted within the area shown. Porches, stoops, and/or fences are required to be present in one of the following configurations:
 - * If the Frontage Line is at 2m, either a stoop or a porch is required. Neither may be greater than 10 sq.m. in area. No front picket fence is permitted.
 - * If the Frontage Line is at 4m or 6m, one of the following conditions is required: a porch, or a stoop.
5. In addition, porches, stoops, balconies, roof overhangs, bay windows and other attachments are always permitted within the footprint described in Placement above.
6. Openings in garden walls and privacy fences shall be gated.
7. Porches shall be a minimum of 2m deep. Balconies shall be a minimum of 1m deep.



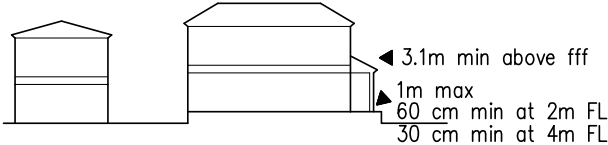
USE

- 1. Uses within the buildings shall be as shown.



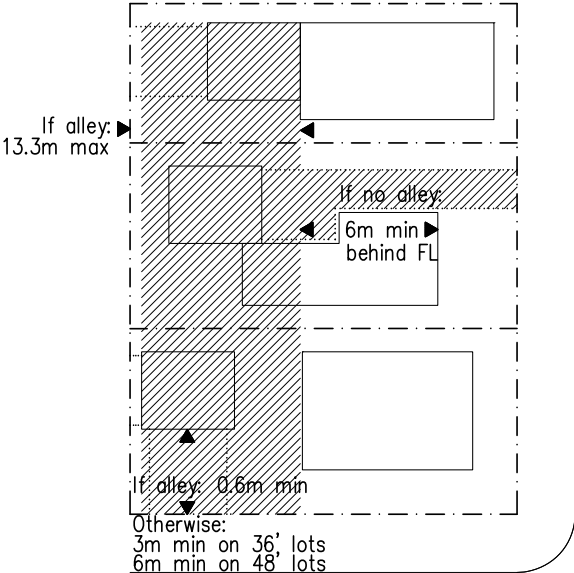
HEIGHT

- 1. Building height shall be measured according to the applicable N.O.T.L Zoning Bylaws.
- 2. The finished first floor (fff) is determined as shown.
- 3. The minimum exterior exposed front wall shall be 3.1m from the finished first floor (fff).
- 4. Privacy fences and garden walls shall be between 1.5m and 2.4m in height.
- 5. Picket fences shall be 60cm to 1m tall.



PARKING

- 1. The N.O.T.L Zoning Bylaws shall determine the minimum number of parking spaces that shall be provided for the building on-site.
- 2. Buildings on corner lots shall have garages if on an alley.
- 3. Driveways from streets are only allowed for houses with no alley access. Front-access driveways on corner lots shall be located interior to the block.
- 4. Trash containers shall be located within the parking area and shall be screened from view.



CODES - URBAN REGULATIONS

NIAGARA-ON-THE-LAKE, ONTARIO

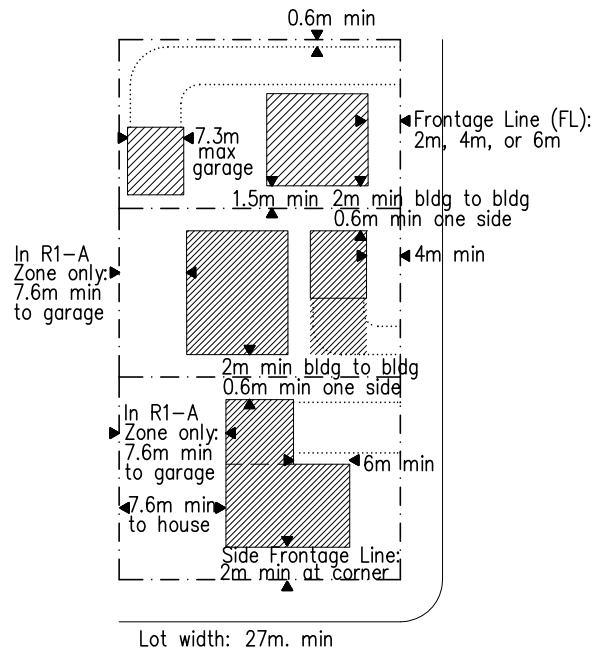
TYPE VII - COUNTRY HOUSE

NOTES

- All proposed designs shall be submitted for approval to the Town Architect's office as stipulated in The Village Design Review Procedures. These regulations may be supplemented by additional review criteria.
- Type VII is allowed in the R1-A.
- The term "Frontage Line" (FL) refers to the line upon which the front wall of a building sits and is synonymous with its setback requirement. Frontage Lines also exist for side walls facing a street or path. As specified, porches, stoops, balconies, and bay windows may protrude beyond the Frontage Line.
- A corner condition exists whenever a road intersects with another road, a plaza, or a pedestrian path with a width of 5 meters or greater.
- These regulations are strictly aesthetic in their intent. In cases of contradiction with local safety codes, these regulations shall be overruled, with notification given to the Village Architect. In no way does compliance with these regulations exempt a structure from conformance with other applicable codes.
- These regulations may be overridden by The Village Regulating Plan.
- Exceptions to these regulations may be granted on the basis of architectural merit or hardship.
- Mobile homes, trailers, boats and watercraft shall not be stored or parked on site except if inside a garage.

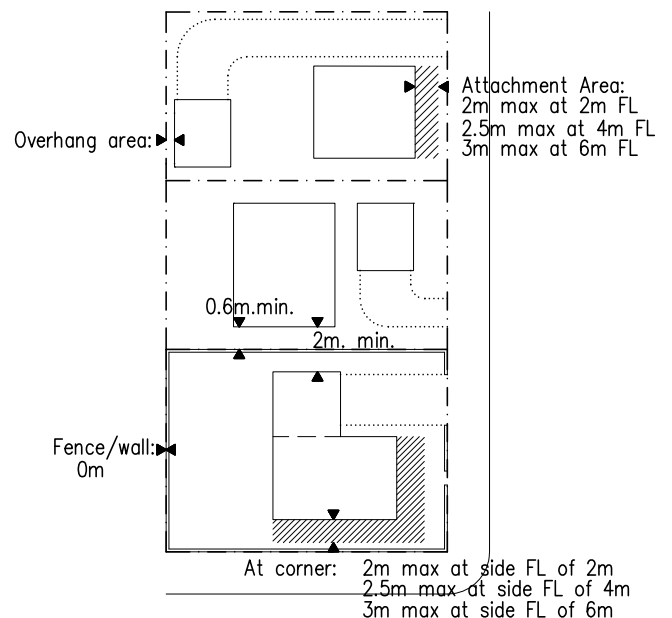
PLACEMENT

- Buildings shall be placed on the lot relative to the property lines as shown.
- The building may have its Frontage Line at 2m, 4m, or 6m, as specified in the Regulating Plan.
- Buildings may have no more than 6 outside corners on the principal frontage, including porches in front of.
- An accessory structure is allowed behind the house.
- For lots in the R1-A Zone, neither the house nor the garage may encroach within 7.6m of the rear Property Line. If a rear accessory building is built in the R1-A Zone, only 13.37 sq.m. of its area may encroach within this 7.6m setback. For all other lots, only the house shall remain 7.6m from the rear Property Line.
- Side setbacks of principal building shall be 1.5m minimum. Side setbacks of porte cocheres and driveways shall be 0.6m minimum.
- Garages shall be no more than 7.3m deep.
- For houses with no alley access, the garage shall be set back a minimum of 6m behind the Frontage Line. Forecourt house with side-facing garage may be set back a minimum of 4m.
- For corner lots with no alley access, the garage shall be set back 6m minimum from the side Frontage Line. For corner lots with alley access, the garage side setback shall be 2m minimum.



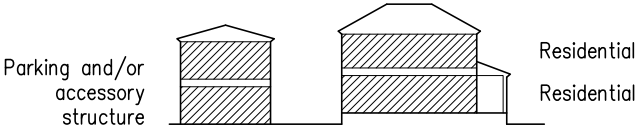
ELEMENTS

- Porches, stoops, balconies, roof overhangs, and/or bay windows may encroach within the Attachment Area shown.
- When allowed, front picket fences shall be built on the front Property Line, with openings where access is required. Where no building wall is present, a garden wall or privacy fence shall be built on shared side property lines.
- A garden wall or a privacy fence shall be built at a distance of 0m from the alley Property Line, with openings where access is required.
- Attachments: balconies, roof overhangs, and bay windows are always permitted within the area shown. Porches, stoops, and/or fences are required to be present in one of the following configurations:
 - * If the Frontage Line is at 2m, either a stoop or a porch is required. Neither may be greater than 10 sq.m. in area. No front picket fence is permitted.
 - * If the Frontage Line is at 4m or 6m, one of the following conditions is required: a porch, or a stoop.
- In addition, porches, stoops, balconies, roof overhangs, bay windows and other attachments are always permitted within the footprint described in Placement above.
- Openings in garden walls and privacy fences shall be gated.
- Porches shall be a minimum of 2m deep. Balconies shall be a minimum of 1m deep.



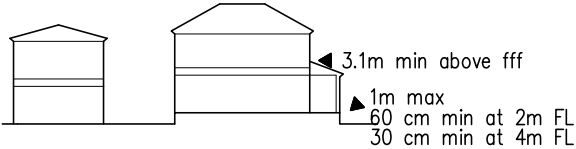
USE

- 1. Uses within the buildings shall be as shown.



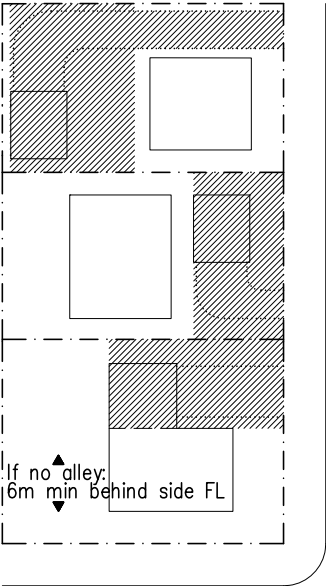
HEIGHT

- 1. Building height shall be measured according to the applicable N.O.T.L Zoning Bylaws.
- 2. The finished first floor (fff) is determined as shown.
- 3. The minimum exterior exposed front wall shall be 3.1m from the finished first floor (fff).
- 4. Privacy fences and garden walls shall be between 1.5m and 2.4m in height.
- 5. Picket fences shall be 60cm to 1m tall.



PARKING

- 1. The N.O.T.L Zoning Bylaws shall determine the minimum number of parking spaces that shall be provided for the building, either on-site or on designated property nearby.
- 2. Buildings on corner lots shall have garages if on an alley.
- 3. Driveways from streets are only allowed for houses with no alley access. Front-access driveways on corner lots shall be located interior to the block.
- 4. Trash containers shall be located within the parking area and shall be screened from view.



DESIGN REVIEW POLICIES

Function of The Village Architect. To encourage the architectural harmony of The Village in Niagara-on-the-Lake, all property owners are bound by The Village Codes and by the requirements contained in this document. To that end, no structure or improvement shall be erected or altered until approvals described in this document have been obtained. The role of the Village Architect shall be to oversee the adherence to The Village Codes as set out herein.

Scope of Responsibility. The Village Architect has the right to exercise control over all construction in The Village in Niagara-on-the-Lake. The Village Architect shall also review all exterior alterations and modifications to structures including fencing and improvements (even after initial construction is complete), including, but not limited to, painting and renovations. Alterations and modifications which are internal and do not affect the exterior appearance of the building and any soft landscaping, shall be exempt from these reviews and required approvals. If there is a question of whether or not an alteration or modification is exempt, the owner must ask The Village Architect for a ruling, whose ruling shall be final subject only to appeal to The Village Codes Tribunal.

Enforcing Powers. Should a violation occur, The Village Architect has the right to an injunctive relief, which requires the owner to stop, remove, and/or alter any improvements in a manner that complies with the standard established by The Village Architect. Approval by The Village Architect does not relieve an owner of his/her obligation to obtain any government approvals. If such approvals are required and are not obtained by the owner, The Village Architect and/or the applicable government agency may take whatever actions are necessary against the Owner to force compliance.

Limitations of Responsibilities. The primary goal of The Village Architect is to review the submitted applications in order to determine if the proposed construction conforms to The Village Codes. The Village Architect does not assume responsibility for the following:

1. The structural adequacy, capacity, or safety features of the structure and/or improvement.
2. Non-compatible or unstable soil conditions, soil erosion, etc.
3. Compliance with the current Ontario Building Code, WSB safety requirements, and any governmental laws, regulations or ordinances.
4. The performance or quality of work of any contractor or builder.

Meeting of The Village Architect. The Village Architect shall meet as requests are received at a mutually convenient time. All meetings mutually agreed to by The Village Architect and owner shall be the owner's expense and shall be billed by The Village Architect as per the then current fee schedule.

Review Fees. Review fees are established by The Village Architect in consultation with The Village Founders. The Village Architect reserves the right to waive these fees at his/her discretion.

Review Policy. The Village Architect reviews the submission and either grants approval, approval with stipulations, or denies approval. The Village Architect shall endeavour to notify the owner of the decision in writing and/or drawings within ten business days from the date of receipt of a completed document. If applicable, one set of plans shall be returned with comments. If however, The Village

Architect does not contact the owner within ten business days, the application shall NOT automatically be deemed "approved". The Village Architect may deny approval because the application is incomplete or inadequate. If approval is not granted, a revised application may be submitted and reviewed in the same fashion as the initial application, including fees. Additional fees may be required for resubmissions. If the application is denied approval, a formal appeal may be made in writing to The Village Architect.

Appeal Process. A formal appeal shall be submitted to The Village Codes Tribunal made up of a minimum of three individuals including at one representative from The Village Founders; The Village Architect; and one representative resident of The Village. The Tribunal's findings shall be majority vote (with a tie denying the variance approval) and shall be final and binding and shall apply only to this specific variance request and not set a precedent. A non-refundable fee of \$500.00 shall be submitted by the applicant with the formal appeal.

Application Withdrawal. An application may be withdrawn without prejudice. At the discretion of The Village Architect, design review fees may be refunded.

Variations. The Village Architect has the right to grant variances to The Village Codes on the basis of architectural merit or hardship without setting a precedent for any other buildings. All variance requests pertaining to The Village Codes must be made in writing. Any variance granted shall be distinguished and shall not set precedent for future decisions.

Construction Deposit. A construction deposit of five-thousand dollars (\$5,000.00) may be required from the builder for each house. The deposit shall be held by The Village Architect, or as he directs, until a final field inspection has been made by The Village Architect. Full compliance shall result in the return of the construction deposit. If the deposit is required to repair, replace, or clean up common areas that are damaged due to construction activities, the builders shall be notified prior to the use of the deposit. The builder shall be allotted a reasonable amount of time to rectify the problem before the deposit is expended. This deposit requirement may be waived at the discretion of The Village Founders.

Construction Inspection. Periodic inspections may be made by The Village Architect while construction is in progress to determine compliance with the approved plans and specifications. The Village Architect is empowered to enforce its policies as set forth in The Village Codes by any action including an action in a court of law, to ensure its compliance. The Village Architect shall be reimbursed for any and all costs and time incurred if a code is not immediately rectified to The Village Architect's approval.

DESIGN REVIEW PROCEDURE & APPROVAL BY THE VILLAGE ARCHITECT

DESIGN REVIEW PROCEDURE

Submit two copies of all required documents and drawings to:

The Village Architect of The Village in Niagara-on-the Lake, c/o The Village Founders
Quartek Group, 360 York Road, Unit 5C RR #4, Niagara-on-the-Lake ON L0S 1J0

All documents shall include the name of the project, "The Village in Niagara-on-the-Lake", and the date. "Village Founders" means John Hawley and Liz Hawley or their successors or assigns.

Step 1. Documents. In order to proceed, you should have reviewed the following documents:

- a. Your Lot Purchase Agreement.
- b. The Village Codes which consist of the Urban Regulations, the Architectural Regulations and the relevant Regulating Plan.
- c. The Design Review Procedure (this document)

Step 2. Sketch Review. This review confirms a correct interpretation of The Village Codes. The Village Architect shall stamp the drawings upon approval with the Sketch Review Stamp.

Your application is to include:

- a. **Form A: Sketch Review Application**
- b. **Schematic Design Drawings as outlined below:**
 - **Site Plan (1:200) showing:**
 - North Arrow
 - Property lines and setbacks with dimensions.
 - Building footprints with entries, porches, and balconies delineated and overhangs shown as dashed lines.
 - Location of parking and site.
 - Drives and walks with dimension of each.
 - Existing trees with trunk diameter and canopy dimensions.
 - **Floor Plans**
 - **Elevations (1:100 or 1:50) showing:**
 - Porches, balconies, doors and windows.
 - Principal materials rendered and specified.
 - Height of each door, eave and maximum height in relation to ground level.
 - Roof pitch.
 - **Variances¹:** If there any variances sought to The Village Codes, submit a description of them and the justification based on merit or hardship.

Step 3. Construction Documents Review. This review verifies that the construction documents are compliant with The Village Codes and that the Sketch Review recommendations have been

¹ Variance: An exception to the code. Variances are usually granted on the basis of architectural merit or on hardship caused by a situation peculiar to a site or lot.

incorporated. Compliance with applicable local regulations and building codes is the responsibility of your architect or builder. The Village Architect shall stamp the drawings upon approval with the Construction Documents Review Stamp.

Your application is to include:

- a. **Form A: Sketch Review Application** bearing The Village Architect's stamp of approval.
- b. **Form B: Construction Document Review Application**
- c. **Form C: Materials and Finishes List**
- d. **Construction Documents** as outlined below:
 - **Site Plan (1:200) showing:**
 - North Arrow
 - Property lines and setbacks with dimensions.
 - Building footprints with entries, porches, and balconies delineated and overhangs shown as dashed lines.
 - Location of parking and site.
 - Drives and walks with dimension of each
 - Existing trees with trunk diameter and canopy dimensions.
 - **Floor Plans (1:100 or 1:50) showing:**
 - Room dimensions and uses labelled.
 - All windows and doors with swings shown.
 - Overall dimensions.
 - Total square metres (enclosed and porches shown separately)
 - **Elevations (1:100 or 1:50) showings:**
 - Porches, balconies, doors and windows.
 - Principal materials rendered and specified.
 - Height of each door, eave and maximum height in relation to ground level.
 - Roof pitch.
 - **Details (1:25, 1:20 or 1:10) showing:**
 - Water table (if any)
 - Eaves.
 - Door and window surrounds.
 - Porches.
 - Other as requested by The Village Architect.
 - **Variations:** If there any variations to The Village Codes, submit a description of them and the justification based on merit.

The owner may be asked by The Village Architect to stake out the building, garden walls, fences, and trees to be removed. The Village Architect shall approve, with stipulations, or deny continued construction.

Step 4. Construction Commencement. You must have the following before you start building.

- a. **Form D. Construction Commencement Application.**
- b. **Construction Deposit.** See "Construction Deposit"
- c. **Niagara-on-the-Lake Building Permit(s).**

Upon receipt of *Form D: Construction Commencement Application* bearing The Village Architect's stamp of approval, you may submit your drawings to Niagara-on-the-Lake building permit.

The Village Architect reserves the right to inspect properties in the field for compliance with the approved documents during any stage of construction. As a result of these inspections, The Village Architect may deny continued construction.

Typical field inspections may include:

- a. At string stake out of buildings, garden walls, fences and trees to be removed.
- b. When piling or formwork for footings are in place.
- c. At the commencement of wall cladding or finish.
- d. At the commencement of the construction of eaves, fences, columns, and banisters.

Step 5. Minor Change. It is anticipated that owners may wish to make improvements or modifications to their buildings during construction or subsequently. To do so, submit the following:

- a. **Form E: Minor Change Application.**
- b. **Applicable documents and drawings** as necessary to describe the modifications.

A minor change may only be executed upon receipt of *Form E: Minor Change Application* bearing The Village Architect's stamp of approval.

Step 6. Final Inspection. Upon completion of construction submit the following (One copy of each):

- a. **Form F: Final Inspection Application.**
- b. **Final Certified Survey**

A Building should not be occupied until receipt of Form F: Final Inspection Application bearing The Village Architect's stamp of approval. The Construction Deposit shall be returned with the approved Form F.

VILLAGE ARCHITECT

DESIGN REVIEW FEE SCHEDULE (current as of June 30, 2010)

1. Basic Design Review as per Schedule "D"

Fee = \$0.50 per gross building area to a maximum of \$1,000.00 and a minimum of \$500.00 plus HST.

2. Minor Change Application as per Form "E"

Fee=\$100.00 per hour. \$50.00 minimum plus HST.

3. Design Assistance

For design assistance from The Village Architect to the owner's designer as required to comply with The Village Architectural Regulations.

Fee = \$100.00 per hour with a minimum one hour charge plus HST.

4. Appeal Fee

To file an appeal of The Village Architect's ruling.

***all fees are subsequent to change without notice.**

FORM A

SKETCH REVIEW APPLICATION

Lot: _____ Block: _____ Phase: _____

Owner: _____
Address: _____

Telephone: _____ Fax: _____ Email: _____

Architect/Designer: _____
Address: _____

Telephone: _____ Fax: _____ Email: _____

Builder (if selected): _____
Address: _____

Telephone: _____ Fax: _____ Email: _____

Are any variances requested from The Village Codes? [] No [] Yes
If yes, attach a description of the variance(s) and the reason for it.

1. Two sets of the following drawings are to be submitted in A3 format:
- [] Site Plan
 - [] Elevations
 - [] Floor Plans

Note: Floor plans and elevation shall be submitted at the same scale.

Date Submitted: _____ Signature: _____

For the Village Architect use only:

Review date: _____ Application status: _____

Approved by: _____ Signature: _____

Comments:

FORM B

CONSTRUCTION DOCUMENT REVIEW APPLICATION

Lot: _____ Block: _____ Phase: _____

Owner: _____
Address: _____

Telephone: _____ Fax: _____ Email: _____

Architect/Designer: _____
Address: _____

Telephone: _____ Fax: _____ Email: _____

Builder (if selected): _____
Address: _____

Telephone: _____ Fax: _____ Email: _____

Are any variances requested from The Village Codes? No Yes
If yes, attach a description of the variance(s) and the reason for it.

1. Submit two(2) sets of the following documents as described in the Preliminary Design Review Requirements:

- Form A (stamped)
- Form C

Two sets of the following drawings are to be submitted in 11"x17" format:

- Site Plan Floor Plans
- Elevations Details

Date Submitted: _____ Signature: _____

For the Village Architect use only:

Review date: _____ Application status: _____

Approved by: _____ Signature: _____

Comments: _____

FORM C

MATERIALS AND FINISHES LIST

Lot:

Block:

Phase:

Identify the proposed materials and colours as noted below. Include pertinent information samples, such as photographs or cut sheets. Include colour samples for all painted, stained, or factory-coloured materials.

Elements: Description (include manufactured and product # where appropriate):

Railings	_____
Chimney	_____
Door	_____
Main Entrance & Other	_____ _____
Driveway	_____
Walks	_____
Garage Door	_____
Fence Gates (Garden walls, etc)	_____
Gutter	_____
Lighting	_____
Deck	_____
Roofing	_____
Shutters	_____
Soffit	_____
Walls (Main building, garage, trim, etc)	_____
Windows	_____
Other	_____

Date Submitted: _____ Signature: _____

FORM D

CONSTRUCTION COMMENCEMENT APPLICATION

Lot: _____ Block: _____ Phase: _____

Owner: _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

Architect/Designer:

Address: _____

Telephone: _____ Fax: _____ Email: _____

Builder (if selected): _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

Two sets of the following documents are to be submitted:

- Form B (stamped)
- Form C (stamped)

Staple the Construction Deposit cheque to the left side of this form. The cheque should be made payable to The Village Architect in the amount of five-thousand dollars (\$5,000.00)

Date Submitted: _____ Signature: _____

For the Village Architect use only:

Review date: _____ Application status: _____

Approved by: _____ Signature: _____

Comments:

FORM E

MINOR CHANGE REVIEW APPLICATION

Lot: _____ Block: _____ Phase: _____

Owner: _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

Architect/Designer:

Address: _____

Telephone: _____ Fax: _____ Email: _____

Builder (if selected):

Address: _____

Telephone: _____ Fax: _____ Email: _____

Brief description of the minor change (if the change involves a variance from The Village Codes, please describe the variance and the reason for it. Attach a separate sheet if necessary. The Village Architect may require drawings be submitted with this application):

Date Submitted: _____ Signature: _____

For the Village Architect use only:

Review date: _____ Application status: _____

Approved by: _____ Signature: _____

Comments:

FORM F

FINAL INSPECTION APPLICATION

Lot: _____ Block: _____ Phase: _____

Owner: _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

Architect/Designer: _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

Builder (if selected): _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

I certify in good faith, and to the best of my knowledge and belief, that the contracted structure(s) on said lot conform to The Village Codes and the Construction Documents as approved by The Village Architect. All site work, cleaning, removal of temporary utilities, and repair of damage to rights-of-way and common areas has been implemented. This constitutes a request for the Village Architect to perform a final inspection to confirm Village Code compliance.

Signature: _____ Date: _____

Builder

Signature: _____ Date: _____

Owner

I, The Village Architect and/or The Town Founder, confirm in good faith, and to the best of my knowledge and belief, that as of this date with the exception of the following code violations:

_____ the structure(s) on this lot
conforms to The Village Codes as approved.

Signature: _____ Date: _____
Village Architect / Town Founder

Per: _____

Title: _____
The Village Developments (NOTL) Inc.

I have the authority to bind the corporation.