

**CITY OF NIAGARA FALLS
BY-LAW NO. XXXX**

**To Amend Zoning By-law No. 79-200 Respecting Lands located at Montrose Road
(Niagara Falls)**

WHEREAS the Council of The Corporation of the City of Niagara Falls deems it desirable to pass this By-law pursuant to section 35 and other provisions or The *Planning Act*, R.S.O. 1970, as amended;

WHEREAS the Council of the Corporation of the City of Niagara Falls passed Zoning By-law No. 79-200 on the 5th day of November 1979;

AND WHEREAS this By-law conforms with the City of Niagara Falls Official Plan.

NOW THEREFORE the Council of the City of Niagara Falls enacts as follows:

1. That the Residential Apartment 5C Density Zone (R5C-912) provisions as contained in Section 7.12 of Zoning By-law No. 79-200, applicable to the subject lands, be modified to include the following:

That notwithstanding Section 7.12. the following shall apply:

- a. minimum front yard depth of 2.50 m for a townhouse dwelling shall be permitted.
 - b. minimum rear yard depth of 2.0 m for a townhouse dwelling shall be permitted.
 - c. minimum interior side yard of 2.5 metres for a townhouse dwelling shall be permitted.
 - d. maximum lot coverage of 45% for a townhouse dwelling shall be permitted.
 - e. Maximum height of a building shall be 13.0 metres
 - f. Minimum Privacy Yard Depth for Each Townhouse Dwelling Unit shall be 2.0 metres
 - g. That the subject lands be designated as Class 4 Noise Area pursuant to MECP Publication NPC-300 (Environmental Noise Guideline, Stationary, and Transportation Sources – Approval and Planning). For the purpose of existing Stationary Noise Sources, sensitive land uses shall include noise attenuation and warning clauses; where required (as identified in the provided Noise Impact Study).
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this day of , 2023.

Mayor

Clerk

