

CITY OF NIAGARA FALLS

By-law No. 2024-____

A by-law to amend By-law No. 79-200, to permit the use of the lands for the development of 68 stacked townhouse dwelling units and 4 commercial units in 5 blocks.

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:

1. The Lands that are the subject of and affected by the provisions of this by-law are described in Schedule 1 of this by-law and shall be referred to in this by-law as the “Lands”. Schedule 1 is a part of this by-law.
2. The purpose of this by-law is to amend the provisions of By-law No. 79-200, to permit the use of the Lands in a manner that would otherwise be prohibited by this by-law. In the case of any conflict between a specific provision of this by-law and any existing provision of By-law No. 79-200, the provisions of this by-law are to prevail.
3. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses and regulations shall be the permitted uses and regulations governing the permitted uses on and of the Lands.
4. The permitted uses shall be:
 - (a) The uses permitted in the TC zone
 - (b) Dwelling Units located within a Stacked Townhouse Dwelling, with or without other Tourist Commercial Uses on the ground floor
5. The regulations governing the permitted uses shall be:

Minimum front yard depth	2.51 m
Minimum Lot Area	90 m ² per dwelling unit
Minimum rear yard depth	6.07 m
Maximum Building Height	13.5 m
Number of apartment building on one lot	5
Minimum landscape open space	33.4 %
Minimum parking space requirements	1 spaces per dwelling unit
Minimum parking space requirements	1 space per 55 m ² commercial floor area (5 spaces total for commercial uses)
Perpendicular width of manoeuvring aisle (90 degree)	6.0 m

Permitted projections into a required yard	0.6 m for a vertical projection, in any yard, containing building services, including but not limited to domestic water supply, sanitary drains, HVAC and electrical.
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- 6. All other applicable regulations set out in By-law No. 79-200 shall continue to apply to govern the permitted uses on the Lands, with all necessary changes in detail.
- 7. Notwithstanding any future applications for Plan of Condominium. All zoning regulations shall be applied to, and measured based on, the entirety of the legal parcel (i.e. the Lands as described in Schedule 1). Zoning provisions are not be applied to Condominium Units.
- 8. No person shall use the Lands for a use that is not a permitted use.
- 9. No person shall use the Lands in a manner that is contrary to the regulations.
- 10. The provisions of this by-law shall be shown on Sheet B4 of Schedule "A" of By-law No. 79-200 by redesignating the Lands from R4, in part, and DH, in part, to R5C and numbered _____, in part.
- 11. Section 19 of By-law No. 79-200 is amended by adding thereto:
 19.1. _____ Refer to By-law No. 2024- _____

Read a First, Second and Third time; passed, signed, and sealed in open Council this _____ day of _____ 2024.

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 WILLIAM G. MATSON, CITY CLERK

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 JAMES M. DIODATI, MAYOR