

CITY OF NIAGARA FALLS

By-law No. 2022-098

A by-law to amend By-law Nos. 395, 1966 and 79-200 to regulate the plan of subdivision located on Part of Lot 19, Concession 2 Willoughby on the lands (AM-2019-007).

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. None of the provisions of By-law No. 395, 1966 shall apply to prevent the Lands from being added to and placed under the control of By-law No. 79-200.
3. The Lands shall be identified as five parcels, known as Parcels R1F, R3-1181, R4-1182, R4-1183, and DH.
4. The purpose of this by-law is to amend the provisions of By-law Nos. 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.
5. Notwithstanding any provision of By-law Nos. 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.
6. The permitted uses shall be:
 - (a) For Parcel R1F, the uses permitted in the R1F zone.
 - (b) For Parcel R3-1181, the uses permitted in the R3 zone.
 - (c) For Parcel R4-1182, the uses permitted in the R4 zone, and on-street townhouse dwellings and back-to-back townhouse dwellings in accordance with the regulations contained in Section 7.9.2 for a townhouse dwelling;
 - (d) For Parcel R4-1183, the uses permitted in the R4 zone; and,
 - (e) For Parcel DH, the uses permitted in the DH zone.

7. The regulations governing the permitted uses on Parcel R3-1181:
- | | | |
|-----|--|--|
| (a) | Minimum lot area for an on-street townhouse dwelling | 195 square metres for each dwelling unit |
| (b) | Minimum lot frontage for an on-street townhouse dwelling | 6.1 metres for each dwelling unit |
| (c) | Minimum interior side yard width for an on-street townhouse dwelling | 1.5 metres |
| (d) | Maximum height of a building or structure | 12 metres, subject to Section 4.7 of By-law No. 79-200 |
| (e) | The balance of regulations specified for a R3 use. | |
8. The regulations governing the permitted uses on Parcel R4-1182:
- | | | |
|-----|---|---|
| (a) | Minimum lot area for a townhouse dwelling | 230 square metres for each dwelling unit |
| (b) | Minimum rear yard depth for a townhouse dwelling | 3 metres |
| (c) | Maximum height of a building or structure | 12 metres, subject to Section 4.7 of By-law No. 79-200 |
| (d) | Location of parking for an on-street townhouse dwelling unit | May locate in a front or exterior side yard, subject to the requirements of clause (a) of Section 4.19.3 of By-law No. 79-200 |
| (e) | Minimum privacy yard for each back-to-back townhouse dwelling | 0 metres |
| (f) | The balance of regulations specified for a R4 use. | |
9. The regulations governing the permitted uses on Parcel R4-1183:
- | | | |
|-----|---|--|
| (a) | Minimum lot area for an apartment dwelling | 160 square metres for each dwelling unit |
| (b) | Minimum rear yard depth for an apartment dwelling | 6 metres |
| (c) | Maximum height of a building or structure | 12 metres, subject to Section 4.7 of By-law No. 79-200 |

(d) For the purposes of Parcel R4-1183 Street "A" shall be deemed to be the front lot line

(e) The balance of regulations specified for a R4 use.

10. The regulations governing the permitted uses on Parcel R1F shall be the regulations specified for a R1F use.

11. The regulations governing the permitted uses on Parcel DH shall be the regulations specified for a DH use.

12. For the purposes of this by-law:

"Back-to-back townhouse dwelling" means a building containing four or more dwelling units divided by vertical common walls above grade, including a common rear wall.

13. 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.

14. No person shall use the Lands for a use that is not a permitted use.

15. No person shall use the Lands in a manner that is contrary to the regulations.

16. The provisions of this by-law shall be shown on Sheets D7 and E7 of Schedule "A" of By-law No. 79-200 by designating the Lands R1F, in part, R3 and numbered 1181, in part, R4 and numbered 1182, in part, R4 and numbered 1183, in part, and DH, in part.

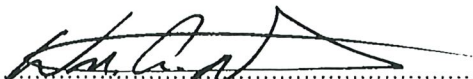
17. Section 19 of By-law No. 79-200 is amended by adding thereto:

19.1.1181 Refer to By-law No. 2022-~~098~~

19.1.1182 Refer to By-law No. 2022-~~098~~

19.1.1183 Refer to By-law No. 2022-~~098~~

Read a First, Second and Third time; passed, signed and sealed in open Council this 30th day of August, 2022.



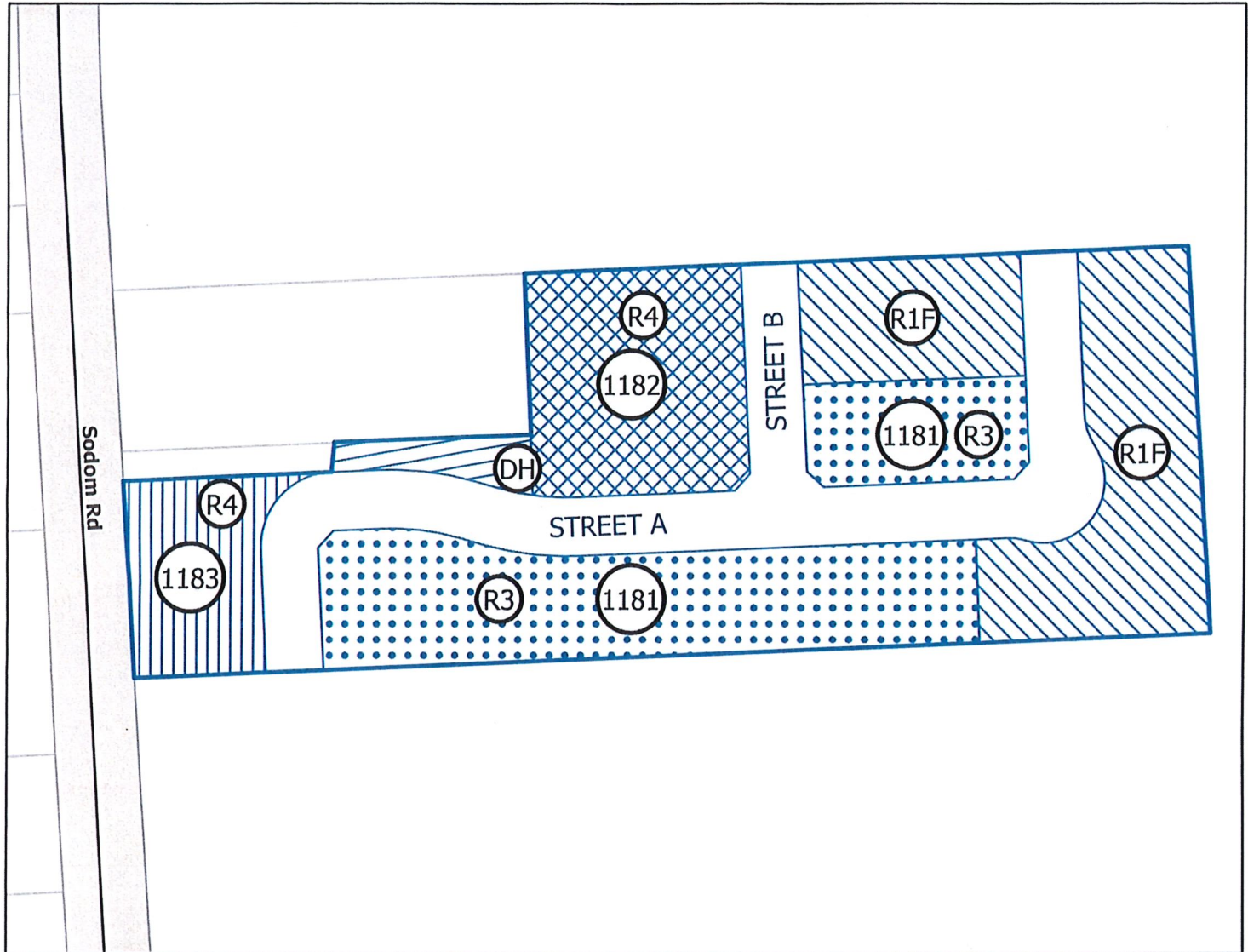
WILLIAM G. MATSON, CITY CLERK



JAMES M. DIODATI, MAYOR

SCHEDULE 1 TO BY-LAW NO. 2022-098

Subject Lands: 

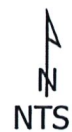


Amending Zoning By-law No. 79-200

Description: PT LT 19 CON 2 WILLOUGHBY PT 2 & 3, 59R-2740; NIAGARA FALLS
PIN: 64254-0013 (LT)

PT LT 19 CON 2 WILLOUGHBY PT 1 59R-16074; NIAGARA FALLS
PIN: 64254-0314 (LT)

Applicant: POLOCORP INC.



Assessment #: 272513000214804

AM-2019-007