

Draft Zoning By-law Amendment

Schedule X

4257 Montrose Road

**THE CORPORATION**

**OF THE**

**CITY OF NIAGARA FALLS**

**BY-LAW NO. [REDACTED]**

A BY-LAW TO AMEND BY-LAW NO. 79-200, to regulate Twp Pt. Lot 80, Niagara Falls, Regional Municipality of Niagara

**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 repeal the zoning on the subject lands “Site-Specific Residential Apartment 5B Zone” (R5B-630) and to replace it with “Site-Specific Residential Low Density, Grouped Multiple Dwellings Zone” (R4-XX), to permit the lands to be developed in a manner that would otherwise be prohibited by that 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 provision of this by-law shall prevail.
3. Notwithstanding the provisions of By-law No. 79-200 to the contrary, the permitted uses and regulations of the R4 Zone shall apply, notwithstanding the additional provisions outlined below:

***Residential low density, grouped multiple dwellings zone (R4 Zone)***

<i>Minimum Front Yard Depth for a Townhouse Dwelling</i>	<i>5.05 metres</i>
<i>Minimum Rear Yard Depth for a townhouse dwelling</i>	<i>5.35 metres</i>
<i>Maximum Lot Coverage</i>	<i>45%</i>

<i>Minimum privacy yard depth for each townhouse dwelling unit, as measured from the exterior rear wall of every dwelling unit</i>	<i>6.70 metres</i>
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4. Notwithstanding Section 4.14(d) provisions of this By-law, subject to Section 4.27.1, a roofed-over one storey porch may project into a required front yard, rear yard or privacy yard of a block townhouse dwelling unit a distance of not more than 3.05 metres provided however that;
  - i) No enclosure of such porch, other than removable screens and storm sashes or awnings, shall be erected to a height of more than 1.0 metres above the floor of such porch, and
  - ii) In no event and subject to said Section 4.27.1 shall any part of such porch be closer than 1.5 metres from any street line
5. Notwithstanding Section 4.14(h) provisions of this By-law, subject to Section 4.27.1, a covered deck may project into a required front yard a distance of not more than 2.5 metres and into a required rear yard or privacy yard of a block townhouse dwelling unit a distance of not more than 4 metres and in no event, and subject to said Section 4.27.1, shall any part of such deck be closer than 1.5 metres from any street line and closer to the interior and exterior side lot lines than the minimum interior side yard and exterior side yard width of the specific zone.
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. No person shall use the Lands for a use that is not a permitted use.
8. No person shall use the Lands in a manner that is contrary to the regulations.
9. The provisions of this by-law shall be shown on **Sheet X** of Schedule "A" of By-law No. 79-200 by re-designating the Lands from R5B to **R4-\_\_\_\_\_**.
10. Section 19 of By-law No. 79-200 is amended by adding thereto:
  - 19.x.x Refer to By-law 2024-**\_\_\_\_\_**.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2024.

READ A FIRST, SECOND AND THIRD TIME THIS \_\_\_\_ DAY OF \_\_\_\_, 2024.

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MAYOR

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CITY CLERK

Draft