

## CITY OF NIAGARA FALLS

### **By-law No. 2024-002**

A by-law to amend By-law No. 79-200, to permit the use of the lands for the development of 9 townhouse dwelling units in 2 blocks, together with 3 detached dwellings (AM-2023-020).

#### **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 Lands shall be identified as two parcels, known as Parcels R4-1227 and R1E-1228.
3. 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.
4. 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.
5. The permitted uses shall be:
  - (a) For Parcel R4-1227:
    - (i) the uses permitted in a R4 zone
    - (ii) A detached dwelling, in accordance with the regulations contained in 7.9.2 and in 7.9.3 of By-law No. 79-200 for a townhouse dwelling.
  - (b) For Parcel R1E-1228, the uses permitted in the R1E zone
6. The regulations governing the permitted uses on Parcel R4-1227, shall be:
  - (a) Minimum rear yard depth for a dwelling
    - (i) along the lot line between points A and B, as shown on Schedule 1 2 metres
    - (ii) along the lot line between points C and D, as shown on Schedule 1 3 metres
    - (iii) for the remainder of the rear lot line 7.5 metres

- (b) Minimum interior side yard width for a dwelling
  - (i) along the lot line between points E and F, as shown on Schedule 1                      2.69 metres
  - (ii) along the lot line between points G and H, as shown on Schedule 1                      2 metres
  - (iii) for the remainder of the interior lot line    one-half the height of the building
- (c) The balance of the regulations specified for a R4 use.

7. The regulations governing the permitted uses on Parcel R1E-1228, shall be:

- (a) Minimum rear yard depth    7 metres
- (b) The balance of the regulations specified for the R1E use.

8. 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.

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

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

11. The provisions of this by-law shall be shown on Sheet B2 of Schedule "A" of By-law No. 79-200 by redesignating the Lands from R1A and numbered 383, in part and R1C and numbered 384, in part, to R4 and numbered 1227, in part, and R1E and numbered 1228, in part.

12. For the purposes of this By-law, none of the provisions of By-law No. 1995-146 shall continue to apply to Parcels R4-1227 and R1E-1228.

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

- 19.1.1227    Refer to By-law No. 2024-002
- 19.1.1228    Refer to By-law No. 2024-002

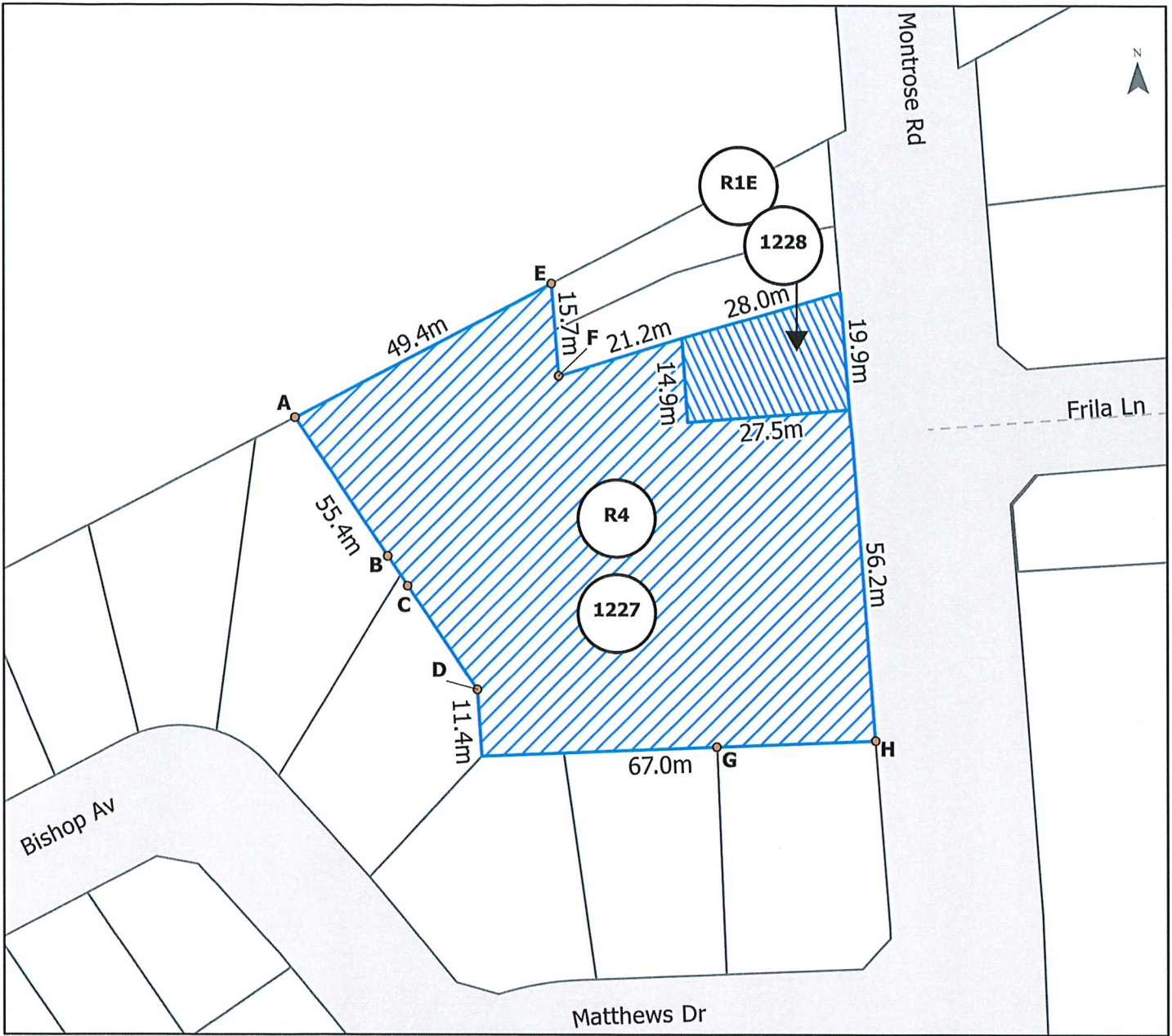
**Read a First, Second and Third time; passed, signed, and sealed in open Council this 16<sup>th</sup> day of January 2024.**

  
 .....  
 WILLIAM G. MATSON, CITY CLERK

  
 .....  
 JAMES M. DIODATI, MAYOR

# SCHEDULE 1 TO BY-LAW NO. 2024-002

Area Affected by this Amendment



**Amending Zoning By-law No. 79-200**

**Description:** PT LT 46 TWP STAMFORD, PT 11 59R9692, EXCEPT PTS 1,2, 4 59R13324; NIAGARA FALLS  
 PL LT 46 TWP STAMFORD, PT 2 59R13324; NIAGARA FALLS  
 PT LT 12 PL 59M262, PT 59R11975; CITY OF NIAGARA FALLS  
 PT LT 13 PL 59M262, PT 2 59R11975; NIAGARA FALLS  
 PIN : 64294-0294 (LT), 64294-0293 (LT), 64294-0286 (LT), 64292-0288(LT)

**Applicant:** 1000441695 ONTARIO INC.

**Assessment:** 272510000304650, 272510000362302