

CITY OF NIAGARA FALLS

By-law No. 2024-0XX

Comment [MC1]: The by-law will be going to Council in the New Year so I changed it to 2024

A by-law to amend By-law No. 79-200, to rezone the property from Deferred Tourist Commercial (DTC) to Site-specific Deferred Tourist Commercial. To permit a Vacation Rental Unit and to recognize several historical zoning deficiencies.

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 a DTC zone
(b)	A vacation rental unit within a dwelling unit, that complies with the regulations set out in section 4.38 of By-law No. 79-200
(c)	A minimum lot area of 274 m ² where 275 m ² is permitted.
(d)	A minimum lot frontage of 11.3m where 12m is permitted.
(e)	A minimum rear yard setback of 6.9 m where 7.5m is permitted.
(f)	A minimum side yard setback of 1.0m where 1.2m is permitted.

5. 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.
6. No person shall use the Lands for a use that is not a permitted use.
7. No person shall use the Lands in a manner that is contrary to the regulations.
8. The provisions of this by-law shall be shown on **Sheet C5** of Schedule "A" of By-law No. 79-200 by redesignating the Lands from R1C, in part, and R4, in part, to R2 and numbered 1222.
9. Section 19 of By-law No. 79-200 is amended by adding thereto:
19.1.1222 Refer to By-law No. 2024-0XX.

Comment [MC2]: To determine which sheet we have to look at [b79-200-consolidation-map-sheets-december-2022.pdf \(niagarafalls.ca\)](#) and see which map sheet the property is captured on. In this case it's shown on sheet C5

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

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WILLIAM G. MATSON, CITY CLERK

JAMES M. DIODATI, MAYOR