#### **CITY OF NIAGARA FALLS**

By-law No. 2024-XXX

A by-law to amend By-law No. 79-200, to regulate the McLeod Meadows plan of subdivision on the lands.

# 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 "A" of this by-law and shall be referred to in this by-law as the "Lands". Schedule "A" is a part of this by-law.
- 2. The Lands shall be identified as three parcels, known as Part 1 R3-XXXX, Part 2 OS-XXXX, and Part 3 EPA-XXXX.
- 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 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 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 Part 1, R3-XXXX,
    - (i) The uses permitted in a R3 Zone
    - (ii) A back-to-back townhouse dwelling
  - (b) For Part 3, EPA-XXXX,
    - (i) The uses permitted in an EPA Zone
    - (ii) Stormwater management facility
    - (iii) Public services including walkways but excluding clause 4.4 d) of Bylaw 79-200
  - (c) For the lands zoned OS-XXXX, the only permitted use is a recreational use and accessory buildings and structures thereto. Residential dwelling units are prohibited.
- 6. The regulations governing the permitted uses Part 1 R3-XXXX shall be:

# (a) Minimum lot area:

i.	For a detached dwelling:	300 square metres
ii.	For an on-street townhouse	180 square metres for each dwelling
	dwelling unit:	-
iii.	For a back-to-back townhouse	110 square metres for each dwelling
	dwelling unit:	-

### (b) Minimum lot frontage:

i.	For a detached dwelling on an interior lot:	10 metres
ii.	For a detached dwelling on a corner lot:	12 metres
iii.	For an on-street townhouse dwelling:	6 metres per unit
iv.	For a back-to-back townhouse dwelling unit	6 metres per unit

# (c) Minimum front yard depth:

i.	For a detached dwelling, on- street townhouse dwelling, or back-to-back townhouse dwelling, save and except for an on-street townhouse dwelling fronting on McLeod Road or Beechwood Road:	4.5 metres
ii.	For a private garage with driveway access from the front yard save and except for an onstreet townhouse dwelling fronting on McLeod Road or Beechwood Road:	6 metres
iii.	For an on-street townhouse dwelling fronting McLeod Road or Beechwood Road:	3.0 metres  The front elevation of the dwelling must be oriented towards McLeod Road or Beechwood Road

# (d) Minimum rear yard depth:

i.	For a detached dwelling:	7 metres
ii.	For an on-street townhouse	7 metres
	dwelling:	

iii.	For an on-street townhouse dwelling fronting on McLeod Road or Beechwood Road:	6 metres
iv.	For a back-to-back townhouse dwelling:	0 metres

(e) Minimum interior side yard width:

i.	For a detached dwelling with a height of less than 2 storeys:	0.9 metres
		10 t
ii.	For a detached dwelling with a	1.2 metres
	height of greater than 2 storeys:	
iii.	For an on-street townhouse	1.2 metres
	dwelling:	
iv.	For a back-to-back townhouse	1.2 metres
	dwelling:	

(f) Minimum exterior side yard width 3 metres

(g) Maximum lot coverage Not applicable

(h) Maximum driveway width for an on-street townhouse dwelling unit save and except for an on-street townhouse dwelling fronting on McLeod Road or Beechwood Road

70% of the lot frontage

(i) Maximum driveway width for an on-street townhouse dwelling unit fronting on McLeod Road or Beechwood Road

Not applicable

(j) Vehicular access to an accessory building or structure that will function as a garage and location of a driveway for an on-street townhouse dwelling fronting McLeod Road or Beechwood Road Vehicle access shall not be provided from McLeod Road or Beechwood Road

(k) Maximum building height

12 m

(I) In addition to Section 4.45.4 (a), the following shall apply: Common detached accessory buildings or structures containing an additional dwelling unit may be centred on the mutual lot line if erected simultaneously on two abutting lots.

- (m) Notwithstanding Section 4.45.4 (d), the following shall apply: the maximum height of an accessory building or structure containing an additional dwelling unit shall be 9 metres.
- (n) Notwithstanding 4.13.2, minimum yard depths shall be provided in accordance with site-specific requirements for R3-XXXX.
- (o) The balance of regulations specified for a R3 use. Back-to-back townhouse dwellings will be subject to requirements for on-street townhouse dwellings, except where site-specific requirements are provided.
- 7. The regulations governing the permitted uses Part 3 EPA-XXXX shall be the regulations for an EPA use.
- 8. The regulations governing the permitted uses Part 2 OS-XXXX shall be:

(a) Minimum lot frontage Not applicable

(b) Minimum lot area Not applicable

- (c) The balance of regulations specified for an OS use.
- 9. 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.
- 10. For the purposes of this By-law:

"Back-to-Back Townhouse Dwelling" means a townhouse dwelling that contains dwelling units divided vertically from each other by common side walls and common rear walls.

- 11. No person shall use the Lands for a use that is not a permitted use.
- 12. No person shall use the Lands in a manner that is contrary to the regulations.
- 13. The provisions of this by-law shall be shown on Sheets A6 of Schedule "A" of Bylaw No. 79-200 by redesignating the Lands from LI, in part, HL, in part, and DH, in part to designated R3 and numbered XXXX, OS and numbered XXXX, and EPA and numbered XXXX.
- 14. Section 19 of By-law No. 79-200 is amended by adding thereto:
  - 19.1.XXXX Refer to By-law No. 2024-XXX.
  - 19.1.XXXX Refer to By-law No. 2024-XXX.

19.1.XXXX Refer to By-law No. 2024-XXX.

15. That By-law No. 2023-078 is repealed in its entirety.

Read a First, Second and Third time; pa	ssed, signed and sealed in open Council
this, 202X.	
WILLIAM G. MATSON, CITY CLERK	JAMES M. DIODATI, MAYOR