

Appendix E – City of Niagara Falls Draft Official Plan Amendment

PART 2 - BODY OF THE AMENDMENT

All parts of this document consisting of the following text entitled PART 2 – BODY OF THE AMENDMENT, and attached map constitute Amendment No. XX to the Official Plan of the City of Niagara Falls

DETAILS OF THE AMENDMENT

The Official Plan of the City of Niagara Falls is hereby amended as follows:

1. MAP CHANGE

Schedule “A” to the Official Plan - Future Land Use, is hereby amended by redesignating the lands identified on Map 1 attached hereto, and forming part of the amendment, as Residential Special Policy Area “YY”.

2. TEXT CHANGE

PART 2, SECTION 13 – SPECIAL POLICY AREAS is hereby amended by adding the following subsection:

13.YY SPECIAL POLICY AREA “YY”

Special Policy Area “YY” applies to 0.1158 hectares of land on the north side of Ontario Avenue, being comprised of Lots 15 to 16 of Registered Plan No.328 of the City of Niagara Falls. Notwithstanding Policy 1.10.5(ii) of the Official Plan for the City of Niagara Falls, the maximum density for an apartment dwelling shall be 191 units per hectare on Lot 15 and 121 units per hectare on Lot 16.

SCHEDULE A TO OFFICIAL PLAN AMENDMENT



Residential Special Policy Area "YY"

Appendix F – City of Niagara Falls Draft Zoning By-law Amendment

**CITY OF NIAGARA FALLS
BY-LAW NO. 2022-XX**

A BY-LAW TO AMEND BY-LAW NO. 79-200, TO REZONE THE LANDS TO RESIDENTIAL APARTMENT 5B DENSITY (R5B-XXXX) AND (R5B-YYYY) SITE SPECIFIC ZONE

**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 as 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 R5B-XXXX, and R5B-YYYY.
3. The purpose of this by-law is to amend the provisions of By-law 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 for Parcels identified as R5B-XXXX, and R5B-YYYY shall be the uses permitted in the R5B Zone.
6. The regulations governing the permitted uses on Parcel R5B-XXX shall be:
 - (a) Minimum Lot Area 52 m² for each dwelling unit
 - (b) Minimum Lot Frontage 15 metres
 - (c) Minimum Front Yard Depth 6.0 metres
 - (d) Minimum Interior Side Yard Depth
 - (i) Between points A & B
 - From lot line to building: 4.5 metres
 - From lot line to unenclosed staircase and landing: 2.2 metres
 - (ii) Between points C & D 1.5 metres
 - (e) Minimum Landscaped Open Area 19%
 - (f) Minimum Amenity Area Per Unit 8.0 m² per dwelling unit

7. The regulations governing the permitted uses on Parcel R5B-YYYY shall be:

- | | | |
|-----|----------------------------------|-------------|
| (a) | Minimum Lot Area | As existing |
| (b) | Minimum Lot Frontage | As existing |
| (c) | Minimum Front Yard Depth | As existing |
| (d) | Minimum Interior Side Yard Depth | As existing |
| (e) | Minimum Landscaped Open Area | 19% |
| (f) | Minimum Amenity Area Per Unit | As existing |

8. The regulation governing the permitted uses on Parcel R5B-XXXX and R5B-YYYY shall be:

Notwithstanding provision of Section 4.19.1 of the City of Niagara Falls Zoning By-law, 0.94 parking spaces shall be required for each dwelling containing 3 or more dwelling units. In lieu of the requirement to maintain the required number of parking spaces on the same lot occupied by such building or structure, the required number of parking spaces is required to be maintained on the summation of lands identified in Schedule 1 to this Zoning By-law.

9. All other applicable regulations set out in By-law No.79-200 shall continue to apply to govern the permitted uses of the Lands.

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

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

12. The provisions of this By-law shall be shown on Sheet D4 of Schedule "A" of By-law No.79-200 by redesignating the Lands from R2 to R5B-XXXX and R5B-YYYY.

**Read a first, second and third time; passed, signed, and sealed in open Council
this _____ DAY OF _____, 2024.**

CITY CLERK

JAMES M. DIODATI, MAYOR

SCHEDULE B TO ZONING BY-LAW AMENDMENT



**Rezone from R2 to Site Specific R5B-XX Zone
and Site Specific R5B-YY Zone**