

Appendix A

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 B of this by-law and shall be referred to in this by-law as the "Lands". Schedule B 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
 - ii. Between points C & D 1.5 metres

- (e) Minimum Landscaped Open Area 27.5%
- (f) Minimum Amenity Area Per Unit 8.0 m² per dwelling unit

- Notwithstanding Section 4.14 of the City of Niagara Falls Zoning By-law, a deck may project 2.4 meters into the interior side yard between points A and B as identified in Schedule B to this By-law, provided it is set back at least 2.2 meters from the same lot line.

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 23%
- (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 the 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 B to this Zoning By-law.
- Notwithstanding the provision of Section 4.19.1 of the City of Niagara Falls Zoning By-law, the perpendicular width of each standard parking space shall be not less than 2.70 metres.
- Notwithstanding "Column 3" of Table 2 in Section 4.19.1 of the City of Niagara Falls Zoning By-law, the minimum manoeuvring aisle width for parking spaces angled between 60 and 90 degrees shall be 6.0 metres.

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**