

Draft Zoning By-law Amendment

Schedule X

4965-4981 Stanley Avenue and 5516 Morden Drive

THE CORPORATION

OF THE

CITY OF NIAGARA FALLS

BY-LAW NO.

A BY-LAW TO AMEND BY-LAW NO. 79-200, to regulate Lots 93 to 98 and Part of Lot 99, Registered Plan 75, City of Niagara Falls, Regional Municipality of Niagara

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 zoning on the subject lands from “Neighbourhood Commercial (NC)” and “Residential 1C” (R1C) to Site-Specific Residential Apartment (R5F-X), to permit the lands to be developed 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 provision of this by-law are to prevail.
3. The subject lands currently consist of four (4) lots which are intended to be consolidated under one Property Identification Number (PIN) prior to development. Accordingly, the zoning provisions of the R5F-X zone are to be applied to the subject lands as if they are one (1) Lot. Consistent with this approach, the required Yards are defined as follows:
 - Front Yard – Stanley Avenue
 - Exterior Side Yard – Morden Drive
 - Exterior Side Yard – Arthur Street
 - Rear Yard – Property Line Abutting 5526 Morden Drive
 - Interior Side Yard – Property Line Abutting 5517 Arthur Street

4. Notwithstanding uses permitted under 7.10.1, the following provisions shall also be permitted:

"The Uses Listed in This Section Are Permitted, Provided That Such Uses Are Located Entirely on the Ground Floor."

PERMITTED USES 1:

- a) Bake shop
- b) Bank, trust company, credit union, currency exchange (2002-061)
- c) Clinic
- d) Community Building
- e) Library
- f) Office
- g) Personal service shop
- h) Restaurant
- i) Retail store
- j) Service shop
- k) Animal clinic
- l) Day nursery
- m) Health centre
- n) Outdoor patio which is an accessory use to a restaurant, in accordance with section 4.25A

1Uses Permitted Provided That Such Uses Are Located Entirely on the Ground Floor."

5. Notwithstanding the Regulations of Section 7.10.1 of the Zoning By-law that the following provisions shall be applicable:

Residential Apartment 5F Zone (R5F- X)

Minimum Front Yard Setback	1.8 metres
Minimum Exterior Side Yard Setback (Morden Drive)	7.2 metres
Minimum Exterior Side Yard Setback (Arthur Street)	5.96 metres
Minimum Rear Yard Setback	17 metres
Minimum Interior Side Yard	21 metres

Setback

Parking and Access Requirements *1.15 spaces per unit for an Apartment*

Dwelling

Minimum Landscaped Open Space *21%*

Maximum Lot Coverage *44%*

6. Notwithstanding the requirements of Section 4.14 that the following encroachments be permitted:
 - a) *open balconies not covered by a roof or canopy or at grade patios may project into any required front yard to the lot line, and into any required yard a distance of not more than 2.0 metres.*
 - b) *That any awnings associated with building entrances or patios may project to the front lot lines, and into any required side yard a distance of not more than 2.0 metres.*
7. Notwithstanding Section 4.14.2, the defined yards shall be:
 - i. Front Yard – Stanley Avenue
 - ii. Exterior Side Yard – Morden Drive
 - iii. Exterior Side Yard – Arthur Street
 - iv. Rear Yard – Property Line Abutting 5526 Morden Drive
 - v. Interior Side Yard – Property Line Abutting 5517 Arthur Street
8. Notwithstanding Section 4.14 and 4.25A, an outdoor patio may encroach in any required front yard to the lot line.
9. Notwithstanding Section 4.39, a minimum of 0.34 bicycle parking spaces per dwelling unit will be required
10. Notwithstanding Section 4.44.1, a minimum amenity area of 1,455 square metres shall be provided (19.93 square metres per dwelling unit).
11. Notwithstanding Section 4.19.1, Table 2, the minimum perpendicular width of a maneuvering aisle may be less than 6.9 metres to a minimum of 6.3 metres, provided it is not a fire route and not a primary access point.

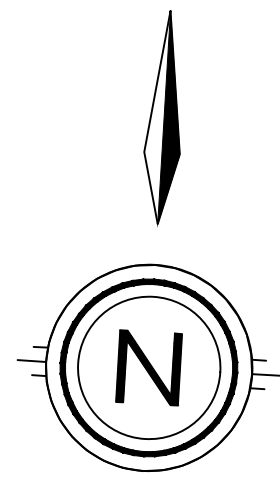
12. All other applicable regulations set out in By-law No. 79-200 shall continue to apply to govern the permitted uses on the lands, with all necessary changes in detail.
13. No person shall use the Lands for a use that is not a permitted use.
14. No person shall use the Lands in a manner that is contrary to the regulations.
15. The provisions of this by-law shall be shown on Sheet B6 of Schedule “A” of By-law No. 79-200 by re-designating the Lands from R1C and NC to R5A-_____.

Passed this _____ day of _____, 2024.

READ A FIRST, SECOND AND THIRD TIME THIS _____ DAY OF _____, 2024.

MAYOR

CITY CLERK



EXISTING OPEN SPACE ZONE

MORDEN DRIVE

KINGSTON AVENUE

EXISTING RESIDENTIAL 1C ZONE

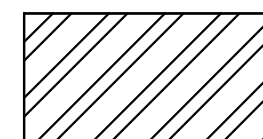
STANLEY AVENUE

EXISTING RESIDENTIAL 1C ZONE

ARTHUR STREET

EXISTING RESIDENTIAL 1C ZONE

LEGEND



PART 1 - ZONING: NEIGHBOURHOOD COMMERCIAL (NC) AND
RESIDENTIAL 1C (RC1) TO SITE-SPECIFIC RESIDENTIAL
APARTMENT (R5F-X)

4965-4981 STANLEY AVENUE AND 5561 MORDEN DRIVE
SCHEDULE 1 TO ZONING BY-LAW AMENDMENT No. 79-200

MAYOR: _____

CLERK: _____

