

Planning Justification Report

ADDENDUM

Lyons Narrows

Niagara Falls, ON

February 2022

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UCC File No. 17105

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PREFACE

Upper Canada Consultants respectfully submits this Addendum to the Planning Justification Report prepared by Upper Canada Consultants, dated July 2021 in relation to an application for Zoning By-law Amendment by 2610823 Ontario Inc.

The intent of the submitted Zoning By-law Amendment is to implement the policy direction and land uses proposed through Official Plan Amendment AM-2021-016.

A site-specific Residential Mixed Zone (R3-X) is proposed for the majority of the subject lands (known herein as “Lyons Narrows”), along with Neighbourhood Commercial (NC) Zoning for the Minor Commercial Area at the corner of Stanley Avenue and Lyons Creek Road, and Environmental Protection Area (EP) zoning for evaluated natural heritage features. Institutional and Public Parkland uses are also proposed for inclusion in all zones as valuable elements of the community.

The original Planning Justification Report was prepared specifically in relation to the Official Plan Amendment application (AM-2021-016) but contained a fulsome policy analysis pertaining to the overall development of the subject lands, the Official Plan Amendment as well as subsequently required Planning Act applications (i.e. zoning, draft plan of subdivision)

This report should be read in conjunction with the original Planning Justification Report, as together they provide justification for both the Official Plan and Zoning By-law Amendment. This report additionally provides a specific overview of the intent and purpose of the proposed zoning amendment, implementation strategy and relationship to Urban Design Guidelines.

OFFICIAL PLAN AMENDMENT AM-2021-016

An application for Official Plan Amendment (City File No. AM-2021-016) was submitted to the City of Niagara by the owner/applicant 2610823 Ontario Inc., on July 11, 2021. Additional materials were submitted to the City on November 4, 2021, and the application was deemed complete on December 13, 2021.

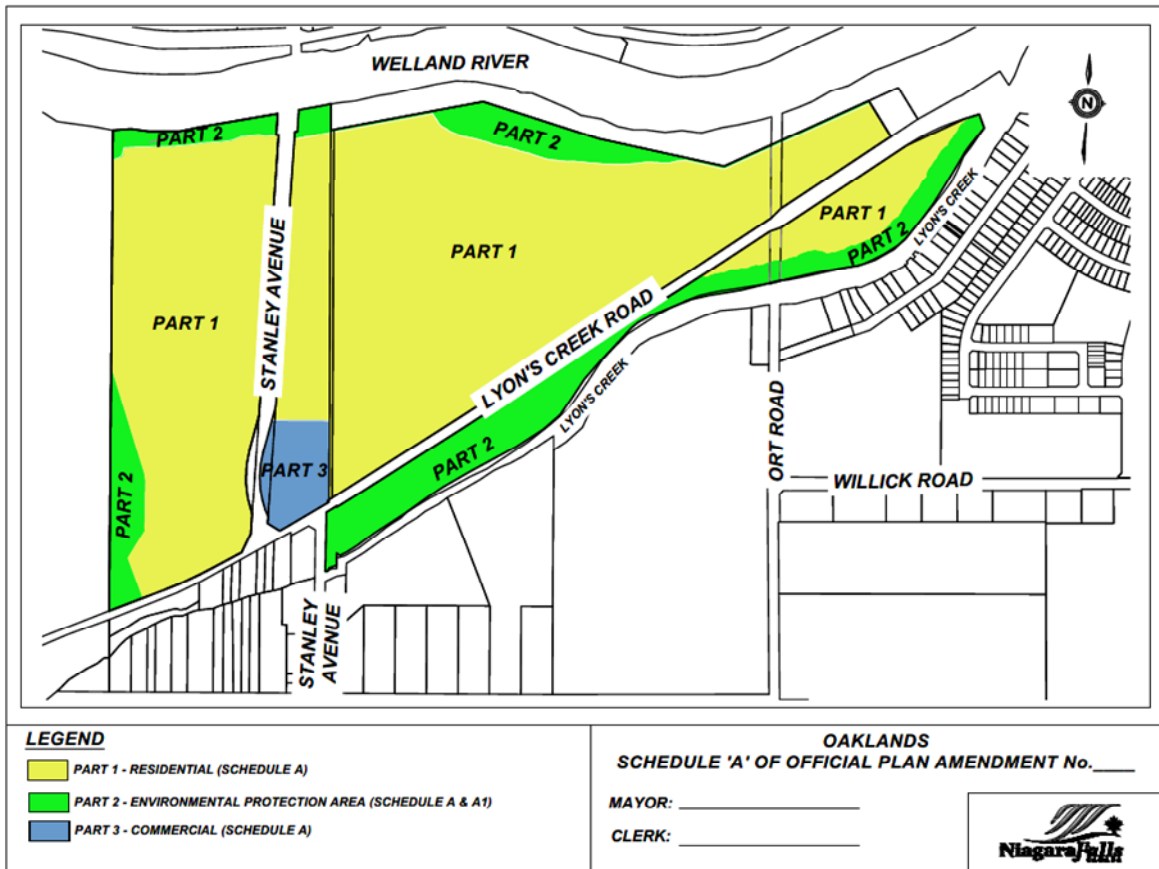


Figure 1 - Official Plan Amendment Schedule - AM-2021-016

As show above in **Figure 1**, the proposed Official Plan Amendment seeks to implement a Residential Land Use designation over the majority of the property. Part 3 (shown in Blue), represents a dedicated Commercial development location. Part 2 (shown in Green) aligns with the limits of evaluated Natural Heritage features, as per an Environmental Impact Study completed by Colville Consulting Inc.

It is intended that the submitted Zoning By-law Amendment be considered concurrently with the Official Plan Amendment to establish land use planning permissions for Lyons Narrows. Once in place, the owner or a developer may undertake Draft Plan of Subdivision or similar land division processes to create a development fabric on the subject lands.

CITY OF NIAGARA FALLS ZONING BY-LAW (By-law No. 395 Willoughby)

As shown on **Figure 2**, below, the subject lands are currently zoned as Tourist Commercial, Industrial, and Conservation - Open Space in City of Niagara Falls Zoning By-law No. 395 - Willoughby.

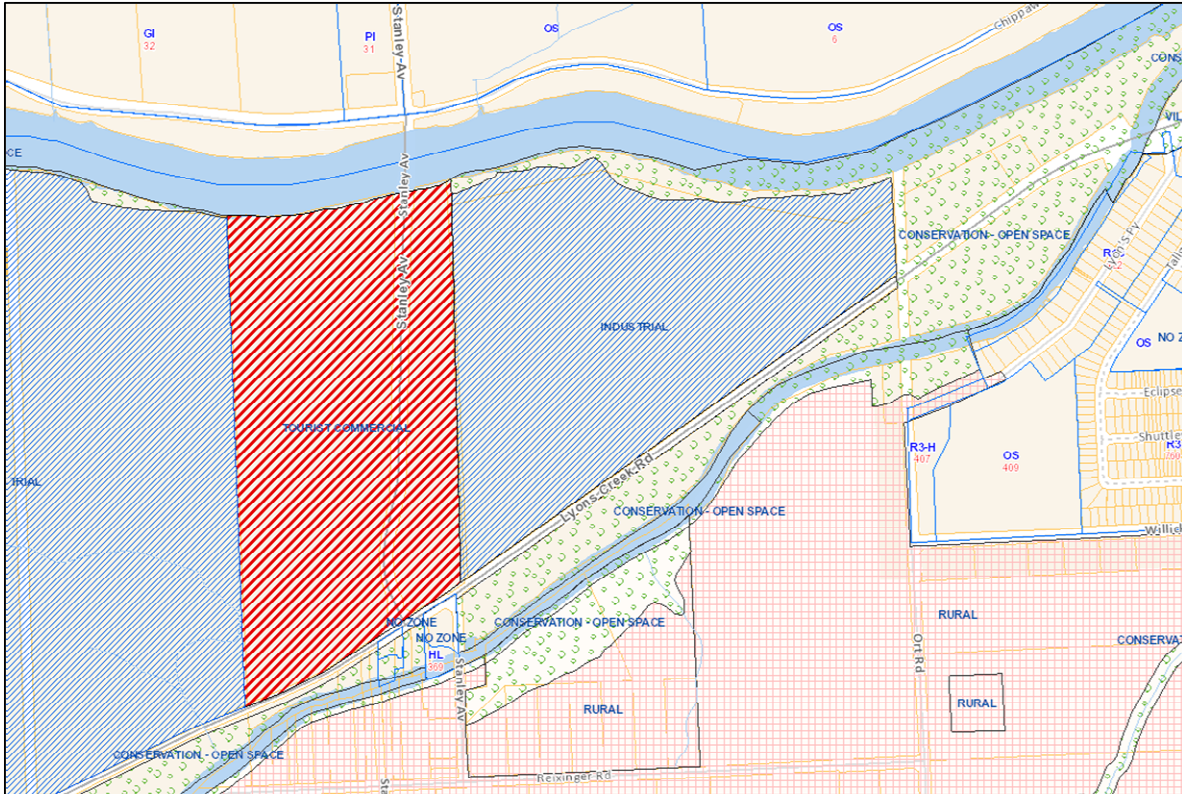


Figure 2 - Zoning By-law 395 Willoughby

The current zoning does not conform with the land use designations proposed through the Official Plan Amendment (i.e. Residential, Minor Commercial, Environmental Protection Area), and must be amended to ensure consistency with the proposed Official Plan designations.

Based on the conclusions and recommendations provided within the professional studies that were completed in relation to the Official Plan Amendment, which include an Environmental Impact Study, Environmental Site Assessments and a Land Use Compatibility Study, the majority of the property has been determined to be fit for residential and minor commercial development. Areas that are physically encumbered, such as floodplains, wetlands and woodlands will all be zoned under an Environmental Protection Zone to clearly delineate development boundaries, that coincide with the EPA designation proposed through the Official Plan Amendment.

PROPOSED ZONING BY-LAW AMENDMENT

The proposed Zoning Amendment for the subject lands takes a more holistic, and less Euclidian approach to managing development and growth than typical site-specific zoning amendments.

In conformity with the Official Plan Amendment, the proposed zoning (shown in **Figure 3** below) seeks to implement site specific Residential Mixed Zone (R3-X), Neighbourhood Commercial and Environmental Protection Area (EPA) zones for Lyons Narrows.

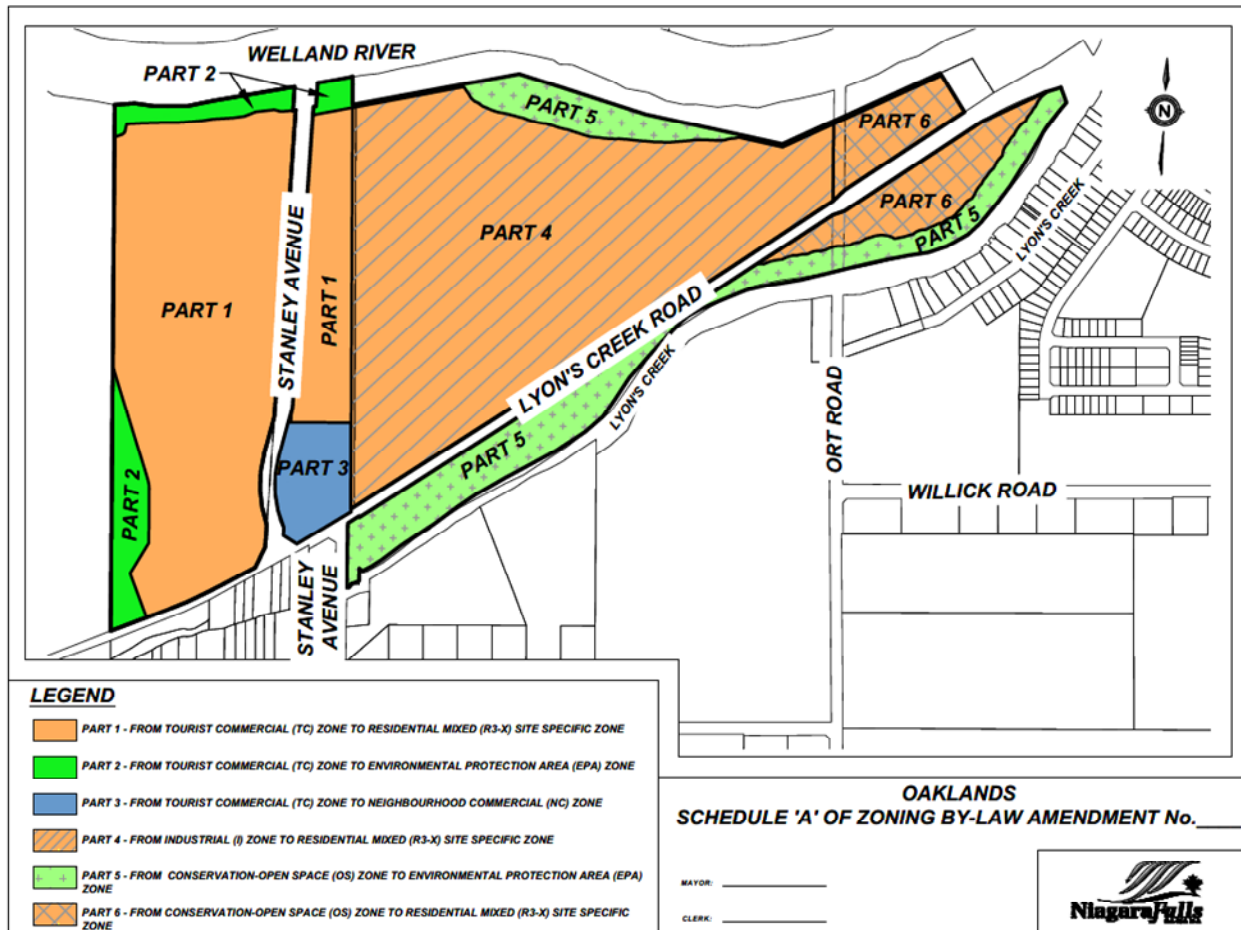


Figure 3 - Proposed Zoning By-law Amendment Schedule

The Zoning approach put forth is inclusive of several compatible and interrelated land uses that function well with one another, and are typical of large urban neighbourhoods. Through this approach, developers will be required to establish and identify lotting patterns, priority lots and site and building designs that satisfy zoning requirements, and have due regard for the applicable Lyons Narrows Urban Design Guidelines submitted with the application.

This zoning approach will provide more opportunity for unique urban and architectural designs, a mix of dwelling types and housing prices, and higher quality public spaces within the development area.

Residential

The Residential designation proposed through Official Plan Amendment AM-2021-016 permits all forms of residential dwellings. Due to the large scale of the subject lands and frontage along Regional roads, a mix of low, medium and high-rise dwelling types are contemplated throughout the entirety of the neighbourhood.

The preferred residential dwellings types for Lyons Narrows include:

- Single Detached Dwellings;
- Semi-detached Dwellings;
- On-Street Townhomes;
- Block Townhomes; *and*
- Apartment Dwellings.

The majority of the subject lands are envisioned to contain low density residential land uses such as single detached dwellings, semi-detached dwellings and on-street townhomes. These forms of housing are consistent with those found in the Village of Chippawa and within recent developments in the area such as Lyons Creek Estates. Low rise residential uses are recommended to be developed on the west side of Stanley Avenue and in the main, Central Neighbourhood portion of the lands coinciding with the location of the former Golf Course.

Duplex, Triplex and Quadraplex dwellings have not been included as permitted uses for this development. Although these dwelling forms can be beneficial in assisting with the achievement of housing objectives and density targets, they are typically established through the conversion of detached dwellings rather than through new construction. In stand-alone instances these dwelling forms often require dedicated parking areas or parking lots and have an architectural form that stands out and can distract from the character of an area. The development of these forms of dwellings is considered to be best considered through a site-specific Zoning By-law Amendment to ensure design compatibility.

In addition to the permitted low-rise dwelling types, Block Townhomes and Apartment Dwellings are also proposed to be permitted within Lyons Narrows. Block Townhouses and Apartment are not permitted as of right in R3 Zone, however, they are proposed to be included as permitted uses, subject to a modified version of the criteria for each use found in the R4 Grouped Multiple Dwellings Zone regulations contained in City Zoning By-law 79-200.

Block Townhomes are anticipated to be provided within private road developments (i.e. condominium) sites. The lands on the east end, south of Lyons Creek road (referred to the Lyons Creek Enclave in the Urban Design Guidelines) are anticipated to be developed in this manner.

Apartment dwellings are anticipated to be developed along Stanley Avenue and along the waterfront at the far east end of the subject lands. Apartments along main streets or large blocks of land like the Lyons Creek Enclave are also acceptable.

Although the inclusion of medium-rise and high-rise dwellings within the R3 Zone is not typical, the required Site Plan Approval process and Urban Design Guidelines for Lyons Narrows will direct larger, multi-unit developments to appropriate and compatible locations within Lyons Narrows.

Commercial Uses

Neighbourhood scaled Commercial Uses support the day to day activities within neighbourhoods.

The strategy for providing commercial uses within Lyons Narrows is two-fold, with the first approach being a dedicated area for commercial uses at the corner of Stanley Avenue and Lyons Creek Road to support the neighbourhoods day to day functions. The second approach is to provide zoning provisions that facilitate mixed use development within multiple residential buildings (i.e. apartments)

Neighbourhood Commercial Block

A base Neighbourhood Commercial (NC) Zone is proposed for the portion of the subject lands to be designated as Minor Commercial in the Official Plan Amendment. The NC Zone permits the following land uses:

- Bake Shop
- Bank
- Clinic
- Library
- Office
- Personal Service shop
- Restaurant
- Retail store
- Service shop
- Animal clinic
- Dwelling units
- Day nursery
- Health Centre

The above notes uses are common within established neighbourhoods in the City and support the typical day to day functions of a community. Currently, the Village of Chippawa is the only location for commercial services within this area of Niagara Falls. Recently, there has been residential growth occurring within Chippawa in developments such as Legends on the Green, Lyons Creek Estates and other infilling and redevelopment sites. Commercial development has not occurred at the same rate. If Lyons Narrows were to be developed, additional services would be required to support the population. By creating a small-scale commercial node within the development that is within convenient walking distance, traffic impacts to the village would be tempered.

Overall, the proposed NC Zone will permit small scale forms of commercial development that are generally compatible with residential development and do not generate significant volumes of traffic.

Mixed Use Residential and Commercial

In addition to the proposed stand-alone commercial zoning for the corner of Lyons Creek Road and Stanley Avenue, the proposed Zoning By-law Amendment will permit smaller scale commercial uses on the main floor of apartment dwellings so as to achieve a mixed-use function. The proposed zoning provision will for this require that a minimum of 50% of the ground floor is commercial, if pursued.

The applicable Urban Design Guidelines will ensure that commercial uses provide architectural and urban design excellence along roadways, screen parking areas, are conveniently accessible by multiple modes of transportation and are located in the most compatible locations with the highest levels of exposure.

Institutional Uses

Institutional uses are valuable to neighbourhoods and play a significant role in the daily lives of residents.

Traditional approaches to Zoning for Institutional land uses was to make them a “use permitted in all Zones”. This approach can be seen in many established neighbourhoods in the form of places of worship and community halls on the street corners or mid-block. This older approach is considered more favourable to the method currently employed in the City’s zoning by-law, as it allows for the establishment of Institutional uses to occur organically and in proximity to those persons or groups who may require them. Under the City’s current Euclidian style Zoning By-law lands for institutional uses are specifically identified on a property by property basis for with no guarantee that supportive land uses or populations would occur or grow around them.

The traditional approach of permitted institutional uses in all Zones is beneficial for Lyons Narrows due to the changing demographics of communities in Niagara which can sometime require more community or institutional based developments to meet day to day needs (i.e. mosque, daycare, assisted living, etc.)

Institutional uses are sensitive land uses that pair well with residential development, and typically have no land use impacts. As new institutional uses would be subject to Site Plan review and/or lot creation applications, ample opportunities are provided to the municipality and public to review the design and investigate potential impacts (i.e. traffic, parking, massing, etc.)

Parks and Trails

As set out in Section 4.4.2 of the general provisions of Zoning Bylaw 79-200; *“Nothing in this By-law shall apply to prevent the use of any land or the erection and use of any building or structure for the purpose of a public park.”*

Accordingly, site-specific zoning provisions are not required for parkland. Instead, the policies of the Official Plan together with the Urban Design Guidelines indicate the type and scale of parkland that must be provided within Lyons Narrows.

As municipal staff and Council will be responsible for the review and approval of future plans of Subdivision, there is a level of control established that allows the municipality to work with the developer to design and locate the park within the development area.

Land Use Compatibility (Provincial D6 Guidelines)

Compatibility between sensitive and obnoxious land uses is evaluated through the use of the Provincial D-series Guidelines, specifically Guideline D-6. To ensure compatibility, impacts such as noise, odour, dust, etc. are to be reviewed by qualified professionals through the planning and development process. A review of these guidelines is understood to be occurring at the Provincial level, however, but no new guidelines have been put into force and effect.

A comprehensive Land Use Compatibility Study prepared by RWDI Air Inc. was submitted with the Official Plan Amendment application. As outlined in that report, as well as the Planning Justification Report (dated July 2021), field study has confirmed that all adjacent obnoxious land uses (in this case, industrial uses in the Stanley Avenue Business Park) are located outside of the prescribed areas of influence. Additionally, those uses were determined to have no impact on any future development.

Accordingly, the proposed zoning is appropriate for the subject lands and the prescribed land uses therein will not be encumbered by any adjacent obnoxious land uses.

Performance Criteria

As the City's Zoning By-law has not been updated recently, the site-specific amendment seeks to refine some performance criteria to more modern, or typical standards found in recent, comparably scaled developments such as Warren Woods, Forestview Estates and Splendour.

In addition to the Draft Zoning By-law Amendment (**Appendix I**), Zoning Charts are provided on the following pages showing the specific provisions that requested and how the provisions deviate from the existing base provisions of the typical zone.

TABLE 1: ZONING COMPLIANCE TABLE – SINGLE DETACHED DWELLINGS

The provisions for Single Detached Dwellings are derived from the R3 Residential Mixed Zone.

Section 7.8.2 Regulations for Detached Dwellings	REQUIRED	PROPOSED
(a) Minimum Lot Area	370 square metres	225 square metres
(b) Minimum Lot Frontage	12 metres for an interior lot. 15 metres for an exterior lot.	8.2 metres for an interior lot and 10 metres for a corner lot
(c) Minimum Front Yard Depth	6 metres plus any applicable distance specified in section 4.27.1	4.5 metres to a dwelling and 6.0 metres to a garage.
(d) Minimum Rear Yard Depth	7.5 metres plus any applicable distance specific in Section 4.27.1	7.0 metres

Section 7.8.2 Regulations for Detached Dwellings	REQUIRED	PROPOSED
(e) Minimum Interior Side Yard Setback	1.2 metres	1.2 metres on one side, and 0.6 metres on the other side.
(f) Minimum Exterior Side Yard Setback	4.5 metres plus any applicable distance specified in Section 4.27.1	2.4 metres
(g) Maximum Lot Coverage	45 %	Not Applicable.
(h) Maximum Height of a Building of Structure	10 metres, subject to Section 4.7	12.5 metres, subject to Section 4.7.
(i) Deleted by By-law No 2011.136	-	-
(j) Number of Dwellings on One Lot.	1 only.	1 only, unless under Condominium Tenure.
(k) Parking and Access Requirements	In accordance with Section 4.19.1.	In accordance with Section 4.19.1.
(l) Accessory Buildings and Accessory Structures	In accordance with Section 4.13 and 4.14.	In accordance with Section 4.13 and 4.14.
(m) Minimum Landscaped Open Space	30% of the lot area.	25% of the lot area.
NEW Maximum Covered/Uncovered	-	1.5 metres into a required front or exterior yard. 3.0 metres into a rear yard, or no more than 1.5 metres from the lot line.

Section 7.8.2 Regulations for Detached Dwellings	REQUIRED	PROPOSED
Porch/Balcony Projection		
NEW Maximum Driveway or Parking Area Width	-	60% of the Lot Area

TABLE 2: ZONING COMPLIANCE TABLE – SEMI-DETACHED DWELLINGS

The provisions for Sem-detached Dwellings are derived from the R3 Residential Mixed Zone.

Section 7.8.2 Regulations for Detached Dwellings	REQUIRED	PROPOSED
(a) Minimum Lot Area	600 square metres	450 square metres, or 225 square metres per dwelling unit.
(b) Minimum Lot Frontage	18 metres for an interior lot 20 metres for an exterior lot	15 metres or 7.5 metres per dwelling unit for Interior Lots 17.5 metres or 8.5 metres per dwelling for exterior lots.
(c) Minimum Front Yard Depth	6 metres plus any applicable distance specified in section 4.27.1	4.5 metre to a dwelling and 6.0 metres to a garage.
(d) Minimum Rear Yard Depth	7.5 metres plus any applicable distance specific in Section 4.27.1	7.0 metres

Section 7.8.2 Regulations for Detached Dwellings	REQUIRED	PROPOSED
(e) Minimum Interior Side Yard Setback	1.2 metres	1.2 metres on one side and 0.6 metres on the other side.
(f) Minimum Exterior Side Yard Setback	4.5 metres plus any applicable distance specified in Section 4.27.1	2.4 metres
(g) Maximum Lot Coverage	45 %	Not Applicable.
(h) Maximum Height of a Building of Structure	10 metres, subject to Section 4.7	12.5 metres, subject to Section 4.7.
(i) Deleted by By-law No 2011.136	-	-
(j) Number of Dwellings on One Lot.	1 only.	1 only, unless under Condominium Tenure.
(k) Parking and Access Requirements	In accordance with Section 4.19.1.	In accordance with Section 4.19.1.
(l) Accessory Buildings and Accessory Structures	In accordance with Section 4.13 and 4.14	In accordance with Section 4.13 and 4.14
(m) Minimum Landscaped Open Space	30% of the lot area.	25% of the lot area.
NEW Maximum Covered/Uncovered	-	1.5 metres into a required front or exterior yard. 3.0 metres into a rear yard, or no more than 1.5 metres from the lot line.

Section 7.8.2 Regulations for Detached Dwellings	REQUIRED	PROPOSED
Porch/Balcony Projection		
NEW Maximum Driveway or Parking Area Width	-	60% of the Lot Area

TABLE 3: ZONING COMPLIANCE TABLE – ON-STREET TOWNHOUSE DWELLINGS

The provisions for Street Townhouse dwellings are derived from the R3 Residential Mixed Zone.

Section 7.8.2 Regulations for Detached Dwellings	REQUIRED	PROPOSED
(a) Minimum Lot Area	200 square metres	165 square metres
(b) Minimum Lot Frontage	6.5 metres for each dwelling unit.	6.0 metres for each dwelling unit.
(c) Minimum Front Yard Depth	6 metres plus any applicable distance specified in section 4.27.1	4.5 metre to a dwelling and 6.0 metres to a garage.
(d) Minimum Rear Yard Depth	7.5 metres plus any applicable distance specific in Section 4.27.1	7.0 metres

Section 7.8.2 Regulations for Detached Dwellings	REQUIRED	PROPOSED
(e) Minimum Interior Side Yard Setback	3 metres	0.0 metres along demising walls and 1.2 metres for end units.
(f) Minimum Exterior Side Yard Setback	4.5 metres plus any applicable distance specified in Section 4.27.1	2.4 metres
(g) Maximum Lot Coverage	45 %	Not Applicable.
(h) Maximum Height of a Building of Structure	10 metres, subject to Section 4.7	12.5 metres, subject to Section 4.7.
(i) Deleted by By-law No 2011.136	-	-
(j) Number of Dwellings on One Lot.	1 only.	1 only, unless under Condominium Tenure.
(k) Parking and Access Requirements	In accordance with Section 4.19.1.	In accordance with Section 4.19.1.
(l) Accessory Buildings and Accessory Structures	In accordance with Section 4.13 and 4.14	In accordance with Section 4.13 and 4.14
(m) Minimum Landscaped Open Space	30% of the lot area.	25% of the lot area.
NEW Maximum Covered/Uncovered	-	1.5 metres into a required front or exterior yard. 3.0 metres into a rear yard, or no more than 1.5 metres from the lot line.

Section 7.8.2 Regulations for Detached Dwellings	REQUIRED	PROPOSED
Porch/Balcony Projection		
NEW Maximum Driveway or Parking Area Width	-	60% of the Lot Area

TABLE 4: ZONING COMPLIANCE TABLE – BLOCK TOWNHOUSE DWELLINGS

The provisions for Block Townhouse dwellings are derived from the R4 Grouped Multiple Dwellings Zone.

Regulations for Block Townhouse Dwellings	REQUIRED (per R4 Zoning)	PROPOSED
(a) Minimum Lot Area	250 square metres	180 square metres
(b) Minimum Lot Frontage	5 + Units - 30 metres 4 or less Units on an interior lot – 24 metres 4 or less units in a corner lot – 25.5 metres	Not Applicable.
(c) Minimum Front Yard Depth	6 metres plus any applicable distance specified in section 4.27.1	4.5 metre to a dwelling and 6.0 metres to a garage. (*If Condominium this shall be measured from the back of curb of a private roadway.)

Regulations for Block Townhouse Dwellings	REQUIRED (per R4 Zoning)	PROPOSED
(d) Minimum Rear Yard Depth	7.5 metres plus any applicable distance specific in Section 4.27.1	7.0 metres
(e) Minimum Interior Side Yard Setback	3 metres	0.0 metres along demising walls and 1.5 metres for end units.
(f) Minimum Exterior Side Yard Setback	4.5 metres plus any applicable distance specified in Section 4.27.1	2.4 metres
(g) Maximum Lot Coverage	45 %	Not Applicable.
(h) Maximum Height of a Building of Structure	10 metres, subject to Section 4.7	12.5 metres, subject to Section 4.7.
(i) Deleted by By-law No 2011.136	-	-
(j) Number of Dwellings on One Lot.	Subject to compliance with section 7.9.3, more than one dwelling is permitted on one lot	Subject to compliance with section 7.9.3, more than one dwelling is permitted on one lot
(k) Parking and Access Requirements	In accordance with Section 4.19.1.	In accordance with Section 4.19.1.
(l) Accessory	In accordance with Section 4.13 and 4.14	In accordance with Section 4.13 and 4.14

Regulations for Block Townhouse Dwellings	REQUIRED (per R4 Zoning)	PROPOSED
Buildings and Accessory Structures		
(m) Minimum Landscaped Open Space	45 square metres for each dwelling unit.	25% of the Lot area.
(n) Minimum privacy Yard Depth for Each Townhouse Dwelling Unit, as Measured from the Exterior Rear Wall of every Dwelling Unit.	7.5 metres	7.0 metres
NEW Maximum Covered/Uncovered Porch/Balcony Projection	-	1.5 metres into a required front or exterior yard. 3.0 metres into a rear yard, or no more than 1.5 metres from the lot line.
NEW Maximum Driveway or Parking Area Width	-	60% of the Unit width.

TABLE 5: ZONING COMPLIANCE TABLE – APARTMENT DWELLINGS

The provisions for Apartment dwellings are derived from the R4 Grouped Multiple Dwellings Zone.

Regulations for Apartments	REQUIRED (per R4 Zoning)	PROPOSED
(a) Minimum Lot Area	200 square metres for each dwelling unit.	50 square metres for each dwelling unit.
(b) Minimum Lot Frontage	5 + Units - 30 metres 4 or less Units on an interior lot – 24 metres 4 or less units in a corner lot – 25.5 metres	30 metres
(c) Minimum Front Yard Depth	7.5 metres plus any applicable distance specified in section 4.27.1	0 metres
(d) Minimum Rear Yard Depth	7.5 metres plus any applicable distance specific in Section 4.27.1	One half the height of the building.

Regulations for Apartments	REQUIRED (per R4 Zoning)	PROPOSED
(e) Minimum Interior Side Yard Setback	3 metres	One half the height of the building.
(f) Minimum Exterior Side Yard Setback	4.5 metres plus any applicable distance specified in Section 4.27.1	0.0 metres
(g) Maximum Lot Coverage	45 %	35% or 50% with underground parking provided.
(h) Maximum Height of a Building of Structure	10 metres, subject to Section 4.7	36 metres or 12 storeys
(i) Deleted by By-law No 2011.136	-	-
(j) Number of Dwellings on One Lot.	Subject to compliance with section 7.9.3, more than one dwelling is permitted on one lot	Subject to compliance with section 7.9.3, more than one dwelling is permitted on one lot
(k) Parking and Access Requirements	In accordance with section 4.19.1.	In accordance with section 4.19.1.
(l) Accessory Buildings and Accessory Structures	In Accordance with Section 4.13 and 4.14	In Accordance with Section 4.13 and 4.14
(m) Minimum Landscaped Open Space	45 square metres for each dwelling unit.	30% of the lot area.
NEW Commercial Uses	-	Permitted on the ground floor only, subject to the provisions of the NC Zone. Commercial uses must occupy at least 50% of the main floor area of a building in order to be permitted.

URBAN DESIGN GUIDELINES

A set of Urban Design Guidelines have been prepared and submitted with the Zoning Amendment to serve as a guide for development applications.

While the base zoning for the subject lands is flexible to a point, the Guidelines specify preferred land uses and design elements in certain, generalized areas of Lyons Narrows, referred to as Precincts. An image of the Precinct Plan contained within the Urban Design Guidelines is shown below in **Figure 4**.

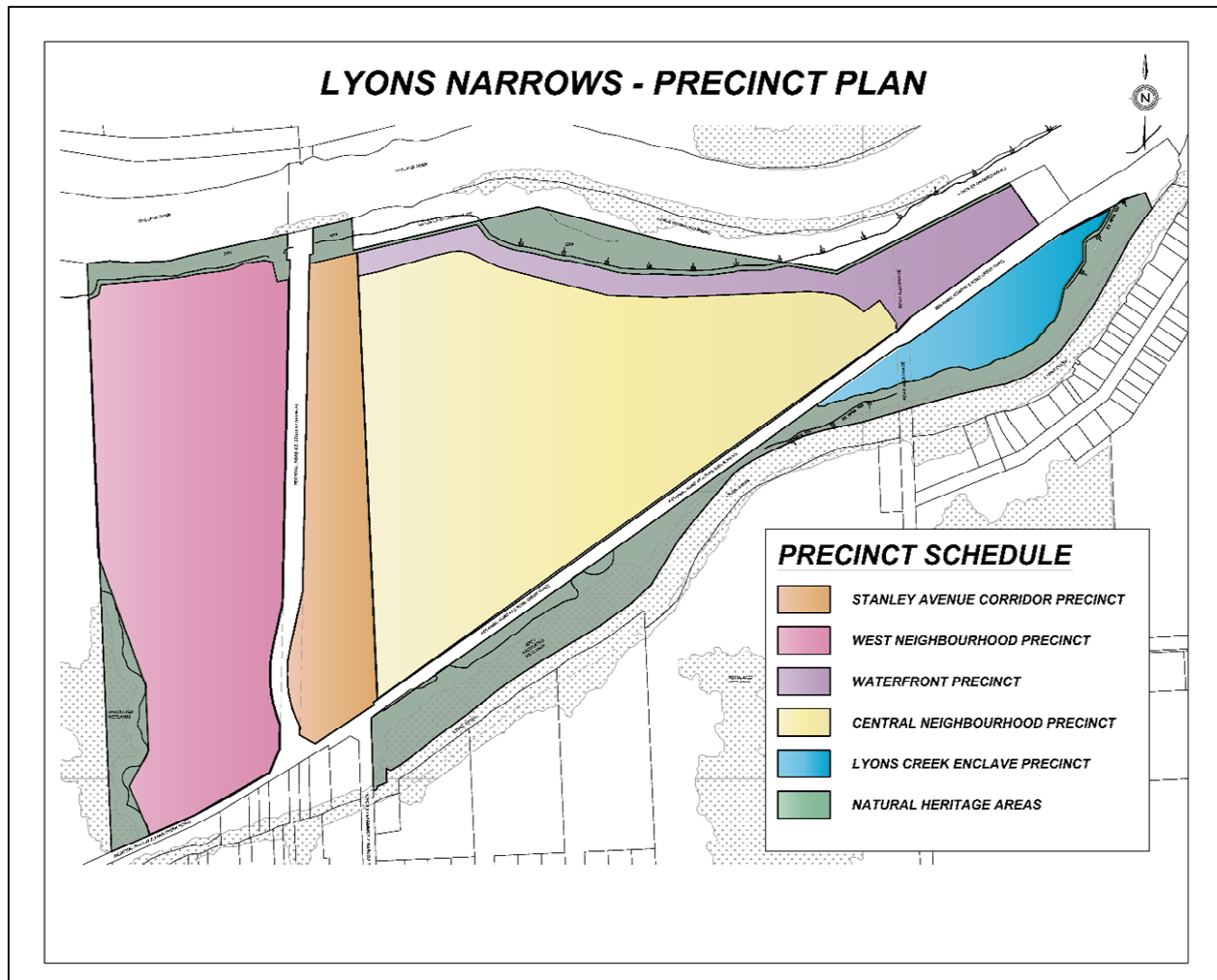


Figure 4 - Lyons Narrows Urban Design Guidelines - Precinct Map

The Guidelines are based on five design and development (5) principles, which include:

1. A mix and range of housing throughout neighbourhood blocks.
2. An open, inviting and pedestrian scaled public realm.
3. Ensuring connectivity and linkages between Precincts, open spaces and the natural environment.
4. Providing quality views and vistas; *and*
5. Implementing Complete Streets.

Together, the Zoning and Urban Design Guidelines can effectively manage the provision of land uses and ensure a high quality, accessible and function public realm is achieved.

From a development standpoint, the Guidelines provide clear direction on what types and what scale of development should occur within areas of Lyon's Narrows.

PLANNING OPINION

The submitted Zoning By-law Amendment Application is intended to implement Official Plan Amendment AM-2021-016.

To ensure flexibility in implementation, the proposed Zoning Amendment has been prepared in a manner that relies on land division and site plan processes to effectively guide and scrutinize development applications to achieve a well designed, and balanced community.

The land uses and zoning provisions proposed through the submitted Zoning By-law Amendment are appropriate for the subject lands and reflect the form and scale of development being experienced within Niagara Falls. The effectiveness of these provisions can be seen throughout the community and serve as a minimum for development.

The Zoning provisions are supplemented by a set of Urban Design Guidelines that provide direction on massing, design and the public realm. When used together, the achievement of a community that has a mix and range of housing choices, an open and connected multi-modal scaled public realm and protected natural areas and vistas is possible.

The Zoning By-law Amendment has regard for Section 2 of the Planning Act, is consistent with the 2020 Provincial Policy Statement, and in conformity with the Growth Plan for the Greater Golden Horseshoe, Regional Official Plan and Official Plan Amendment AM-2021-016

In my professional opinion, the submitted Zoning By-law Amendment represents good planning, can be effectively implemented and will contribute to the development of a complete community.

Respectfully Submitted,



Craig Rohe M.Pl., MCIP, RPP
Senior Planner
Upper Canada Consultants

APPENDIX I
Draft Zoning By-law
Amendment

Draft Zoning By-law Amendment

Schedule X

Lyons Narrows

THE CORPORATION

OF THE

CITY OF NIAGARA FALLS

BY-LAW NO. _____

A BY-LAW TO AMEND BY-LAW NO. 79-200, to regulate lands known as (legal description is being amended through land titles, currently. Updated description will be provided once obtained from Land Registry.)

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 Tourist Commercial (TC), Industrial (I), and Conservation – Open Space (OS) to Site Specific Residential 3 (R3-X), Neighbourhood Commercial (NC) and Environmental Protection Area (EPA) 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. In addition to the used permitted in the R3 Zone, “Block Townhouses” and “Apartments” shall also be permitted, subject to the site-specific criteria set forth in this amendment and Design Guidance provided in the associated “Lyons Narrows Urban Design and Development Guidelines”.
4. The following provisions shall also be permitted for the following land uses:

Single Detached Dwellings

Minimum Lot Area – 225 square metres

Minimum Lot Frontage – 8.2 metres for an interior lot, 10 metres for a corner lot.

Minimum Front Yard Depth – 4.5 metres to a dwelling and 6.0 metres to a garage

Minimum Rear Yard Depth – 7.0 metres

Minimum Interior Side Yard – 1.2 metres on one side, and 0.6 metres on the other side.

Minimum Exterior Side Yard – 2.4 metres

Maximum Lot Coverage – Not Applicable.

Maximum Height of a Building or Structure – 12.5 metres.

Maximum Number of Detached Dwellings on one lot – One (1) only, unless under Condominium Tenure

Minimum Landscaped Open Space – 25% of the Lot Area.

Maximum Projection of a one or two storey porch or balcony into a required front of exterior side yard – 1.5 metres

Maximum Projection of a covered porch into a rear yard – 3.0 metres, or not more than 1.5 from the lot line.

Maximum width of a driveway or parking area in the front yard of a lot – 60% of the lot frontage

Semi-Detached Dwellings

Minimum Lot Area – 450 square metres or 225 square metres per dwelling unit.

Minimum Lot Frontage – 15 metres or 7.5 metres per dwelling unit for Interior Lots, and 17 metres or 8.5 metres per dwelling unit for exterior units.

Minimum Front Yard Depth – 4.5 metres to a dwelling and 6.0 metres to a garage.

Minimum Rear Yard Depth – 7.0 metres

Minimum Interior Side Yard – 1.2 metres on one side, and 0.6 metres on the other side.

Minimum Exterior Side Yard – 2.4 metres

Maximum Lot Coverage – Not Applicable.

Maximum Height of a Building or Structure – 12.5 metres

Minimum Landscaped Open Space – 25% of the Lot Area

Maximum Projection of a one or two storey porch or balcony into a required front of exterior side yard – 1.5 metres

Maximum Projection of a covered porch into a rear yard – 3.0 metres, or not more than 1.5 from the lot line.

Maximum width of a driveway or parking area in the front yard of a lot – 60% of the lot frontage

On-Street Townhouse

Minimum Lot Area – 165 square metres per dwelling unit.

Minimum Lot Frontage – 6.0 metres per dwelling

Minimum Front Yard Depth – 4.5 metres to a dwelling and 6.0 metres to a garage

Minimum Rear Yard Depth – 7.0 metres

Minimum Interior Side Yard – 0.0 metres along demising walls and 1.5 metres for end units.

Minimum Exterior Side Yard – 2.4 metres

Maximum Lot Coverage – Not Applicable.

Maximum Height of a Building or Structure – 12.5 metres

Minimum Landscaped Open Space – 25% of the Lot Area (exclusive of driveways)

Maximum Projection of a one or two storey porch or balcony into a required front of exterior side yard – 1.5 metres

Maximum Projection of a covered porch into a rear yard– 3.0 metres, or not more than 1.5 from the lot line.

Maximum width of a driveway or parking area in the front yard of a lot – 60% of the lot frontage

Block Townhouse

Minimum Lot Area – 180 square metres per dwelling unit.

Minimum Lot Frontage – N/A

Minimum Front Yard Depth – 4.5 metres to a dwelling and 6.0 metres to a garage from a private road or the front lot/block line.

Minimum Rear Yard Depth – 7.0 metres

Minimum Privacy Yard Depth – 7.0 metres

Minimum Interior Side Yard – 1.5 metres, and 0.0 metres along demising walls

Minimum Exterior Side Yard – 2.4 metres

Maximum Lot Coverage – Not Applicable.

Maximum Height of a Building or Structure – 12.5 metres

Minimum Landscaped Open Space – 25% of the Lot Area

Apartment Dwelling

Minimum Lot Area – 50 square metres per dwelling unit.

Minimum Lot Frontage – 30 metres

Minimum Front Yard Depth – 0.0 Metres

Minimum Rear Yard Depth – One half the height of the building

Minimum Interior Side Yard – One half the height of the building

Minimum Exterior Side Yard – 0.0 metres

Maximum Lot Coverage – 35%, or 50% with underground parking provided.

Maximum Height of a Building or Structure – 36 metres or 12 storeys.

Minimum Landscaped Open Space – 30% of the lot area.

Commercial Uses – Permitted on the ground floor only, subject to the provisions of the NC Zone. Commercial uses must occupy at least 50% of the main floor area of a building in order to be permitted.

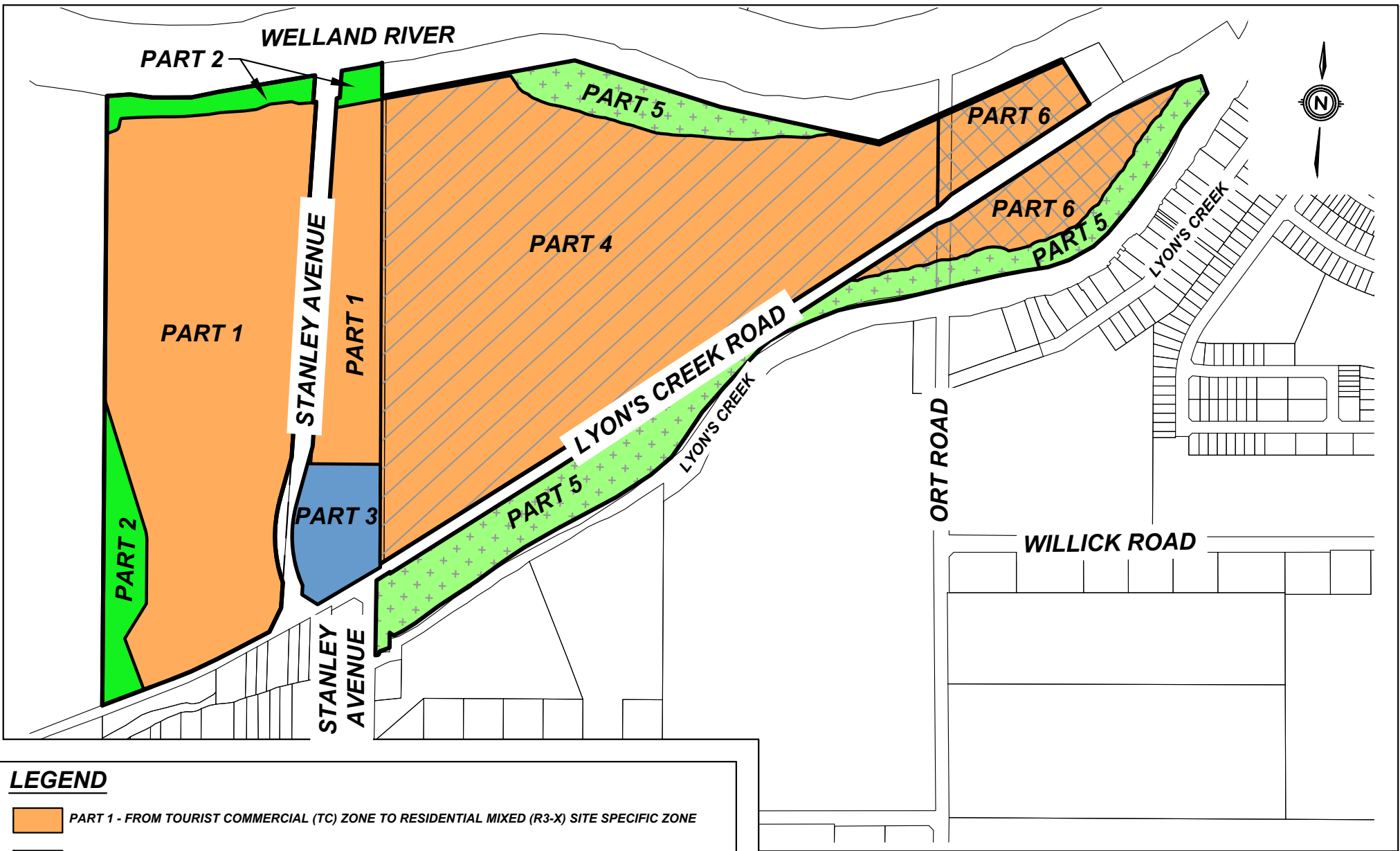
5. In addition to Residential Land Uses, the following Ancillary Land Uses are permitted within the R3-X Zone:
 - Stormwater Management Facilities
 - Pumping Stations
6. In addition to the residential and ancillary uses permitted in the site specific R3 Zone, the uses set out in the Institutional (“I”) Zone of By-law 79-200 shall also be permitted, subject to the provisions of the “I” Zone.
7. 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.
8. No person shall use the Lands for a use that is not a permitted use.
9. No person shall use the Lands in a manner that is contrary to the regulations.
10. The provisions of this by-law shall be shown on Sheet D4 of Schedule “A” of By-law No. 79-200 by re-designating the Lands to R3-____, NC and EPA.

Passed this ____ day of _____, 2022.




READ A FIRST, SECOND AND THIRD TIME THIS ____ DAY OF _____, 2022.

MAYOR

CITY CLERK



LEGEND

-  PART 1 - FROM TOURIST COMMERCIAL (TC) ZONE TO RESIDENTIAL MIXED (R3-X) SITE SPECIFIC ZONE
-  PART 2 - FROM TOURIST COMMERCIAL (TC) ZONE TO ENVIRONMENTAL PROTECTION AREA (EPA) ZONE
-  PART 3 - FROM TOURIST COMMERCIAL (TC) ZONE TO NEIGHBOURHOOD COMMERCIAL (NC) ZONE
-  PART 4 - FROM INDUSTRIAL (I) ZONE TO RESIDENTIAL MIXED (R3-X) SITE SPECIFIC ZONE
-  PART 5 - FROM CONSERVATION-OPEN SPACE (OS) ZONE TO ENVIRONMENTAL PROTECTION AREA (EPA) ZONE
-  PART 6 - FROM CONSERVATION-OPEN SPACE (OS) ZONE TO RESIDENTIAL MIXED (R3-X) SITE SPECIFIC ZONE

OAKLANDS
SCHEDULE 'A' OF ZONING BY-LAW AMENDMENT No. _____

MAYOR: _____

CLERK: _____

