

**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 5E DENSITY (R5E-XX) SITE SPECIFIC ZONE (AM-2022-XX).

**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 purpose of this by-law is to change the zoning of the Lands identified in Schedule 1 from “Institutional Zone (I Zone)” to “Residential Apartment 5E Density Site-Specific Zone (R5E-XX)”.
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 shall be the uses permitted in the R5E Zone.
6. The regulations governing the permitted uses shall be:
 - (a) Minimum Front Yard Depth 4 metres
 - (b) Minimum Exterior Side Yard 1 metre
Width
 - (c) Minimum Width from Exterior Lot Line to Centreline of McLeod Road 14.3 metres
 - (d) Minimum Landscaped Open Area 22%
 - (e) Minimum Amenity Area Per Unit 13.15 m² per dwelling unit

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|-----|--|---|
| (f) | Minimum width of Landscaped Open Space Strip | 1.5 metres adjacent to front lot line, including curb

1.4 metres to drive aisle, including curb

2.5 metres to parking space, including curb |
| (g) | Minimum Parking | 1.25 per dwelling unit |
| (h) | Minimum Parking Stall Dimensions | 2.75 metres width
6 metres length |
| (i) | Minimum Drive Aisle Width | Where a parking stall has a length of 6 metres with an angle of more than 60 degrees up to 90 degrees to a drive aisle, the minimum perpendicular width of the maneuvering drive aisle shall be 6 metres. |
| (j) | Yards | Unsupported canopies may project into any required yard a distance of not more than 1.5 metres. |
| (k) | Yards | Open balconies (covered) and ground floor terraces may project into any required side yard a distance of not more than 2 metres. |

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

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 C5 of Schedule "A" of By-law No.79-200 by redesignating the Lands from II to R5E-XX.

Read a first, second and third time; passed, signed, and sealed in open Council this _____ DAY OF _____, 2023.

CITY CLERK

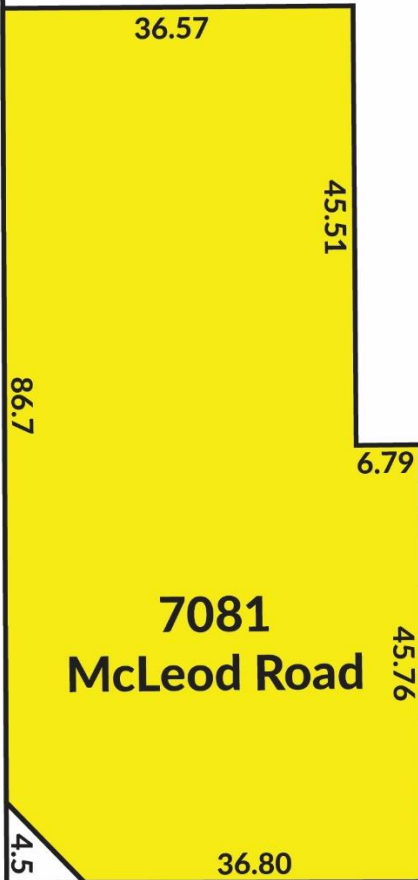
JAMES M. DIODATI, MAYOR

SCHEDULE A TO ZONING BY-LAW AMENDMENT



MCLEOD ROAD

ANN STREET



SHARON AVENUE



**Site Specific - Residential Apartment
5E Density Zone (R5E Zone)**