

# CITY OF NIAGARA FALLS

## By-law No. 2024-XX

A by-law to amend By-law No. 79-200 to rezone the Lands to Tourist Commercial Zone (TC-XXXX) 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 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 provisions of By-law No. 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.
3. 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.
4. Notwithstanding the definition of "Lot Frontage" for a corner lot, the lot line along Lundy's Lane shall be deemed as the lot frontage for the Lands.
5. The permitted uses shall be:
  - (a) The uses permitted in a TC zone
  - (b) Home occupation in dwelling units
  - (c) Notwithstanding Section 8.6.1 (ii), dwelling units in a building in combination with one or more of the uses listed in this 2002-061 section, provided that not more than 92% of the total floor area of such building is used for dwelling units and further provided that such dwelling units except entrances thereto are located entirely above the ground floor.
6. The regulation governing the permitted use of the Lands shall be:

(a) Maximum height of building or structure	36.5 metres
(b) Parking and access requirements	1.25 spaces for each dwelling unit; 1 parking space for each 28 square meters of gross leasable floor area

- 7. The balance of regulations specified for a TC zone.
- 8. Balconies are permitted in any yard
- 9. Parking and access shall be in accordance with section 4.19.1.
- 10. 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.
- 11. No person shall use the Lands for a use that is not a permitted use.
- 12. No person shall use the Lands in a manner that is contrary to the regulations.
- 13. The provisions of this By-law shall be shown on Sheet A4 and B4 of Schedule "A" of By-law No. 79-200 by redesignating the Lands from TC to TC and numbered XXXX.

**Read a first, second and third time; passed, signed and sealed in open Council this XXth day of XX, 2024.**

.....  
WILLIAM G. MATSON, CITY CLERK

.....  
JAMES M. DIODATI, MAYOR

**SCHEDULE 1**

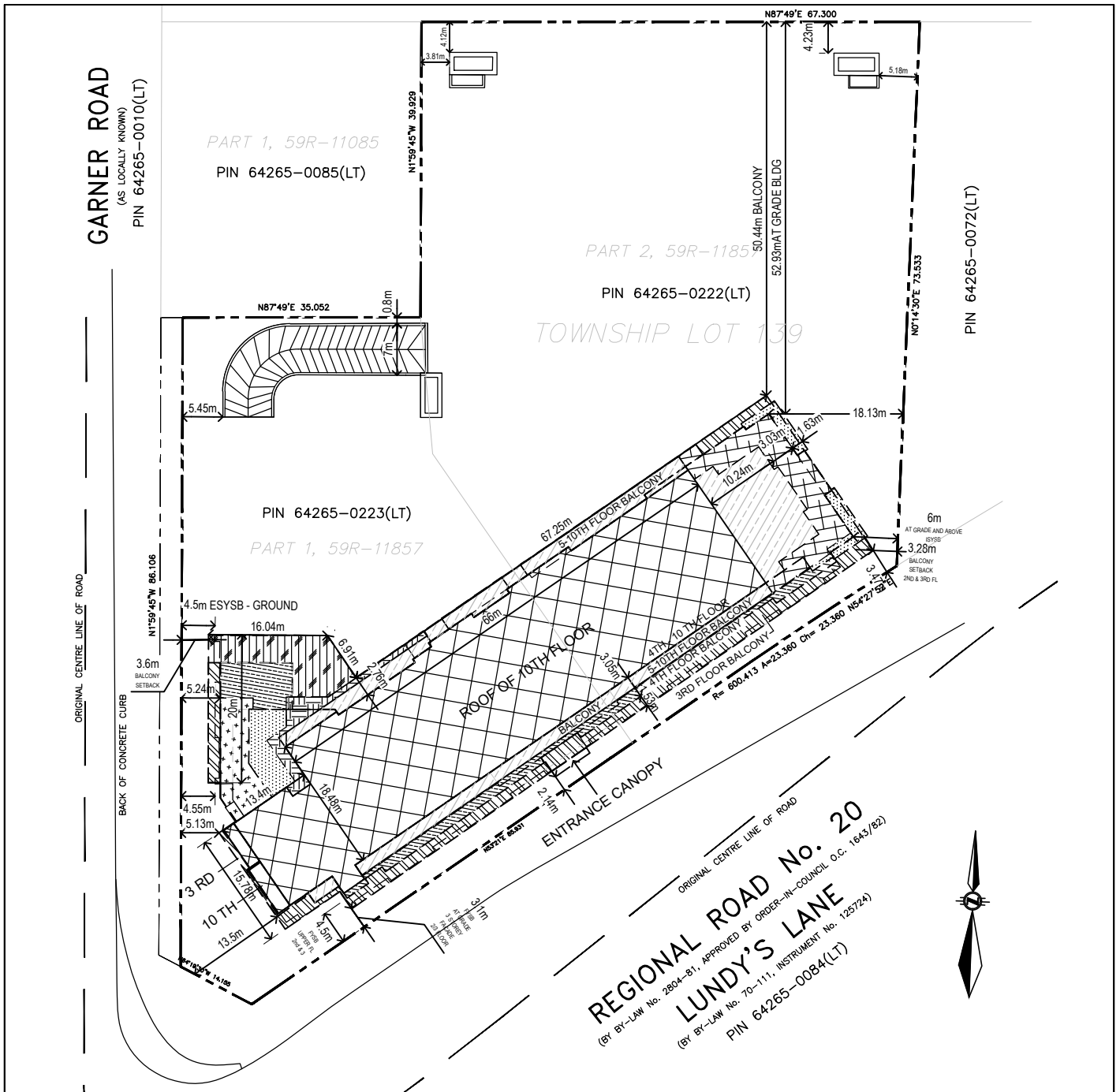
GARNER ROAD  
(AS LOCALLY KNOWN)

**8885 - 8911 Lundy's Lane**  
**SITE- SPECIFIC**  
**Tourist Commercial (TC-XXXX)**

REGIONAL ROAD No. 20  
BY BY-LAW No. 2804-81, APPROVED BY ORDER-IN-COUNCIL O.C. 1643/82

LUNDY'S LANE  
BY BY-LAW No. 70-111, INSTRUMENT No. 125724





DESCRIPTION:

PART OF TOWNSHIP 139 GEOGRAPHIC TOWNSHIP OF STAMFORD CITY OF OF NIAGARA FALLS,  
 REGION MUNICIPALITY OF NIAGARA PIN : 64265-0222(LT) / 64265-0223(LT)

APPLICANT:

ASSESSMENT #:

BUILDING HEIGHTS			MAXIMUM NO. OF STOREYS	MAXIMUM HEIGHT	
SURVEY OF CANADA, ELEVATION FFE 183.15					
	MAXIMUM NO. OF STOREYS	MAXIMUM HEIGHT			
	1	4.5m		6	19.3m
	3	10.4m		7	22.2m
	4	13.4m		8	25.2m
	5	16.3m		9	28.1m
				10	31.4m

\* HEIGHT IS TAKEN TO FLOOR SLAB