

CITY OF NIAGARA FALLS

By-law No. 2022-____

A by-law to amend By-law No. 79-200, being a zoning by-law.

WHEREAS it is deemed advisable to amend By-law Number 79-200, as amended,

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS, IN ACCORDANCE WITH THE PLANNING ACT, 1990, AND THE REGIONAL MUNICIPALITY OF NIAGARA ACT, HEREBY 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 part of this by-law.
2. Deleting from By-law 79-200 Schedule ‘A’, Sheet B6, the Planned Shopping Centre Commercial (SC-833) zone on the subject lands, and substituting therefore on Schedule ‘A’, Sheet B6 the Residential Low Density, Group Multiple Dwelling (R4-XXXX) Zone.
3. Section 19 – Exceptions and Special Provisions of By-law 79-200 is amended by adding thereto:

2022-XXX	19.1.XXXX	<p>Notwithstanding any provision of By-law 79-200 to the contrary, the lands zoned R4 and numbered XXXX shall be subject to the following:</p> <ul style="list-style-type: none">• In addition to the permitted uses, back-to-back townhouses shall be permitted;<ul style="list-style-type: none">○ For the purpose of this by-law, a back-to-back townhouse shall be defined as: a dwelling unit within a building containing four or more dwelling units divided by vertical common walls above grade, including a common rear wall.• One second unit is permitted per unit, within the primary building that is a townhouse dwelling in the R4-XXXX zone, subject to the following:<ul style="list-style-type: none">○ The primary dwelling unit or second unit is occupied by the owner of the lot;○ The floor area of the second unit shall not exceed 40% of the floor area of the primary dwelling unit, excluding any attached garage; and○ One parking space shall be provided for the occupant of the second unit in addition to the parking space required for the primary dwelling.• For the purpose of determining compliance with section 7.9 of this by-law, and all other provisions of Zoning By-law No. 79-200, notwithstanding land ownership, all the land described in Section 1 of this by-law and shown hatched and designated R4(XX) and numbered (XX) on the plan Schedule 1 attached hereto, shall be considered one lot;• The north property line shall be deemed to be the Front Lot Line;• Minimum lot area is 231m² per unit;• Minimum front yard depth is 3.10m;• Maximum height of buildings or structures is 12.3m;
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		<ul style="list-style-type: none"> • Minimum maneuvering aisle width is 6.0m; • Minimum parking stall width is 2.69m; • For the townhouse units, the following lot regulations apply: <ul style="list-style-type: none"> ○ Minimum privacy yard depth is 6.05m; and ○ For the back-to-back townhouses, the minimum privacy yard depth is 0.0m.
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4. AND THAT all other provisions of By-Law 79-200, as amended, shall apply to the lands subject to this By-Law.

5. This Bylaw shall come into force and take effect upon the approval of Official Plan Amendment No.____, and in accordance with the Planning Act, R.S.O. 1990, c.P.13.

Passed this XXXX day of XXXX 2022.

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CITY CLERK

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MAYOR

First Reading:
Second Reading:
Third Reading:

Schedule '1'



Lands Rezoned From SC-833 to R4-XXXX