

APPENDIX C

Draft Zoning By-law Amendment

Schedule X

7525 Garner Road, City of Niagara Falls

THE CORPORATION OF THE CITY OF NIAGARA FALLS

BY-LAW NO. _____

A BY-LAW TO AMEND BY-LAW NO. 79-200, to regulate 7525 Garner Road, 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 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".
2. The purpose of this by-law is to amend the zone category and provisions of By-law No. 79-200 on the Lands to a Site-Specific Residential Apartment 5B Density (R5B) Zone to permit the use of the Lands in a manner that would otherwise be prohibited by this 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 permitted uses and regulations of the R5B Zone shall apply, notwithstanding the site-specific provisions outlined below:
4. The permitted uses shall be:
 - a) The uses permitted in the R5B zone.
5. The site-specific provisions for the Land shall be:

Minimum Lot Area	108 sq. m. per dwelling unit
Minimum Front Yard Depth	7.0 metres
Minimum Interior Side Yard Width	2.9 metres
Maximum Lot Coverage	33.5%
Maximum Building Height	3 Storeys (12.2 metres)
Minimum Landscape Open Space	26%
Parking	75 resident parking spaces and 10 visitor parking spaces

APPENDIX C

6. 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.
7. No person shall use the Lands for a use that is not a permitted use.
8. No person shall use the Lands for a use that is contrary to the regulations.
9. The provisions of this by-law shall be shown on Sheet ___ of Schedule "A" of By-law No. 79-200 by rezoning the Lands from the DH Zone to a site-specific R5B-xxx Zone.
10. Should the owner of the Lands not execute a Site Plan agreement to the satisfaction of the City within three (3) years of this by-law coming into effect, then this by-law shall be deemed to be repealed and the zoning of the lands zoned R5B-xxx shall be of no force and effect, and the zoning of the Lands will revert to the Development Holding (DH) zone.
11. Notwithstanding clause 10 above, the approval of this by-law may be extended by one (1) year at the discretion of the General Manager of Planning, Building, and Development.
12. Section 19 of By-law No. 79-200 is amended by adding thereto:

19.1.xxx

Refer to By-law No. 2026-xxx

**Read a First, Second, and Third time; passed, signed and sealed in open Council this
____ day of _____ 2025.**

CITY CLERK

MAYOR



SCHEDULE 1 TO BY-LAW NO. 2025-xxxx (Draft)

Rezoned from Development Holding (DH) Zone to a Modified Residential Apartment 5B (R5B) Density Zone



Rezoned from Development Holding (DH) Zone to Environmental Protection Area



Amending Zoning By-law No. 79-200

Description:

Applicant: Madan-Arianna Developments Inc.

Assessment: