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# Minor Zoning By-law Amendment

7104 Lundy's Lane.  
City of Niagara Falls, Ontario

## Planning Justification Brief

February 2026

**CL PLANNING  
& DESIGN LTD.**



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## 1.0 Introduction

On behalf of ACK Architects Studio inc. (the “applicant”) and The Young Women’s Christian Association (YWCA) of St. Catharines (the “client”), CL Planning & Design Ltd. (the “Consultant”) has been retained to provide a professional planning opinion related to a proposed amendment to the City of Niagara Falls Zoning By-law for 7104 Lundy’s Lane, in the City of Niagara Falls (the “Subject Lands”). The intent of this minor zoning by-law amendment is to retain the legal non-conforming cabins on the property but in a slightly revised location and with an increase in size to reflect modern building code and accessibility standards.

As the application is minor in nature, a Planning Justification Brief has been deemed sufficient by City staff to demonstrate the appropriateness of the proposed amendment in consideration of Provincial, Regional and municipal planning policy.

## 2.0 Background and Development Proposal

In July 2025, The Young Women’s Christian Association (YWCA) of St. Catharines purchased the subject lands from Falls Manor Limited for the purpose of carrying out its mandate. One of the core pillars of the YWCA is advocating for and providing safe, stable, and affordable housing solutions for women, including those fleeing violence or facing homelessness.

In assisting with this mandate, the YWCA is receiving funding from Canada Mortgage and Housing Corporation (CMHC) under the Affordable Housing Fund Program, to assist with financing the construction of the conversion of the existing motel and cabins into transitional housing comprising 39 affordable units dedicated to women experiencing or at risk of experiencing homelessness.

The existing motel comprises 18 units, the shell of which is intended to be kept intact, with all 18 units to be renovated. A building permit for the motel renovation was issued by the City on December 16, 2025.



***Existing motel to be renovated***

Eight (8) guest cabins were previously sited in the eastern portion of the subject lands, near the mid-point of the property. As seen in the below right photo, the cabins have recently been demolished.



**Source: 2013 Google Street View**



**February 1, 2026 site photo**

Another thirteen (13) cabins were located in the rear portion of the property in behind the motel, as seen on the below left photo. These cabins have also been demolished, as of February, 2026.



**Source: 2013 Google Street View**



**February 1, 2026 site photo**

Initially, the intent was to maintain the existing cabins, however, upon closer inspection, on account of the cabins being in such poor condition, trying to salvage them would have been just as expensive as building new. As observed in the following photos, the exterior envelopes were in poor condition, the rooves were leaking, and the floors were warping due to moisture and rot. Furthermore, none of these dated cabins were barrier-free and inclusive.



**Condition of existing (now demolished) cabins on site**

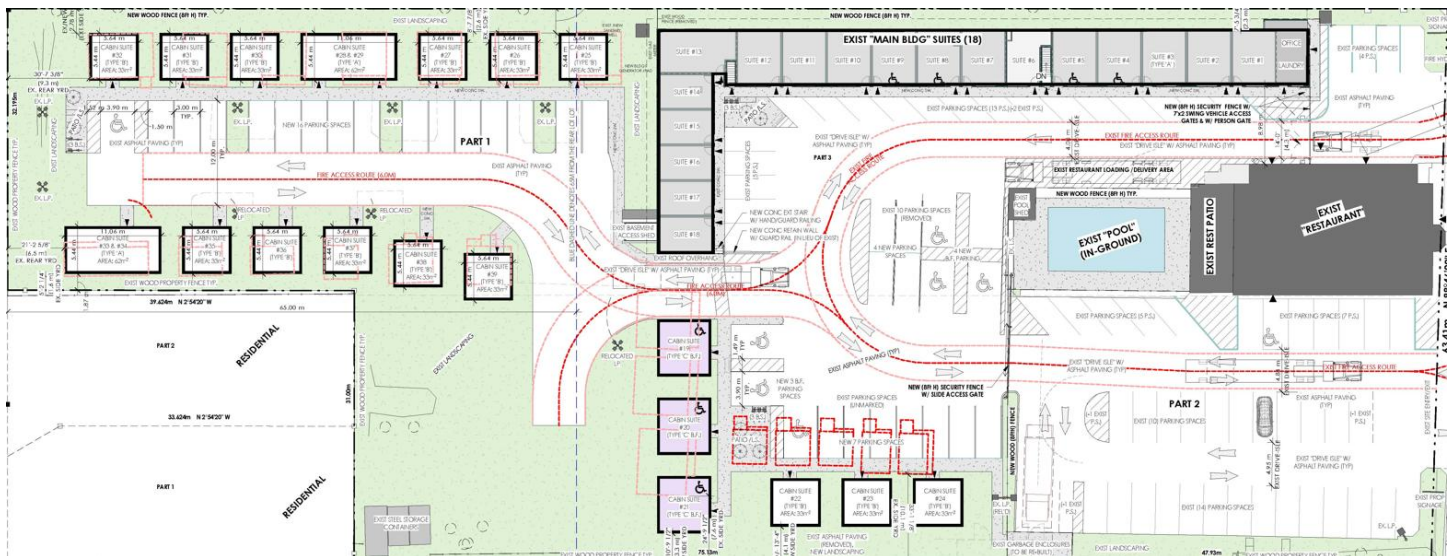
It is proposed that the reconstruction of these cabins will generally take place on the same footprints that previously existed. Part of the rebuild involves adjusting the footprints (slightly increasing size) to provide barrier-free accessibility, while not only meeting building code standards for energy efficiency but meeting additional thresholds as part of the CMHC funding requirements.

Specifically, 3 cabin types are proposed, comprising 21 total units:

- Type A: 62 sq.m. (cabin suites) – 2 cabins (4 total units)
- Type B: 33 sq.m. – 14 cabins (14 total units)
- Type C: 40 sq.m. – 3 cabins (3 total units)

Another objective of this redevelopment is to improve overall site function, the provision of barrier-free parking, improved landscaping and amenity areas, and the provision of a proper fire access route. Under the previous site configuration, the drive aisle accessing the 13 cabins in the rear of the site was one-way and of insufficient width. The updated proposed Site Plan will ensure full two-way access with a minimum width of 6.0 metres.

An excerpt of the proposed Site Plan is shown below:



**Figure 1 – Proposed Site Plan**

\*The red footprints identify the locations of the cabins that have recently been demolished. The new cabins (delineated in black) are proposed to be constructed in almost identical locations to the previous footprints and will be sited in conformity with the zoning requirements of the TC zone, as amended by By-law No. 2010-09 (TC-889).

### 3.0 Site Description and Context

The subject property is located at 7104 - 7118 Lundy's Lane. There are a number of elements to this site:

- Restaurant;
- 18-unit motel;
- 21 guest cabins – 8 cabins east of motel at mid-point of property; 13 cabins in rear of property (*Note: all 21 cabins have now been demolished*).

The subject property has a lengthy history, first established as a service station dating to at least 1929 (if not earlier). The 21 guest cabins that have been demolished were originally part of the Grandview Tourist Camp, a prominent mid-20<sup>th</sup> century tourist accommodation. Over time, and as ownership changed, the site transformed into the present and well-established Falls Manor Motel and Restaurant.



**Figure 2 – Aerial Photograph and Site Context**

Tourist commercial uses generally flank the north and south sides of Lundy's Lane with low density residential uses (single detached dwellings) north and south of the Lundy's Lane corridor. In particular, the Cuvillo Ct. subdivision interfaces with the rear of the subject property and it too has an interesting history (see Section 4.0). On the western boundary is the hydro canal and a trail linkage known as the Gary Henderson Memorial Trail

linking Lundy's Lane to Clare Crescent, a short distance south. On the eastern boundary is another 2-storey motel (currently closed or being renovated), and the 18-unit, 3-storey *Falls Apartments*, constructed in 2020 and geared to seniors (55+).

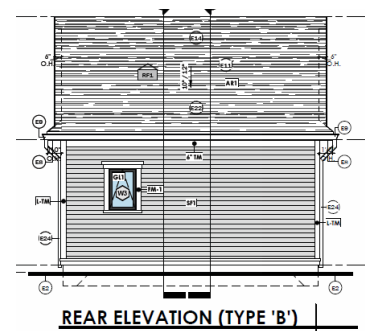
The subject property is well-established and compatible with surrounding commercial and residential uses. Existing wooden fencing is located on the eastern and southern property lines with a chain link fence on the western boundary, adjacent to the multi-surface Memorial Trail. The proposed redevelopment of the 1-storey cabins should not adversely impact adjacent residential uses that are 2 and 3 storeys in height. The rear facades of the cabin units will only have one small window so overlook from adjacent residential dwellings is not anticipated to result in privacy impacts. See bottom right photo for rear elevation of Type B cabin unit.



**Figure 3 – Google Birds-Eye View Looking South**



**Interface of Rear Property Line with 5997 CuvIELLO CRT.**

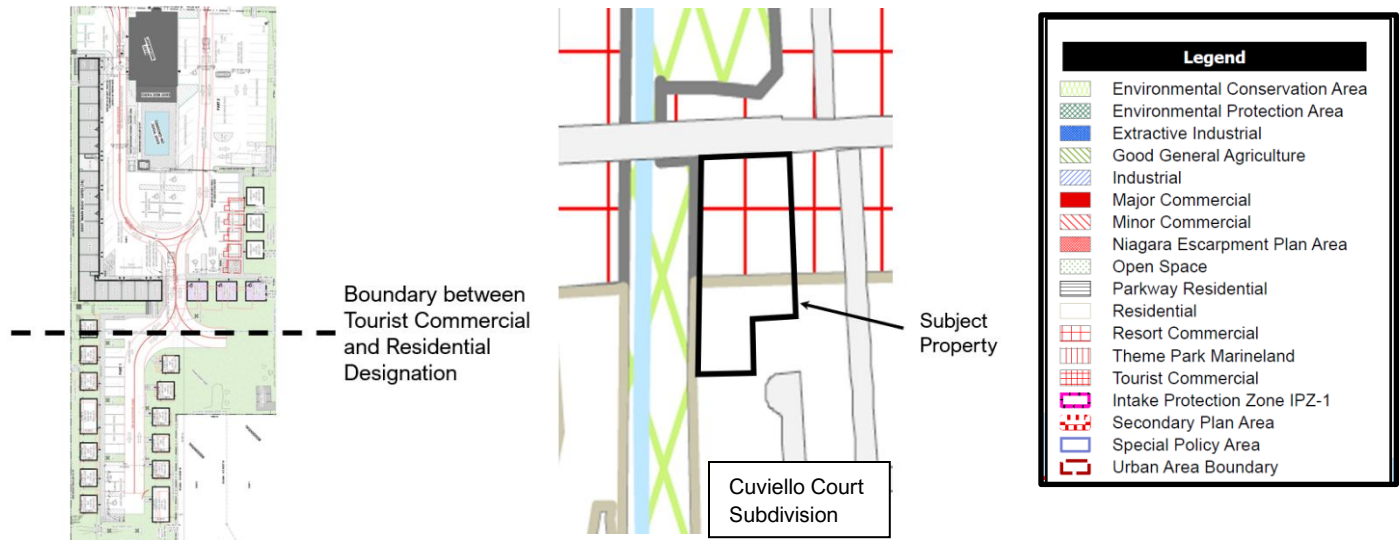


**REAR ELEVATION (TYPE 'B')**

**Rear façade (only one window)**

## 4.0 Planning History

The northerly two-thirds of the property is designated Tourist Commercial on Schedule A of the Official Plan; the southerly third designated Residential.

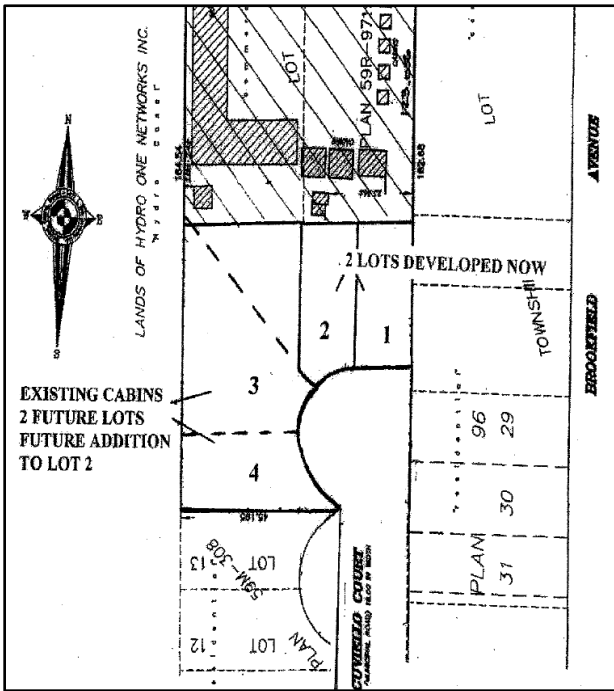


**Figure 4 - Schedule A – Future Land Use (Official Plan)**

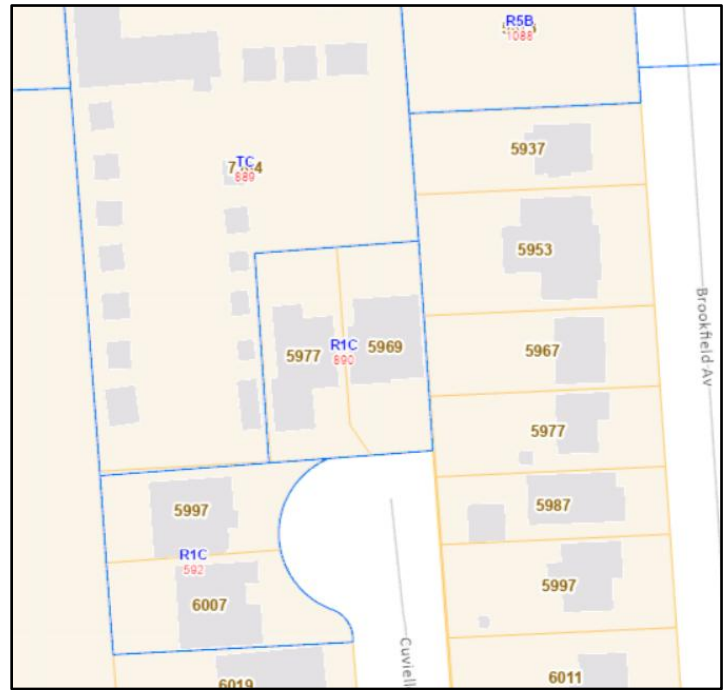
In 2010, the previous owner of the subject lands, Falls Manor Limited, undertook to complete the northerly extension of the CuvIELLO Court subdivision by successfully rezoning the subject property (under By-law No. 2010-09) to extend the Tourist Commercial (TC) zone onto the southerly third of the property. The purpose of this was to recognize the existing cabins as a listed use through a site-specific zone (TC-889). This site-specific zone included a definition of a “cabin” as well as special performance standards for the southerly 65 metres of the property, and limitations on the minimum (14 sq.m.) and maximum (36 sq.m.) floor area of the cabin building. As part of By-law No. 2010-09, cabin was defined “as a building or structure designed and built for temporary human accommodations containing separate heating and sanitary facilities, but no cooking facilities....” The TC-889 zone is recognized as Special Provision 19.1.889 of By-law No.79-200.

The other component of By-law 2010-09 involved the establishment of special provision R1C-890 zone to facilitate the development of 2 single detached residential lots at the northerly limit of CuvIELLO Court. This site-specific R1C zone was required to reduce the lot frontage from 15m to 6m caused by limited frontage provided by the irregular cul-de-sac design. This is recognized by Special Provision 19.1.890 of By-law No. 79-200.

The intent of By-law No.2010-09 was to recognize the 12 cabins in the rear portion of the subject lands as a non-conforming interim use until such time as the lands could be fully redeveloped for residential purposes in keeping with its’ Residential designation in the Official Plan. This future redevelopment scenario was envisioned on Schedule 3 (below left) of the City’s Planning Report (AM-2009-018):



**Schedule 3 (AM-2009-018)**



**Niagara Falls City Viewer (2026)**

Unfortunately, what actually got built is illustrated on the Niagara Falls City Viewer photo (above right). A comparison of what was planned and what ultimately got built shows that the cul-de-sac bulb did not get extended north; rather the single detached dwellings at 5977 and 5969 Cuvieillo Ct., were constructed at the previous limit of the street on top of the bulb extension envisioned by Schedule 3. As a result, any potential residential redevelopment of the 2 future lots (labeled as 3 and 4 where the existing cabins are located) cannot be achieved by accessing Cuvieillo Ct. In fact, the lot fabric shows that the subject lands do not have any frontage whatsoever on Cuvieillo Ct. Any future residential redevelopment scenario would require significant cooperation by the homeowners at 5977 and 5997 Cuvieillo Ct. and given the injurious affection that redevelopment would cause to their properties, it is unreasonable to expect their participation. The only practical way to access the rear portion of the subject lands now is internally and from Lundy's Lane.



**5997 Cuvieillo Ct. on left; 5977 Cuvieillo Ct. on right**

The effect of By-law No. 2010-09 is that it only legalized the cabin use to the rear 65 metres of the property, limited to the current number of cabins (12 at the time) and existing size. The other 9 cabins to the north (while located within the Tourist Commercial designation of the Official Plan) would continue as legal non-conforming uses as they are not a permitted use in the Tourist Commercial (TC) zone. By-law No. 2010-09 is found under Appendix A.

This is an important detail as it leads to the multi-faceted nature of this application and how the new proposed cabins on the subject property are to be regulated under a new special provision in By-law No. 79-200.

## 5.0 Purpose of Application

This proposed Minor Zoning By-law Amendment seeks to update two regulations of the TC-889 zone under By-law 2010-09. Specifically, these amendments include the following performance measures:

By-law No. 2010-09 Clause Number	Existing Clause	Proposed Modification/Amendment
5. (a)	For Parcel TC-889, the uses permitted in a TC zone, save and except for the portion within 65 metres of the rear lot line which shall only be used for 12 cabins.	For Parcel TC-889, the uses permitted in a TC zone, save and except for the portion within 65 metres of the rear lot line which shall only be used for 13 cabins.  In addition to the uses permitted in a TC zone, 6 cabins shall also be permitted on the subject property at a distance greater than 65 metres of the rear lot line.
8.	For the purposes of this by-law: “cabin” means a building or structure designed and built for temporary human accommodations containing separate heating and sanitary facilities, but no cooking facilities, and having a floor area not less than 14 square metres and not more than 36 square metres.	Amend the floor area to “not less than 33 square metres and not more than 62 square metres.”

The proposed amendment to Clause 5. (a) is required as the proposed Site Plan includes an additional cabin (13<sup>th</sup>) within the rear of the property. Further, the six (6) new cabins greater than 65m from the rear lot line must now be recognized as a permitted use in the underlying TC zone.

The proposed amendment to Clause 8 is required due to the increase of the cabin floor areas. This is minor as it results in an increase of the cabin building coverage from 5.6% to 7.6% of the total lot area.

The proposed Site Plan conforms to all other regulations of the TC and site-specific TC-889 zone, including required yards, landscaped open space requirements, and parking.

From a procedural standpoint, the proposed amending by-law seeks to amend the parent By-law (79-200) while clarifying the continued application of By-law No. 2010-09, by recognizing 6 new cabins within the TC zone at a distance greater than 65m from the rear lot line and to increase the range in the permitted floor areas of the cabins.

## 6.0 Planning Policy

The proposed Zoning By-law amendment was prepared considering several planning documents including the *Planning Act*, Provincial Planning Statement, Niagara Region Official Plan, City of Niagara Falls Official Plan and the City of Niagara Falls Zoning By-law Number 79-200.

### 6.1 Planning Act

Section 2	Lists matters of provincial interest to have regard to.
Section 3	Requires that, in exercising any authority that affects a planning matter, planning authorities “shall be consistent with the policy statements” issued under the Act and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”.
Section 34	Allows amendments to the Zoning By-law, including the continuation of legal non-conforming buildings (Section 34 (9)) and the extension and enlargement of any building used for any purpose prohibited by the by-law if such building continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed.  <i>The proposed use of the cabins is for transitional housing; temporary accommodation for women experiencing or at risk of experiencing homelessness. This purpose is the same as the previous use of the guest cabins which served as temporary accommodation for tourists.</i>

Section 2 of the Planning Act establishes matters of provincial interest. The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest. The proposed application directly implements the following 2 matters:

- h) the orderly development of safe and healthy communities;*

*(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*

*j) the adequate provision of a full range of housing, including affordable housing;*

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, planning authorities “shall be consistent with the policy statements” issued under the *Act* and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”. Section 34 of the *Planning Act* allows for the consideration of amendments to the Zoning By-law.

## **6.2 Provincial Planning Statement (2024)**

The subject land is identified as being within an Urban Settlement Area, according to the Provincial Planning Statement, 2024 (PPS).

The Provincial Planning Statement (PPS) came into effect on October 20, 2024 and is Ontario's key policy framework for guiding land use planning to promote efficient, sustainable, and equitable growth. It aims to encourage compact development, optimize the use of land and infrastructure, and create complete, inclusive communities with diverse housing, transportation, and employment options.

The proposed minor Zoning By-law Amendment directly implements the following key policies of the PPS:

*2.1.4 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

*a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development;*

*2.1.6. Planning authorities should support the achievement of complete communities by:*

*a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*

*b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*

*c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*

*2.2.1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

*a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*

*b) permitting and facilitating:*

*1. all housing options required to meet the social, health, economic and well being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*

*2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy*

*2.3.1.3;*

### **6.3 Niagara Region Official Plan**

The Niagara Region Official Plan (ROP) serves as a strategic framework to guide growth and development in the region through to 2051, focusing on sustainability, inclusivity, and economic prosperity.

Relevant policies implemented by the proposed development include:

*2.2.1.1 Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:*

*c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs;*

*h) opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods*

*i. the development of a mix of residential built forms in appropriate locations, such as local growth centres, to ensure compatibility with established residential areas;*

*2.3.1.1 The development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.*

*2.3.3.1 The following tools will be considered to support the development of affordable and attainable housing:*

*a) flexibility in the scale, form, and types of residential uses permitted as-of-right, including additional residential units and other alternative housing forms;*

*b) streamlining of planning approvals for the development of affordable housing, attainable housing, and community housing, with a priority for developments receiving time-sensitive government funding;*

*6.3.1.1 The Region shall support healthy communities by:*

*b) planning for all ages, incomes, abilities and populations.*

**Summary:** The ROP places significant importance on diversifying housing options to meet the needs of a diverse population. Policies support the creation of affordable and accessible housing, including tools like development incentives and flexible zoning. Policy 2.3.3.1 b) is particularly relevant to this application given that the CMHC funding to the YWCA is time-sensitive with a number of milestones and obligations under the funding agreement. Processing of this Minor Zoning By-law Amendment in an expeditious manner is integral to ensuring the acquisition of building permits; compliance with the construction schedule and the ultimate delivery of the housing product.

#### **6.4 City of Niagara Falls Official Plan**

As previously mentioned, the City of Niagara Falls Official Plan (NFOP) designates the northerly two-thirds of the property as Tourist Commercial and the southern third, Residential.

##### *Part 2 (Residential)*

*1.1 The predominant use of land in areas designated Residential shall be for dwelling units of all types catering to a wide range of households. Predominant uses shall include single detached and semi-detached dwellings, duplexes, triplexes, quadruplexes, townhouses, apartments, group homes and other forms of residential accommodation.*

The previous guest cabins in the southern third of the property were formerly used for a commercial purpose and were therefore deemed to be non-complying uses under the NFOP. This was part of the impetus behind By-law No. 2010-09. However, given the 13 proposed new cabins are intended as temporary shelters (serving no commercial function), they would be classified as “other forms of residential accommodation” as contemplated by the above policy. These cabins are already permitted under the TC-889 site-specific zone and would also comply with the Residential designation of the OP.

As for the Tourist Commercial designation, it is more specifically part of the ‘**Lundy’s Lane Satellite District**’ in accordance with Schedule E – Tourism Districts.

*4.2.3 The Lundy’s Lane Satellite District is a multi-functional commercial area catering to both City residents and tourists. A portion of the District also provides opportunities for cultural heritage preservation.*

*4.2.9 Residential uses may be permitted throughout lands designated Tourist Commercial either as standalone or mixed-use buildings in order to assist in creating a complete community in accordance with the policies of this section and PART 1, Section 3.*

The six (6) new cabins located within the Tourist Commercial designation may be permitted by the NFOP however they are not permitted under Zoning By-law No. 79-200 or the TC-889 site-specific zone. As such, they are deemed to be legally non-conforming uses.

Under Part 4, Policy 6.3, the NFOP permits the expansions of legal non-conforming uses if it is demonstrated that certain requirements are or will be fulfilled:

*6.3 In order to provide some flexibility to the Zoning By-law and to avoid unnecessary hardship, expansions of legal non-conforming uses may be considered. These expansions may be permitted if in conformity with the policies of this Section and provided the community will not be adversely affected. Council may also permit such expansion by means of a by-law enacted pursuant to Section 34 of the Planning Act. When considering such expansions, Council shall be satisfied that the following requirements are or will be, fulfilled.*

*6.3.1 The proposed extension or enlargement of the established legal non-conforming use is not to unduly aggravate the situation created by the existence of the uses, especially in regard to the land use designation of this Plan and the requirements of the Zoning By-law.*

The proposed new cabins will be sited in the same general location as the previous ones, but will actually improve the situation, rather than aggravate it. The area will be formalized with marked parking spaces, barrier-free spaces, allowance for a proper fire-access route and the provision of barrier-free cabin units.

*6.3.2 The proposed extension or enlargement is to be in an appropriate proportion to the size of the legal non-conforming use established prior to the passing of the Zoning By-law.*

The previous legal non-conforming cabins numbered 8 in total, whereas this redevelopment proposes 6. Although the sizes of the new cabins are slightly larger, the overall square footage is roughly the same.

*6.3.3 An application which would affect the boundary between areas of different land use designations in this Plan will only be processed under these policies if it can be considered as a minor adjustment. Major intrusions will require an amendment to this Plan.*

Not applicable. This application does not propose a boundary adjustment to the OP.

*6.3.4 The characteristics of the existing legal non-conforming use and the proposed extension or enlargement will be examined with regard to noise, vibrations, fumes, smoke, dust, odours, lighting and traffic generation. No amendment to the By-law will be made if one or more of such nuisance factors will be created or increased so as to add essentially to the incompatibility of the use with the surrounding area.*

None of the above nuisance factors existed with the previous cabins, and they are not anticipated with the redevelopment either.

*6.3.5 The neighbouring complying uses will be protected, where necessary, by the provisions of areas for landscaping, buffering or screening; appropriate setbacks for buildings and structures; devices and measures to reduce nuisances; and by regulations for reducing adverse effects caused by such items as outside storage, lighting, advertising and signs.*

The proposed new cabins will comply with the regulations of the TC zone and By-law No. 2010-09. The only adjacent use is the Falls Apartments to the east - a 3-storey, 18-unit apartment dwelling within the Tourist Commercial designation. There is a substantial side yard setback proposed and an existing wooden privacy fence is in place. Further, the existing garbage enclosure along the property line with Falls Apartments is proposed to be shifted north which will reduce noise/odour impacts.

*6.3.6 Provisions and regulations, including site plan control, may be applied to the proposed extension or enlargement and, wherever feasible, be extended to the established use in order to improve its compatibility with the neighbourhood.*

Site plan control is a tool that could be used by the City, however, the approval of this Minor Zoning By-law Amendment would suffice to ensure building permits are submitted and reviewed in conformity with desired zoning regulations.

*6.3.7 Traffic and parking conditions in the vicinity will not be adversely affected by the application and traffic hazards will be kept to a minimum by appropriate design or access points and improvement of site conditions, especially in proximity to intersections.*

The proposed development will not result in any adverse impacts on Lundy's Lane or nearby intersections. No amendments are proposed to the site entrances. Rather, internal parking arrangements and traffic flow will be improved under the proposed Site Plan.

*6.3.8 Adequate provisions have been or will be made for off-street parking and loading facilities.*

Minimum parking requirements (including the provision of new bicycle parking and barrier-free parking spaces) will be exceeded.

*6.3.9 Adequate services such as sewage disposal facilities, storm drainage and roads are adequate or can be made adequate.*

Adequate infrastructure is already in place and this proposal will not require any upgrades or impact existing services.

*6.3.10 Council may also consider the feasibility of acquiring, selling, leasing or redeveloping the property concerned in accordance with the provisions of the Planning Act. Council shall further*

*examine the merits and potential for the relocation of the use to an area in compliance with this Plan.*

Not applicable to this application.

Part 4, Policy 4.1.1.1 provides the basis for the consideration of Minor Zoning By-law Amendments, as determined by the General Manager of Planning, Building and Development and may include e) i.) an amendment where no study or report is required to review the application, other than a Planning Justification Report/Brief; ii.) the proposal does not contradict any Provincial Policies; and iii.) the proposal conforms to the Region and City's Official Plan.

**Summary:** No technical study or report is required for the review of this application and is fully supported by Provincial, Regional, and City policy.

The cabins on the subject property (now demolished and proposed to be rebuilt) were established in the 1950s and have existed in relative harmony with surrounding uses. In fact, the surrounding neighbourhood has grown up and evolved around this property, as evidenced by the extension of Cuviallo Crt. on the southern boundary and the relatively new *Falls Apartments* dwelling on the eastern boundary. Given the 2 and 3-storey heights of these adjacent uses, they would be far more likely to adversely impact the small 1-storey cabins on the subject property than the reverse scenario.

The cabins proposed in the southern 1/3<sup>rd</sup> of the property will comply with the Residential designation of the NFOP, while the cabins proposed within the Tourist Commercial designation will satisfy the expansion of legal non-conforming use policies of Part 4, Section 6.3.

This Planning Brief has not delved into all the relevant goals and policies of the NFOP, particularly with respect to housing given they tend to echo the ROP, but the very first paragraph of Part 1, Section 4 – Housing summarizes the strong need for this type of application:

*A range of housing which is affordable, accessible, adequate, and appropriate is needed to ensure a high quality of life for residents. In order to meet the needs of current and future residents, a range of housing options is needed that includes the full spectrum of housing types, such as **emergency shelters, transitional housing, subsidized and/or government assisted housing**, affordable rental housing, affordable home ownership, market rental housing, market home ownership, and supportive housing.*

## 7.0 Conclusion

The proposed redevelopment of the subject lands to repurpose and reposition the cabins for transitional housing is preferred and desirable on every level.

From a livability standpoint, the recently demolished cabins were in such poor condition after 70+ years of existence, they had become unsuitable for habitation. The new cabins will improve on-site aesthetics; meet building code standards for energy efficiency; including the construction of barrier-free units for inclusivity. The

property itself will undergo significant renovation to improve overall function: provision of barrier-free parking, a proper fire route and new amenity areas. The effect of this reconstruction is minimal, as the new cabins will generally occupy the footprints of the previous cabins.

The proposed Zoning By-law Amendment is indeed minor, as it seeks to amend or modify two clauses of the site-specific TC-889 zone under By-law No. 2010-09. These relate to increasing the floor area of the new cabins and to recognize the northerly cabins as a permitted use in the TC zone. These amendments are proposed to be implemented under a new special provision in By-law No.79-200.

The proposed Zoning By-law Amendment is well-founded, consistent with good planning principles, and represents a desirable, appropriate, compatible, and sustainable redevelopment project. There are very few “shovel ready” opportunities to provide transitional housing and emergency shelters for those most in need, but the subject property has this potential, with a willing owner, and a funding agreement with CMHC in place.

This application demonstrates policy alignment at all levels of government, reinforces the City’s objectives for a range of housing options and tenures, and contributes to the broader housing strategy for the Region.

As such, it is recommended that the proposed Minor Zoning By-law Amendment is appropriate and should be approved.

**Report Prepared by:**

**Report Reviewed and Approved by:**

  
\_\_\_\_\_  
Cam Lang, MES

and

  
\_\_\_\_\_  
Eldon Darbyson, BES, MCIP, RPP

# APPENDIX A

**CITY OF NIAGARA FALLS**

**By-law No. 2010 - 09**

A by-law to amend By-law No. 79-200, to recognize existing cabins associated with a motel and to reduce the lot frontage of a residential lot.

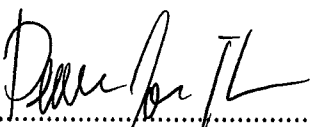
**THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:**


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 Lands shall be identified as two parcels, known as Parcels TC-889 and R1C-890.
3. 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.
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:
  - (a) For Parcel TC-889, the uses permitted in a TC zone, save and except for the portion within 65 metres of the rear lot line which shall only be used for 12 cabins.
  - (b) For Parcel R1C-890, the uses permitted in a R1C zone.
6. The regulations governing the permitted uses on Parcel TC-889 shall be:

(a) Minimum rear yard depth	6 metres
(b) Minimum interior side yard width	
(i) 65 metres or less, from the rear lot line	1.2 metres
(ii) greater than 65 metres from the rear lot line	none
(c) Minimum landscaped open space	a 6 metre wide landscaped open space strip, along and adjacent to the rear lot line

- (d) Minimum number of required parking spaces per cabin 1
  - (e) The balance of regulations specified for a TC use.
7. The regulations governing the permitted use on Parcel R1C-890 shall be:
- (a) Minimum lot frontage 6 metres
  - (b) Maximum width of driveway or parking area in the front yard of a lot 100% of the lot frontage, but in no case more than 8 metres
  - (c) The balance of regulations specified for a R1C use.
8. For the purposes of this by-law: "cabin" means a building or structure designed and built for temporary human accommodations containing separate heating and sanitary facilities, but no cooking facilities, and having a floor area not less than 14 square metres and not more than 36 square metres.
9. 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.
10. No person shall use the Lands for a use that is not a permitted use.
11. No person shall use the Lands in a manner that is contrary to the regulations.
12. The provisions of this By-law shall be shown on Sheet C4 of Schedule "A" of By-law No. 79-200 by redesignating the Lands from TC, in part, and R1C, in part, to TC and numbered 889, in part, and to R1C and numbered 890, in part.
13. Section 19 of By-law No. 79-200 is amended by adding thereto:
- 19.1.889 Refer to By-law No. 2010-09.
  - 19.1.890 Refer to By-law No. 2010-09.

Passed this twenty-fifth day of January, 2010.

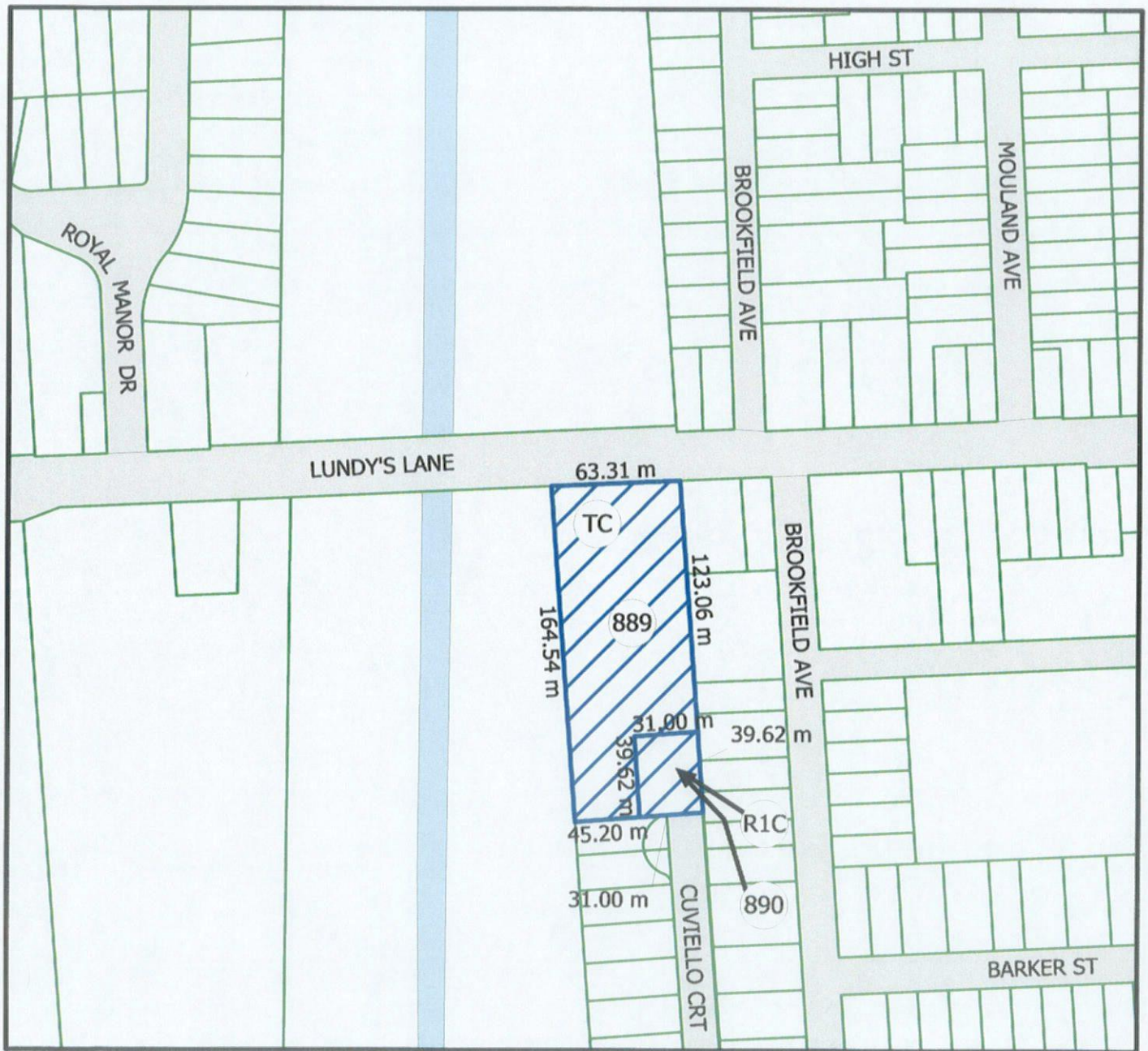
  
.....  
DEAN IORFIDA, CITY CLERK

  
.....  
R. T. (TED) SALCI, MAYOR

First Reading: January 25, 2010  
Second Reading: January 25, 2010  
Third Reading: January 25, 2010

# SCHEDULE 1 TO BY-LAW No. 2010-09

Subject Land



## Amending Zoning By-law No. 79-200

Description: Pt Twp Lts 141 & 148 Stamford Being Pts 1 & 2, 59R9719 & As In BB76617, Except Pts 1 & 2, 59R11886; Niagara Falls

Applicant: Falls Manor Limited

Assessment #s: 272507001713100



1:NTS

AM-2009-018