

CITY OF NIAGARA FALLS

By-law No. 2026-xxxx

A by-law to provide for the adoption of Amendment No. xxxx to the City of Niagara Falls Official Plan (AM-2026-xxxx).

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 ENACT AS FOLLOWS:

1. Amendment No. xxxx to the City of Niagara Falls Official Plan, constituting the attached text and map, is hereby adopted.

Read a First, Second and Third time; passed, signed and sealed in open Council this xxxx day of xxxx, 2026.

.....
BILL MATSON, CITY CLERK

.....
JAMES M. DIODATI, MAYOR

OFFICIAL PLAN AMENDMENT NO. xxxx

PART 1 – PREAMBLE

(i) **Purpose of the Amendment**

The purpose of the amendment is to redesignate the property from Residential to Minor Commercial.

(ii) **Location of the Amendment**

The amendment applies to lands located at 5190 and 5204 Stanley Avenue in the City of Niagara Falls.

(iii) **Details of the Amendment**

Map Changes

MAP 1 – Schedule “A” to the Official Plan – Future Land Use has been amended to show the Minor Commercial designation.

(iv) **Basis of the Amendment**

The applicant proposes to retain the existing commercial plaza located at 5204 Stanley Avenue and expand its footprint into the neighbouring vacant parcel at 5190 Stanley Avenue, simultaneously adding two (2) apartment dwelling units over the ground floor of the new expansion.

The subject lands are designated Residential as shown on Schedule A – Future Land Use of the City’s Official Plan. The Official Plan Amendment requests to redesignate the site to Minor Commercial.

Part 2, Section 3.3 of the Official Plan provides policies to guide development within Minor Commercial land use districts. The amendment meets the intent of these policies as follows:

- Minor Commercial districts represent a moderate concentration of commercial space and approximately range in size from 3,700m² to 10,200m² of gross leasable retail floor area (GLRFA). The proposed amendment enlarges the existing Minor Commercial District immediately west of Stanley Avenue, which has a GLRFA far below this range (approximately 2,582.8m²). The amendment permits a contiguous district with approximately 2,893.1m² of gross leasable retail floor area, therefore working towards the target GLRFA range recommended by the Official Plan.
- Mixed-use development is permitted within Minor Commercial districts, subject to the appropriate provisions in the Zoning By-law and other relevant sections of the Official Plan. The amendment seeks to include two (2) apartment dwelling units into the proposed expansion of the commercial plaza and a

Zoning By-law is concurrently being submitted to address relief being requested for multiple required yard setbacks.

- The proposed amalgamation of 5190 and 5204 Stanley Avenue will result in increased frontage onto Stanley Avenue, a Regional arterial road and the largest frontage. The proposed expansion of the commercial plaza and two (2) apartment dwelling units on 5190 Stanley Avenue will be oriented towards Stanley Avenue in order to ensure economic stability and integration with existing commercial plaza on the adjacent property (5204 Stanley Avenue).

PART 2 - BODY OF THE AMENDMENT

DETAILS OF THE AMENDMENT

The Official Plan of the City of Niagara Falls is hereby amended as follows:

1. MAP CHANGE

The "Area Affected by this Amendment", shown on the map attached hereto, entitled "Map 1 to Amendment No. xxxx", shall be identified as Minor Commercial on Schedule A – Future Land Use of the Official Plan.

CITY OF NIAGARA FALLS

By-law No. 2026- xxxx (DRAFT)

A by-law to amend By-law No. 79-200, to permit the use of the lands for the mixed-use expansion of an existing commercial plaza into an adjacent vacant lot, inclusive of two (2) apartment dwellings on the second storey. (AM-2026-xxxx).

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 a parcel, known as Parcel GC- xxxx.
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 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.
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 GC-xxxx, the uses permitted in the GC zone.
 - (b) Gasoline bar
6. The regulations governing the gasoline bar on Parcel GC–xxxx, shall be:
 - (a) Minimum front yard depth 8.1 metres (9.84 ft.) from the property line plus any applicable distance specified in section 4.27.1
 - (b) The balance of the regulations specified for Gasoline Bars under Section 8.9.3 of By-law No. 79-200.
7. The regulations governing all other permitted uses on Parcel GC–xxxx, shall be:
 - (a) Minimum rear yard dept 3.0 metres (9.84 ft.)
 - (b) Minimum interior side yard width 0.44 metres (1.44 ft.)
 - (c) The balance of the regulations specified for a GC use.

