

## CITY OF NIAGARA FALLS

### **By-law No. 2015 - 51**

A by-law to amend By-law No. 79-200, to regulate the development of an inn on the Lands (AM-2014-011).

#### **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. The permitted uses shall be:
  - (a) The uses permitted in a R2 zone
  - (b) An inn
5. The regulations governing the permitted uses shall be:
  - (a) Minimum lot area 1600 square metres
  - (b) Minimum lot frontage 31 metres
  - (c) Minimum front yard depth 11 metres
  - (d) Minimum rear yard depth
    - (i) for the main building of an inn or a use permitted in a R2 zone 20 metres
    - (ii) for the secondary building of an inn or an accessory building 2.75 metres
  - (e) Minimum interior side yard width
    - (i) for the main building of an inn or a use permitted in a R2 zone 1.5 metres

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|---|---|---|
| (ii)  | for the secondary building of an inn or an accessory building   | 0.6 metres  |
| <br>(f) Minimum exterior side yard width                                  |   |   |
| (i)   | for the main building of an inn or a use permitted in a R2 zone | 2.3 metres  |
| (ii)  | for the secondary building of an inn or an accessory building   | 22 metres   |
| <br>(g) Maximum lot coverage  |   |   |
|   |   | 30% of the lot area   |
| <br>(h) Maximum height of a building or structure including a peaked roof |   |   |
|   |   | 12.7 metres subject to section 4.7 of By-law No. 79-200   |
| <br>(i) Minimum number of parking spaces                                  |   |   |
|   |   | 1 parking space for each guest room plus 1 parking space for the bedroom or dwelling unit of an owner/manager |
| <br>(j) Maximum lot area which can be used as a surface parking area      |   |   |
|   |   | 25% of the lot area, which shall be provided in the rear yard of the main or secondary building               |
| <br>(k) Maximum encroachment of a porch or deck                           |   |   |
| (i)   | into a front yard   | 4.5 metres  |
| (ii)  | into an exterior side yard                                      | 0.4 metres  |
| <br>(l) Minimum landscaped open space                                     |   |   |
|   |   | 45% of the lot area   |
| <br>(m) Maximum guest rooms   |   |   |
|   |   | 12  |
| <br>(n) The balance of regulations specified for a R2 use                 |   |   |

6. For the purposes of this by-law the following definition shall apply:

“INN” means a commercial establishment catering to the needs of the travelling or vacationing public by supplying overnight accommodation in not more than 2 buildings containing a minimum of 5 guest rooms and a maximum of 19 guest rooms, with or without the provision of food, and shall contain either a bedroom or dwelling unit for the owner/manager but does not include a bed and breakfast, a hotel, motel, restaurant, or any residential or other type of accommodation defined therein.

7. 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.
8. No person shall use the Lands for a use that is not a permitted use.
9. No person shall use the Lands in a manner that is contrary to the regulations.
10. The provisions of this by-law shall be shown on Sheet D4 of Schedule "A" of By-law No. 79-200 by renumbering the Lands from 538 to 1010.
11. By-law No. 2001-50 is repealed.
12. Section 20 of By-law No. 79-200 is amended by deleting section 20.1.538 and adding thereto:  
  
20.1.1010 Refer to By-law No. 2015-51.

Passed this twelfth day of May, 2015.

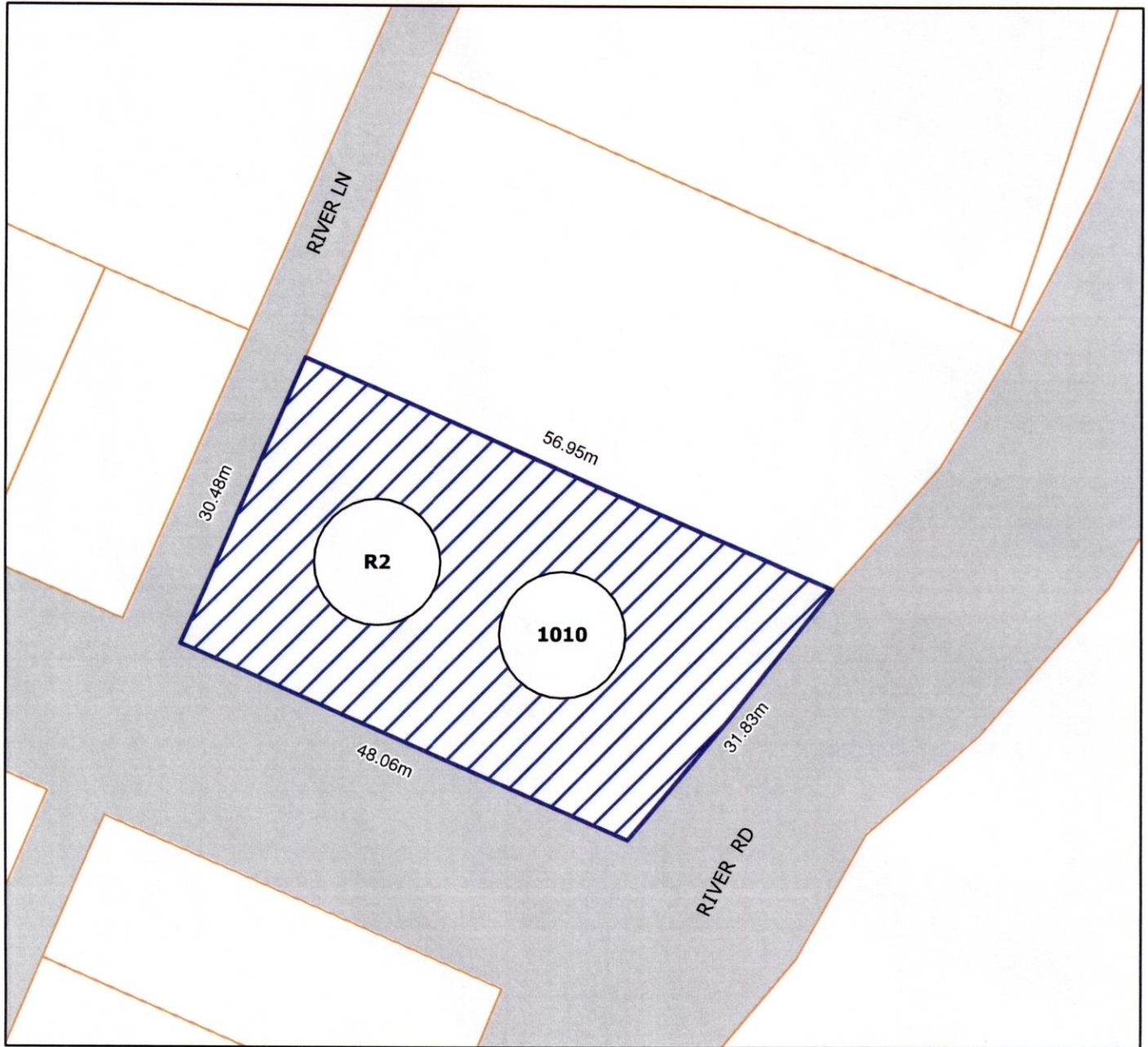
  
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DEAN IORFIDA, CITY CLERK

  
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JAMES M. DIODATI, MAYOR

First Reading: May 12, 2015  
Second Reading: May 12, 2015  
Third Reading: May 12, 2015

# SCHEDULE 1 TO BY-LAW No. 2015-51

Subject Land 



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

Description: Lt 28 Pl 294 Town of Niagara Falls;  
Lt 29 Pl 294 Town of Niagara Falls; Niagara Falls

Applicant: 1907782 Ontario Inc.

Assessment #: 272502000213900



1:NTS

AM-2014-011