

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to amend Zoning By-law 6575/30/18 for the lands legally known as Lots 27 and 45, and Part of William Street, Plan 784 on the southeast corner of Mellanby Avenue and Main Street West, municipally known as 179 Mellanby Avenue and 56-56 ½ Main Street West

Whereas By-law 6575/30/18 is a by-law of The Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures; and

Whereas, the Council of The Corporation of the City of Port Colborne desires to amend the said by-law.

Now therefore, and pursuant to the provisions of Section 34 of the *Planning Act, R.S.O. 1990*, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule “A” attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule “A6” forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Downtown Commercial (DC) and Fourth Density Residential (R4) to DC-79-H, being a special provision of the Downtown Commercial (DC) zone with a Holding (H) provision.
3. That Section 37 entitled “Special Provisions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

DC-79-H

Notwithstanding the provisions of sections 3 and 23 of Zoning By-law 6575/30/18, the following regulations shall apply:

- | | |
|-----------------------------------------------|---------------------------------------------------------------------|
| a) Minimum landscaped area | 10.8% |
| b) Maximum building height | 25.9 metres |
| c) Maximum gross floor area | 216% |
| d) Minimum parking spaces | 1 space per dwelling unit |
| e) Minimum landscaped buffer | 0 metres for lot lines not abutting a public road for parking areas |
| f) Minimum driveway width for two-way traffic | 6 metres |

The uses permitted in the DC-79 zone shall not occur until the Holding (H) symbol on the DC-79-H zone is removed. Removal of the Holding (H) symbol may only occur upon the submission and review of a Phase Two Environmental Site Assessment and revised Traffic Impact Study to the satisfaction of the Niagara Region and City of Port Colborne staff.

4. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.
5. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with the *Planning Act*.

Enacted and passed this day of , 2024.

William C Steele
Mayor

Saima Tufail
Acting City Clerk

Schedule "A"




This is Schedule "A" to By-law No _____

Passed _____, 2024

Mayor

Clerk

 - Lands to be rezoned to
DC-79-H

February 2024

File No. D14-08-23

Drawn by: DS - City of Port Colborne
Planning Division

Not to scale