

Appendix B – Draft Zoning By-law Amendment

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. _____

BEING A BY-LAW TO AMEND ZONING BY-LAW 6575/30/18, RESPECTING LANDS LEGALLY DESCRIBED AS LOTS 9, 10 AND PART OF LOT 11, REGISTERED PLAN NO. 767 AND BLOCK ‘A’ AND PART OF BLOCK ‘B’, REGISTERED PLAN NO. 775 IN THE CITY OF PORT COLBORNE, REGIONAL MUNICIPALITY OF NIAGARA, AND MUNICIPALLY KNOWN AS 54 GEORGE STREET.

WHEREAS By-law 6575/30/18, is a by-law of the Corporation of the City of Port Colborne regulating the use of lands and the location and use of buildings and structures within the City of Port Colborne;

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 “A7” forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule 1 from NC-27-H, R2-28-H, R4-30-H, Public and Park (P) and Environmental Protection (EP) to Special Provision Fourth Density Residential (R4-XX), Special Provision Mixed-Use (MU-XX) Zone, Environmental Protection Zone, and Public and Parks Zone.
3. That Section 37 entitled “Special Provisions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

Special Provision: Fourth Density Residential (R4-XX)

Notwithstanding the provisions of Section 8, the following provisions shall apply to lands zoned R4-XX in accordance with Schedule XX

Permitted Uses
a) Dwelling, Detached
b) Dwelling Townhouse Block
c) Dwelling Townhouse Street

d) Dwelling, Back-to-Back Townhouse	
e) Dwelling, Rear Lane Townhouse	
Zone Requirements – Detached Dwelling	
a) Minimum Lot Frontage – Corner Lot	13.5 metres
b) Minimum Lot Area	300 square metres
Zone Requirements – Dwelling, Townhouse Block	
a) Minimum Lot Frontage per unit	6.0 metres
b) Minimum Lot Area	98 square metres
c) Minimum Front Yard	4.0 metres to parking area
d) Minimum Interior Side Yard	1.5 metres
e) Minimum Corner Side Yard	2.8 metres
f) Minimum Rear Yard	4.0 metres
g) Maximum Height	14 metres
h) Common walls shall be centered on the common lot line.	
i) There is no minimum interior side yard and/or rear yard for common walls.	
j) Setback calculations shall be taken from a private road or parking area.	
Zone Requirements – Dwelling, Townhouse Street	
a) Minimum Lot Frontage per unit	6.0 metres
b) Minimum Lot Area	95 square metres
c) Minimum Front Yard	2.0 metres
d) Minimum Interior Side Yard	1.5 metres
e) Minimum Corner Side Yard	4.5 metres
f) Minimum Rear Yard	1.5 metres
g) Maximum Height	15 metres
h) Minimum Landscaped Area	25 %
i) Common walls shall be centered on the common lot line.	
j) There is no minimum interior side yard and/or rear yard for common walls.	
Zone Requirements – Dwelling, Back-to-Back Townhouse	

a) Minimum Lot Frontage per unit	4.5 metres
b) Minimum Lot Area	65 square metres
c) Minimum Front Yard	1.8 metres
d) Minimum Interior Side Yard	1.5 metres
e) Minimum Corner Side Yard	5.0 metres
f) Minimum Rear Yard	N/A
g) Maximum Height	14 meters
h) Minimum Landscaped Area	0%
i) Common walls shall be centered on the common lot line.	
j) There is no minimum interior side yard and/or rear yard for common walls.	
Zone Requirements – Dwelling, Rear Lane Townhouse	
a) Minimum Lot Frontage per unit	4.5 metres
b) Minimum Lot Area	95 square metres
c) Minimum Front Yard	2.9 metres
d) Minimum Interior Side Yard	1.5 metres
e) Minimum Corner Side Yard	3.7 metres
f) Minimum Rear Yard	4.0 metres
g) Maximum Height	14 metres
h) Minimum Landscaped Area	15%
i) Common walls shall be centered on the common lot line.	
j) There is no minimum interior side yard and/or rear yard for common walls.	

Notwithstanding the provisions of Section 8.6, a Street Townhouse located on Block 30 of the corresponding Draft Plan of Subdivision, dated November XX, 2023, a rear yard of 1.5 metres is permitted.

Notwithstanding the provisions of Section 8.6, a Street Townhouse located on Block 30 of the corresponding Draft Plan of Subdivision, dated November XX, 2023, a minimum interior side yard of 0.9 metres is permitted.

Notwithstanding the provisions of Section 8.6, a Street Townhouse located on Block 3 of the corresponding Draft Plan of Subdivision, dated November XX, 2023, a minimum corner side yard of 0.4 metres is permitted.

Notwithstanding the provisions of Dwelling, Rear Lane Townhouse, a Rear Lane Townhouse located on Block 34 of the corresponding Draft Plan of Subdivision, dated November XX, 2023, a minimum corner side yard of 1.5 metres is permitted.

Special Provision: MU-XX

Notwithstanding the provisions of Section 21, the following provisions shall apply to lands zoned R4-XX in accordance with Schedule XX

Zone Requirements – Mixed Use Buildings	
Minimum Front Yard	4.8 metres
Maximum Building Height	32 metres
Zone Requirements – Apartment Building	
Minimum Lot Area per Unit	98 square metres
Minimum Front Yard	4.8 metres
Maximum Building Height	32 metres

Notwithstanding the provisions of Section 3.1, 1.2 spaces/apartment unit & 1 space per 50 sqm. Commercial GFA

Notwithstanding the provisions of Section 3.10, loading spaces are permitted in a rear yard which abuts a residential zone.

4. That Section 38 entitled “Definitions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

Dwelling, Back-to-Back Townhouse: means a group of not less than four, but not more than ten single dwelling units divided vertically from each other by common side walls and common rear walls and each of which has a private independent entrance directly from a front yard.

Dwelling, Rear Lane Townhouse means a townhouse dwelling (street or block townhouse) that is not a stacked townhouse dwelling or back to back dwelling and where vehicular access to an attached garage is provided via a Driveway crossing the rear lot line that is accessed from either a street or a lane.

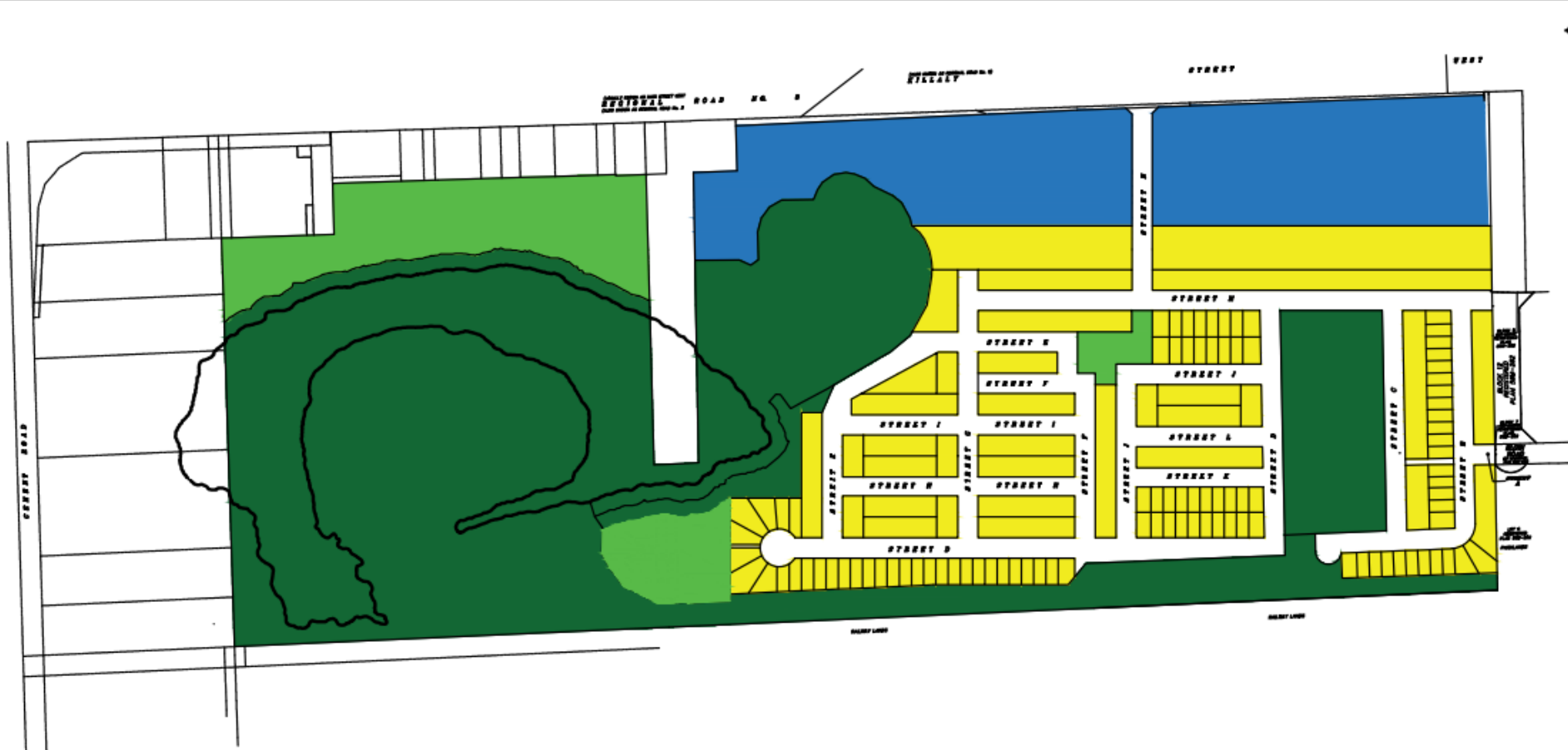
5. That this By-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of *The Planning Act, R.S.O 1990*.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with *The Planning Act*.





**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XXTH DAY
OF XXX, 2023**

William C Steele, MAYOR

Amber LaPointe, CLERK

SCHEDULE A TO ZONING BY-LAW AMENDMENT



-  Site Specific Mixed Use (MU-XX) Zone
-  Site Specific Fourth Density Residential Zone (R4-XX) Zone
-  Public and Park Zone
-  Environmental Protection Zone