

**Appendix IV**  
**Draft Zoning By-law Amendment**

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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 Part of Lot 31, Concession 2, Geographic Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara.

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 "A1" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from:

Residential Development (RD)	to	Second Density Residential (R2-XX) Site-Specific Zone
Residential Development (RD) Zone	to	Second Density Residential (R2-XX) Site-Specific Zone
Residential Development (RD-65-H) Site-Specific Holding Zone	to	Second Density Residential (R2-XX) Site-Specific Zone
Residential Development (RD) Zone	to	Third Density Residential (R3-XX) Site-Specific Zone
Residential Development (RD-65-H) Site-Specific Holding Zone	to	Third Density Residential (R3-XX) Site-Specific Zone
Residential Development (RD-65-H) Site-Specific Holding Zone	to	Fourth Density Residential (R4-XX) Site-Specific Zone
Residential Development (RD) Zone	to	Public + Park (P) Zone

3. That Section 37 entitled "Special Provisions" of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

**Part 1:**

**Section 2 – General Provisions**

Notwithstanding the provisions of Permitted Encroachments, the following regulations shall apply:

- a. Deck or Platform Encroachment (height above ground floor level to 0.61m) are to have a minimum setback from the corner side lot line of 2.0-metres.
- b. Deck or Platform Encroachment (more than 0.61m but less than 1.2m) are to have a minimum setback from the corner side lot line of 2.0-metres.

### **Section 3 – Parking Provisions**

Notwithstanding the Parking Provisions of Section 3, the following regulation shall apply:

- a. Standard Parking Space Obstructed on Two Sides      3.0 m x 5.2 m

### **Section 6 – Second Density Residential (R2) Zone**

Notwithstanding the provisions of the Second Density Residential Zone, the following regulation shall apply:

- a. Minimum Lot Frontage      10.0 metres
- b. Minimum Lot Frontage – Corner Lot      14.25 metres
- c. Minimum Lot Area      0.03 hectares
- d. Minimum Front Yard      4.5 metres to dwelling  
6.0 metres to garage
- e. Minimum Corner Side Yard      2.0 metres

## **Part 2 and 3:**

### **Section 2 – General Provisions**

Notwithstanding the provisions of Permitted Encroachments, the following regulations shall apply:

- a. Deck or Platform Encroachment (height above ground floor level to 0.61m) are to have a minimum setback from the corner side lot line of 1.6-metres, and a minimum setback from the front lot line of 1.5-metres.
- b. Deck or Platform Encroachment (more than 0.61m but less than 1.2m) are to have a minimum setback from the corner side lot line of 1.6-metres, a minimum setback from the rear lot line of 1.6-metres, and a minimum setback from the front lot line of 1.5-metres.
- c. Deck or Platform Encroachment (1.2m or greater) are to have a minimum setback from the rear lot line of 2.0-metres, and a minimum setback from the front lot line of 1.0-metres.

### **Section 3 – Parking Provisions**

Notwithstanding the Parking Provisions of Section 3, the following regulation shall apply:

- a. The required parking spaces per unit for  
7.8-m Detached Dwelling      1 space per unit
- b. The required parking spaces per unit for  
8.4-m Detached Dwelling      1 space per unit
- c. Standard Parking Space Obstructed on Two Sides      3.0 m x 5.2 m
- d. Maximum Width of a parking area on a residential  
lot with 4 or fewer dwelling units      Delete

### **Section 6 – Second Density Residential (R2) Zone**

Notwithstanding the provisions of the Second Density Residential Zone, the following regulation shall apply:

### 7.8-metre Detached Dwellings

- |                                      |                                                        |
|--------------------------------------|--------------------------------------------------------|
| a. Minimum Lot Frontage              | 7.8 metres                                             |
| b. Minimum Lot Frontage – Corner Lot | 8.9 metres                                             |
| c. Minimum Lot Area                  | 0.0215 hectares                                        |
| d. Minimum Front Yard                | 3.0 metres to dwelling                                 |
| e. Minimum Interior Side Yard        | 0.6 metres on one side<br>1.2 metres on the other side |
| f. Minimum Corner Side Yard          | 2.0 metres                                             |
| g. Minimum Rear Yard                 | 7.0 metres                                             |
| h. Maximum Lot Coverage              | 50%                                                    |
| i. Maximum Height                    | 11.0 metres                                            |

### 8.4-metre Detached Dwellings

- |                                      |                                                                                            |
|--------------------------------------|--------------------------------------------------------------------------------------------|
| a. Minimum Lot Frontage              | 8.4 metres                                                                                 |
| b. Minimum Lot Frontage – Corner Lot | 9.4 metres                                                                                 |
| c. Minimum Lot Area                  | 0.0125 hectares                                                                            |
| d. Minimum Front Yard                | 3.0 metres to dwelling                                                                     |
| e. Minimum Interior Side Yard        | 0.6 metres on one side<br>1.2 metres on the other side<br>3.0 metres if no attached garage |
| f. Minimum Corner Side Yard          | 1.6 metres                                                                                 |
| g. Minimum Rear Yard                 | 4.0 metres<br>2.6 metres for corner lot                                                    |
| h. Maximum Lot Coverage              | 50%                                                                                        |
| i. Maximum Height                    | 11.0 metres                                                                                |

## **Part 4 and 5:**

### **Section 2 – General Provisions**

Notwithstanding the provisions of Accessory Buildings, the following regulations shall apply:

- |                         |     |
|-------------------------|-----|
| a. Maximum Lot Coverage | 15% |
|-------------------------|-----|

Notwithstanding the provisions of Accessory Uses to a Dwelling, Section 2.9.2 Home Based Business, the following regulations shall apply:

- The use occupies a maximum floor area of 50% of the total dwelling unit floor area
- There are to be separate entrances to the dwelling unit for the home-based business
- In addition to the parking provision of the By-law, on-street parking is permitted

Notwithstanding the provisions of Permitted Encroachments, the following regulations shall apply:

- Deck or Platform Encroachment (height above ground floor level to 0.61m) are to have a minimum setback from the corner side lot line of 2.0-metres, and a minimum setback from the front lot line of 1.5-metres.
- Deck or Platform Encroachment (more than 0.61m but less than 1.2m) are to have a minimum setback from the corner side lot line of 2.0-metres, a minimum setback from the rear lot line of 1.6-metres, and a minimum setback from the front lot line of 1.5-metres.
- Deck or Platform Encroachment (1.2m or greater) are to have a minimum setback from the rear lot line of 2.0-metres, and a minimum setback from the front lot line of 1.0-metres.

### **Section 3 – Parking Provisions**

Notwithstanding the Parking Provisions of Section 3, the following regulation shall apply:

- a. 1 parking space per unit is required for 7.8-m Single-Detached Dwellings, 8.4-m Single-Detached Dwellings, Back-to-Back Townhouse Dwellings, and Live/Work Townhouse dwellings
- b. Standard Parking Space Obstructed on Two Sides            3.0 m x 5.2 m
- c. Maximum Width of a parking area on a residential lot with 4 or fewer dwelling units            Delete

### **Section 7 – Third Density Residential (R3) Zone**

Notwithstanding the permitted uses of the Third Density Residential Zone, the following uses are to be permitted:

- a. 7.8 metre Single Detached Dwelling;
- b. 8.4 metre Single-Detached Dwelling;
- c. Back-to-Back Townhouse;
- d. Live/Work Townhouse;

Notwithstanding the provisions of the Third Density Residential Zone, the following regulation shall apply:

#### **Semi-Detached Dwelling**

- a. Minimum Lot Frontage            16.5 metres
- b. Minimum Front Yard            4.5 metres to dwelling  
6.0 metres to garage
- c. Minimum Corner Side Yard            2.0 metres
- d. Minimum Rear Yard            5.0 metres
- e. Maximum Lot Coverage            50%

#### **Street Townhouse**

- a. Minimum Lot Frontage per Unit            5.5 metres
- b. Minimum Lot Area            0.016 hectares
- c. Minimum Front Yard            4.5 metres to dwelling  
6.0 metres to garage
- d. Minimum Interior Side Yard            1.2 metres
- e. Minimum Corner Side Yard            2.0 metres
- f. Minimum Rear Yard            5.0 metres
- g. Landscape Buffer            1.2 metres

#### **Back-to-Back Townhouse**

- a. Minimum Lot Frontage            5.8 metres
- b. Minimum Lot Area            0.0085 hectares
- c. Minimum Front Yard            4.5 metres to dwelling  
6.0 metres to garage
- d. Minimum Interior Side Yard            1.2 metres
- e. Minimum Corner Side Yard            2.0 metres
- f. Minimum Rear Yard            N/A
- g. Maximum Height            14.0 metres
- h. Minimum Landscaped Area            15%
- i. Landscape Buffer            1.2 metres

### Live/Work Townhouse

- |                               |                                      |
|-------------------------------|--------------------------------------|
| a. Minimum Lot Frontage       | 5.5 metres                           |
| b. Minimum Lot Area           | 0.0150 hectares                      |
| c. Minimum Front Yard         | 3.0 metres to dwelling               |
| d. Minimum Interior Side Yard | 1.2 metres on one side<br>1.2 metres |
| e. Minimum Corner Side Yard   | 4.4 metres                           |
| f. Minimum Rear Yard          | 12.0 metres                          |
| g. Maximum Height             | 14.0 metres                          |
| h. Minimum Landscaped Area    | 25%                                  |
| i. Landscape Buffer           | 1.2 metres                           |

### 7.8-m Single-Detached Dwelling and 8.4-m Single-Detached Dwelling

The zone requirements of the Second Density Residential (R2-XX) Zone shall apply.

## **Part 6:**

### **Section 3 – Parking Provisions**

Notwithstanding the Parking Provisions of Section 3, the following regulations shall apply:

- |                                                                |                      |
|----------------------------------------------------------------|----------------------|
| e. The required parking spaces per unit for Apartment Building | 1 space per unit     |
| f. The required parking spaces per unit for Stacked Townhouses | 1.25 spaces per unit |
| g. Standard Parking Space Obstructed on Two Sides              | 3.0 m x 5.2 m        |

Notwithstanding the Landscape Provisions for Parking Areas, the following regulations shall apply:

- The lot line abutting a public road is to be 3.0-metres from a proposed area with 100 or greater parking spaces.
- The lot line abutting a residential, institutional or public park zone is to be 3.0-metres from the proposed area with 100 or greater parking spaces.

### **Section 8 – Fourth Density Residential (R4) Zone**

Notwithstanding the permitted uses of the Fourth Density Residential Zone, the following uses are to be permitted:

- Stacked Townhouse Dwelling

Notwithstanding the provisions of the Fourth Density Residential Zone, the following regulation shall apply:

#### **Apartment Building**

- |                             |             |
|-----------------------------|-------------|
| a. Minimum Front Yard       | 4.2 metres  |
| b. Minimum Corner Side Yard | 3.0 metres  |
| c. Maximum Height           | 23.0 metres |

#### **Semi-Detached Dwelling**

- |                         |                                                |
|-------------------------|------------------------------------------------|
| a. Minimum Lot Frontage | 16.0 metres                                    |
| b. Minimum Lot Area     | 0.04 hectares                                  |
| c. Minimum Front Yard   | 4.5 metres to dwelling<br>6.0 metres to garage |

Stacked Townhouse

a. Minimum Lot Frontage	40.0 metres
b. Minimum Lot Area	0.015 hectares
c. Minimum Front Yard	5.0 metres to dwelling
d. Minimum Interior Side Yard	2.0 metres
e. Minimum Corner Side Yard	1.5 metres
f. Minimum Rear Yard	24.0 metres
g. Maximum Lot Coverage	50%
h. Maximum Height	14.0 metres
i. Minimum Landscaped Area	25%
j. Landscape Buffer	1.2 metres

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.

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Mayor

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Clerk