

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law under the provisions of Section 34 of the Planning Act, R.S.O.1990, to amend Zoning By-law 6575/30/18, the Zoning By-law of the City of Port Colborne, as amended, respecting 0.08 hectares of land, with a municipal address of 547 King Street and legally known as Part of Lot 9, Plan 769, Humberstone; Part of Lot 10, Plan 769, Humberstone, as in Registered Instrument Number RO359513; City of Port Colborne, in the Regional Municipality of Niagara, here referred to as the “subject lands”.

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, Council has conducted a public meeting as required by Section 34(12) of the Planning Act, R.S.O. 1990, as amended, and has determined that no further notice is required in accordance with Section 34(17); and,

AND WHEREAS, the Council of The Corporation of the City of Port Colborne desires to amend the said By-law; and,

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

1. This amendment shall apply to those lands described generally 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 R2 to R4-XX.
3. That Section 37.XX entitled “Special Provisions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

R4-XX

Notwithstanding the provisions of Section 8 of Zoning By-law 6575/30/18, the following provisions shall apply to lands zoned R4-XX in accordance with Schedule A.

Section 8.2 Permitted Uses	
k) Apartment Building, Affordable	
Section 8.7 Zone Requirements – Apartment Building	
b) Minimum Lot Area Per Unit	26 square metres
c) Minimum Front Yard	3.00 metres
d) Minimum Interior Side Yard Setback	1.20 metres
g) Maximum Lot Coverage	52%
i) Minimum Landscaped Area	23%
j) Minimum Floor Area for a Unit	30 square metres
Section 2.19 Permitted Encroachments	
Notwithstanding Section 2.19 b), columns and canopies shall be obstructed by any building or structure.	
Notwithstanding Section 2.19.1, platform (balcony) above the ground floor level 1.2 metres or greater shall be setback minimum 0.60 metres from the front lot line.	
Section 3.10 Loading Spaces shall not apply.	
Section 3.11.1.a) and b) Landscape Buffer Provisions shall not apply.	
Section 3.1.1 Parking Space Requirements for Residential Uses	
3.1.1 Minimum Parking Spaces (Apartment Building)	0.60 space per unit, except where a dwelling unit is 45 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.43 spaces for each such unit, and no visitor parking is required.
Apartment Building, Affordable	1 parking space per 3 units.
Section 3.4 Parking Location	
Notwithstanding Section 3.4 b) On any lot that is not a road or lane and is presently zoned to permit parking and is located within 100 metres of the lot occupied by the building or structure or use for which the parking spaces are required.	
Section 38 Definitions	
Apartment Building, Affordable: means a building divided vertically and horizontally, or horizontally into five or more dwelling units each with its own entrance either separately or from a common vestibule, stairway or hallway,	

that has been erected, owned and/or is maintained by a public agency or non-profit charitable organization; or is affordable where rent is thirty percent (30%) or below of a household's before-tax (gross) income.

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.

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.

Enacted and passed this [numbered day] day of [month], [year].

