

**THE CORPORATION
OF THE
CITY OF NIAGARA FALLS
BY-LAW NO. _____**

A BY-LAW TO AMEND BY-LAW NO. 79-200, to guide the development of the Paradise Mixed Use Draft Plan of Subdivision (_____).

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 Appendix 1 and Schedules 1 and 2 of this by-law and shall be referred to in this by-law as the “Lands”. Appendix 1 and Schedules 1 and 2 are part of this by-law.
2. The lands shall be identified as five parcels, known as Parcels R4-XXXX, R5E-XXXX, TC-XXXX, TC-XXXX, and OS-XXXX.
3. 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 provision of this by-law are to prevail.
4. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses and regulations shall be permitted uses and regulations governing the permitted uses on any of the Lands.
5. Notwithstanding the list of “Permitted Uses” in Section 7.9.1 the lands may also be used for Semi-Detached dwellings on Parcel R4-XXXX.
6. The regulations governing the uses permitted on Parcel R4-XXXX shall be as follows:

i. Minimum Rear Yard	6.53 metres
ii. Maximum Height of Building	12.94 metres
7. Notwithstanding the list of Permitted Uses” in Section 7.14.1 Retirement Home Private Units shall be a permitted use on Parcel R5E-XXXX.

8. The regulations governing the permitted uses on Parcel R5E-XXXX shall be:

- | | | |
|------|---|---|
| i. | Minimum Lot Area | 35 square metres for each dwelling unit |
| ii. | Minimum Front Yard Depth | 6 metres |
| iii. | Maximum Lot Coverage | 33 % |
| iv. | Maximum Height of Building | 33 metres |
| v. | Minimum Landscaped Open Space | 31 % |
| vi. | Minimum Amenity Space for Apartment Dwelling Unit | 3.6 sq. meters per unit |
| vii. | Parking Requirements | 202 spaces |

9. The regulations governing the permitted uses on Parcel TC-XXXX shall be:

- | | | |
|------|--|--|
| i. | Minimum Front Yard Depth | 4 metres |
| ii. | Minimum Exterior Side Yard Width | 4 metres west side
2 metres east side |
| iii. | Maximum Height of Building | 26.6 metres |
| iv. | Parking Requirements | 843 spaces |
| v. | Maximum Floor Area for Each Retail Store | 1,600 square metres |
| vi. | Maximum Floor Area for All Retail Stores | 9,546 square metres |

10. The regulations governing the permitted uses on Parcel TC-XXXX shall be:

- i. Minimum Front Yard Depth 6 metres
- ii. Minimum Rear yard Depth 6 metres
- iii. Maximum Height of Building 53.6 metres

11. The regulations governing the permitted uses on Parcel OS-XXXX shall be:

- i. Minimum Lot Area 0.678 hectare

12. 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.

13. No person shall use the Lands for a use that is not a permitted use.

14. No person shall use the Lands in a manner that is contrary to the regulations.

15. The provisions of this by-law shall be shown on Sheet X of Schedule "X" of By-law No. 79-200 by re-designating the Lands from the General Industrial (GI) and Open Space (OS) to the R4 and numbered XXXX, R5E and numbered XXXX, TC and numbered XXXX, TC and numbered XXXX and OS and numbered XXXX zones.

Passed this ____ day of _____, 2023.

READ A FIRST, SECOND AND THIRD TIME THIS ____ DAY OF _____, 2023.

MAYOR

CITY CLERK