

CITY OF NIAGARA FALLS

By-law No. 2023-119

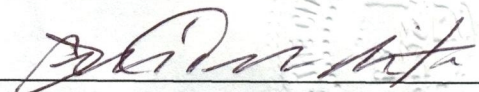
A by-law to provide for the adoption of Amendment No. 157 to the City of Niagara Falls Official Plan.

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS, IN ACCORDANCE WITH THE PLANNING ACT, 1990, AND THE REGIONAL MUNICIPALITY OF NIAGARA ACT, HEREBY ENACT AS FOLLOWS:

1. Amendment No. 157 to the City of Niagara Falls Official Plan, constituting the attached map, is hereby adopted.

Read a First, Second and third time: passed, signed and sealed in open Council this 12th day of December, 2023.


WILLIAM G. MATSON, CITY CLERK


JAMES M. DIODATI, MAYOR

First Reading:
Second Reading:
Third Reading:

OFFICIAL PLAN AMENDMENT NO. 157

PART 1 – PREAMBLE

(i) Purpose of the Amendment

The purpose of the amendment is to permit the conversion of one industrial (i.e. employment) land site to a non-industrial use as this site contains land uses (primarily residential) that do not conform to the Industrial designation in the City's Official Plan. Without the conversion, the introduction of an industrial use to this area could then cause a future land use conflict.

(ii) Location of the Amendment

The amendment applies to lands in the vicinity of the Gale Centre and more specifically on lands located along Second and Fourth Avenue, north of Hamilton Street as shown on Schedule "A" attached to Official Plan Amendment No. 157 and is approximately 2.5 hectares in size.

(iii) Details of the Amendment

Map Changes

MAP 1 - Schedule "A" to the Official Plan – Future Land Use has been amended to show the change from Industrial to Residential for the one subject employment lands site.

(iv) Basis of the Amendment

The City initiated an amendment to consider the conversion of industrial (i.e. employment) land sites to a non-industrial use as both areas contain land uses (primarily residential) that do not conform to the Industrial designation in the City's Official Plan.

The site was not considered by the City's Employment Lands Strategy and staff were made aware of potential land use conflicts through development inquiries. These lands are currently designated Industrial as shown on Schedule A – Future Land Use in the City's Official Plan. An amendment was initiated to determine if the potential conversion to a non-industrial use was appropriate and justified.

The City's Employment Land Strategy contains a framework and specific re-evaluation criteria for assessing the conversion of industrial lands. The conversion criteria include key principles that are both contained in the Provincial Growth Plan. Further, to Provincial criteria each of the sites will need to satisfy a set of localized criteria. The localized criteria include:

- The area is located outside of an established or a proposed industrial park.
- The area is not located near other designated employment lands.

- The area is surrounded by non-employment land uses on three sides.
- The conversion would not create incompatible land uses.
- Conversion of the subject lands would not negatively impact other employment lands in the areas.
- Conversion would support the City's planning objectives and would not contravene any City policy planning objectives.
- The subject area is primarily residential and as such offer limited market choice for future employment land development due to small size, configuration and lot conditions.
- The subject area does not offer potential future expansion on existing or neighbouring employment lands.

A review of the subject lands found that its conversion complied with these criteria. A Special Policy Area Designation (No. 91) is applied to the lands to address land use capability of any proposed sensitive uses that may be in proximity to existing or potential employment uses.

PART 2 – BODY OF THE AMENDMENT

All of this part of the document entitled PART 2 – BODY OF THE AMENDMENT, consisting of the following Map and Text Changes, constitute Amendment No. 157 to the Official Plan of the City of Niagara Falls.

DETAILS OF THE AMENDMENT

The Official Plan of the City of Niagara Falls is hereby amended as follows:

1. MAP CHANGE

The “Area Affected by this Amendment”, shown on the map attached hereto, entitled “Map 1 to Amendment 157”, shall be identified as Residential and Special Policy Area “91” on Schedule A – Future Land Use to the Official Plan.

2. TEXT CHANGE

PART 2, SECTION 13- SPECIAL POLICY AREAS is hereby amended by adding the following subsection:

13.91 SPECIAL POLICY AREA “91”

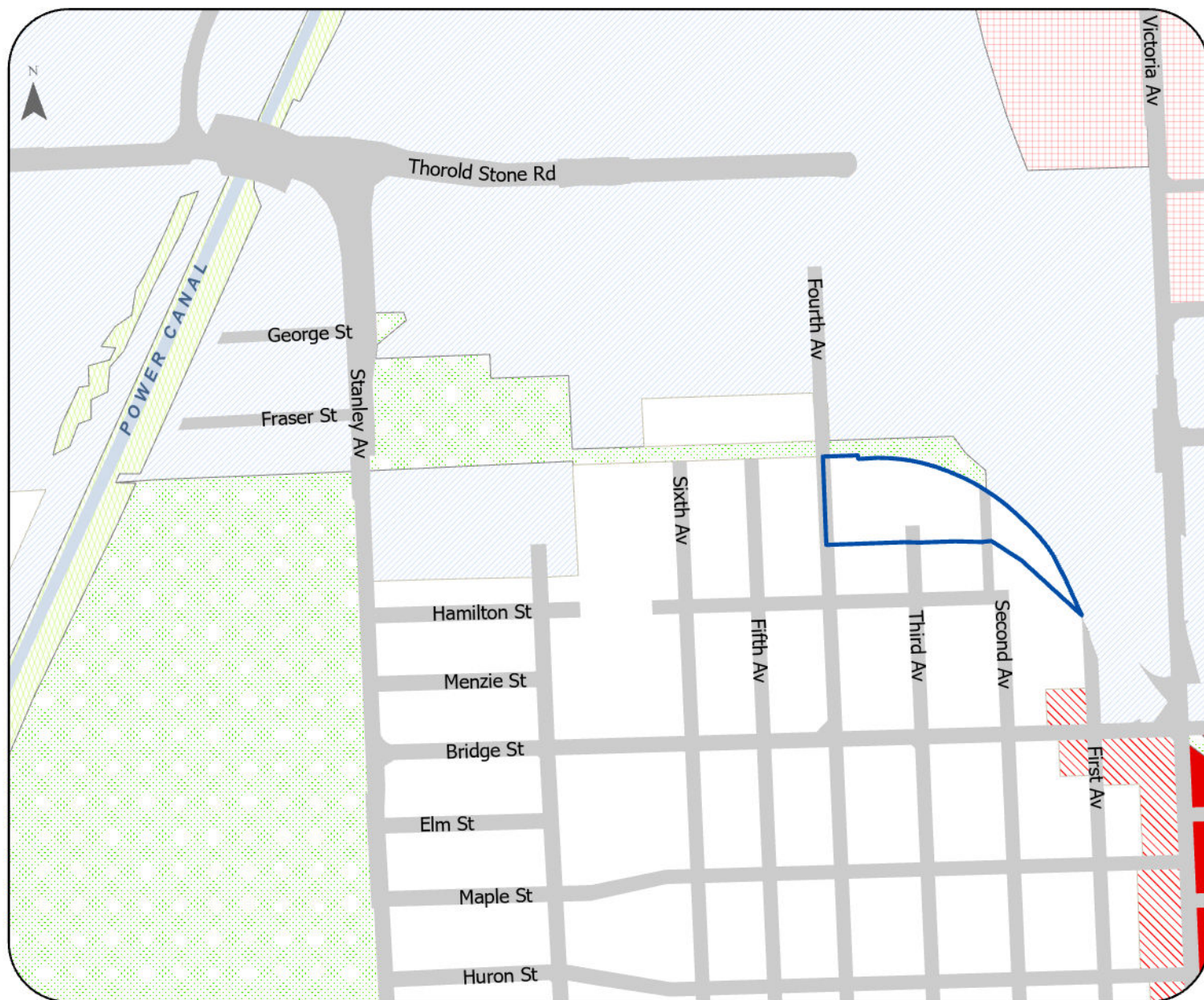
Special Policy Area “91” applies to the 2.5 hectare site located on lands along Second and Fourth Avenue, north of Hamilton Street. New residential development on these lands shall have regard for compatibility with nearby existing and future industrial uses in terms of Provincial D-6 Guidelines or their equivalent.

MAP 1 TO AMENDMENT NO. 157 SCHEDULE A TO THE OFFICIAL PLAN

Area Affected by this Amendment



Proposed Change From: Industrial
Proposed Change To: Residential



**City of Niagara Falls Official Plan
Excerpt from SCHEDULE - A - FUTURE LAND USE**

Current Official Plan		Open Space
Environmental Conservation Area		Residential
Industrial		Tourist Commercial
Major Commercial		
Minor Commercial		

Note: This schedule form part of Amendment No. 157 to the Official Plan for the City of Niagara Falls and it must be read in conjunction with the written text.