



NOTICE AND EXPLANATORY NOTE OF THE ADOPTION OF OFFICIAL PLAN AMENDMENT NO. 161 AND THE PASSING OF ZONING BY-LAW NO. 2023-080

**8218, 8228, and 8547 Grassy Brook Road
(Assessment Roll No.: 272514000211310, 272514000212503, 272514000212300,
272514000211320, 272514000212320, 272514000212100, 272514000212000,
272514000211901, 272514000210702, 272514000212310, 272514000211510 &
272514000211500)
Official Plan and Zoning By-law Amendment Application- City File: AM-2023-002
Draft Plan of Subdivision Application- City File: 26T-11-2023-001
Applicant: Empire (Grand Niagara) Project GP Inc.
Agent: Armstrong Planning I Project Management (Michael Auduong)**

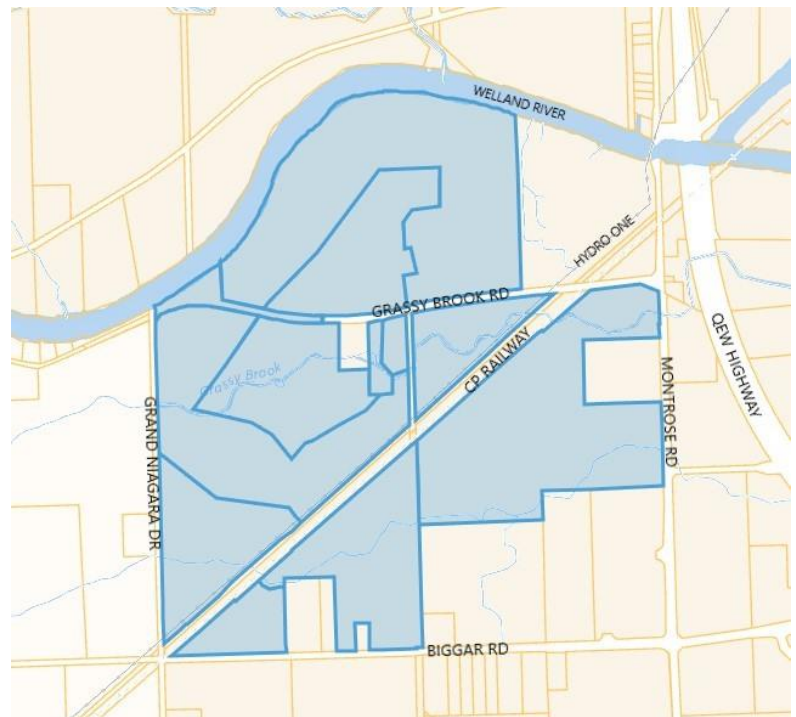
The Council of the Corporation of the City of Niagara Falls on the 15th day of August, 2023 passed By-law No. 2023-079, under Section 17 of the *Planning Act* which provided for the adoption of Official Plan Amendment No. 161, and passed By-law No. 2023-080, under Section 34 of the *Planning Act*.

PURPOSE AND EFFECT

The Official Plan amendment application was submitted to permit the development of five blocks for apartment dwellings with a maximum height of 10 storeys and three blocks for mixed use buildings with a maximum height of 15 storeys. The location of the land subject to Policy 3.1.5.1 and Policy 3.4.4.1 are identified and shown on Map 1 of the Amendment.

The subject land is designated Residential Low/Medium Density, in part, and Mixed Use, in part, under the Grand Niagara Secondary Plan.

The purpose of By-law No. 2023-080 is to rezone the lands to: R2(H)-1198, R1F(H)-1199, R1F(H)-1200, R1F(H)-1201, R3(H)-1202, R5D(H)-1203, R4(H)-1204, R4(H)-1205, R5E(H)-1206, GC(H)-1207, I(H)-1208, I(H)-1209, EPA(H)-1210, OS(H)-1211, and EPA(H)-1212.



The site specific zones will permit residential, commercial, institutional, open space, and environmental uses.

The zoning includes a holding “H” symbol that will apply to the land until an overall servicing strategy, updated land use compatibility study, and environmental strategy is submitted for each respective phase of the development to the satisfaction of the Niagara Region.

The corresponding draft plan of subdivision application (26T-11-2023-001) is draft plan approved.

MORE INFORMATION

A copy of the Official Plan Amendment and the by-law is available in Planning, Building & Development, City Hall, between the hours of 8:30 a.m. and 4:30 p.m., if you wish to review them.

LEGAL NOTICE

Section 17 and 34 of the *Planning Act*.

Official Plan Amendment No. 161 is exempt from approval by the Regional Municipality of Niagara. The decision of Council is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

Individuals, corporations and public bodies who made oral or written submissions to Council prior to the adaption of the Official Plan Amendment and/or passage of the by-law may appeal the Official Plan Amendment and/or the by-law to the Ontario Land Tribunal in respect of the Official Plan Amendment and/or by-law by filing a Notice of Appeal no later than the **7th day of September, 2023** with the Clerk. The appeal must set out the objection to the Official Plan Amendment and/or the by-law and the reasons in support of the objection(s), together with the Ontario Land Tribunal filing fee of \$1,100.00 in the form of a certified cheque or money order, made payable to the Minister of Finance. An Appellant may request a reduction of the filing fee to \$400.00, if the Appellant is a private citizen or eligible community group. The request for a reduction in the fee must be made at the time of filing the appeal. A Request for Fee Reduction form can be found on the Ontario Land Tribunal website <https://olt.gov.on.ca/wp-content/uploads/2021/05/OLT-Request-for-Fee-Reduction-Form.html> .

Only individuals, corporations and public bodies who made oral or written submissions to Council prior to the adoption of the Official Plan Amendment and/or passage of the by-law may appeal the Official Plan Amendment and/or by-law to the Ontario Land Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the Appeal unless, before the Official Plan Amendment was adopted and/or the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to Council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

A Notice of Appeal, including the filing fee, must be submitted by the date set out above in order to constitute a valid Appeal. Failure to submit a complete Notice of Appeal or the fee of \$1,100.00 (or

a reduced fee of \$400.00 for qualified Appellants) or both, on or before the date set out above will result in an incomplete Appeal application and will not be processed further. A separate filing fee is required for each appeal.

Dated at the City of Niagara Falls this 18th day of August, 2023.

Andrew Bryce, MCIP, RPP
Director of Planning
City of Niagara Falls
4310 Queen Street, P.O. 1023
Niagara Falls, ON L2E 6X5