



NOTICE OF THE PASSING OF ZONING BY-LAW NO. 2023-081

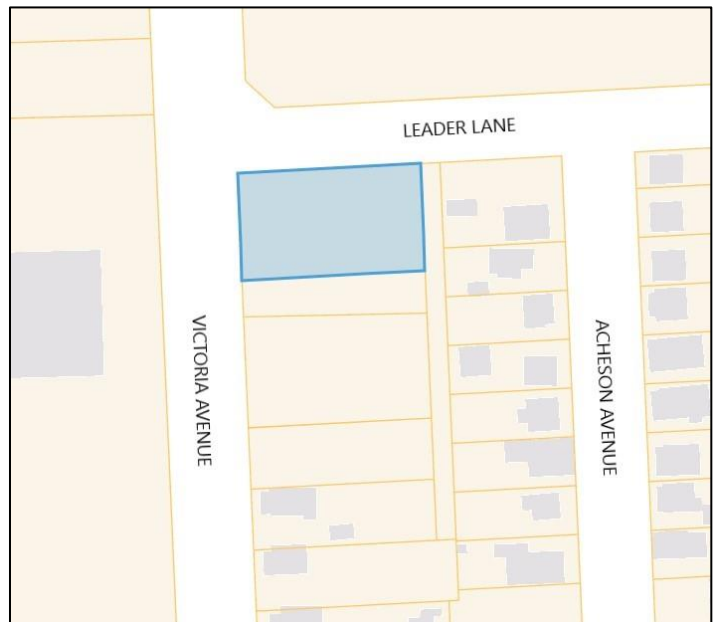
**4078 Victoria Avenue
(Assessment Roll No.: 272501000626500)
Zoning By-law Amendment - City File: AM-2023-003
Applicant: Build Up Victoria Inc. (Priscilla Facey).
Agent: Mary Lou Tanner (NPG Planning Solutions Inc.)**

The Council of the Corporation of the City of Niagara Falls on the 15th day of August, 2023 passed By-law No. 2023-081 under Section 34 of the *Planning Act*.

PURPOSE AND EFFECT

The purpose of By-law No. 2023-081 is to rezone the lands to a Tourist Commercial (TC) zone with site specific regulations permitting stacked townhouse dwellings that may be used as vacation rental units; reduced minimum rear yard depth, parking stall length, maneuvering aisle; and, increased height. The site-specific TC zone will permit the construction of a stacked townhouse dwelling containing ten dwelling units that may be used as vacation rental units.

By-law No. 2023-081 is in conformity with the City of Niagara Falls Official Plan and is not subject to an amendment to the Official Plan.



MORE INFORMATION

A copy of 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 it.

LEGAL NOTICE

Individuals, corporations and public bodies who made oral or written submissions to Council prior to the passage of the by-law may appeal the by-law to the Ontario Land Tribunal in respect of the 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 by-law and the reasons in support of the objection, 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 passage of the by-law may appeal the 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 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.

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