



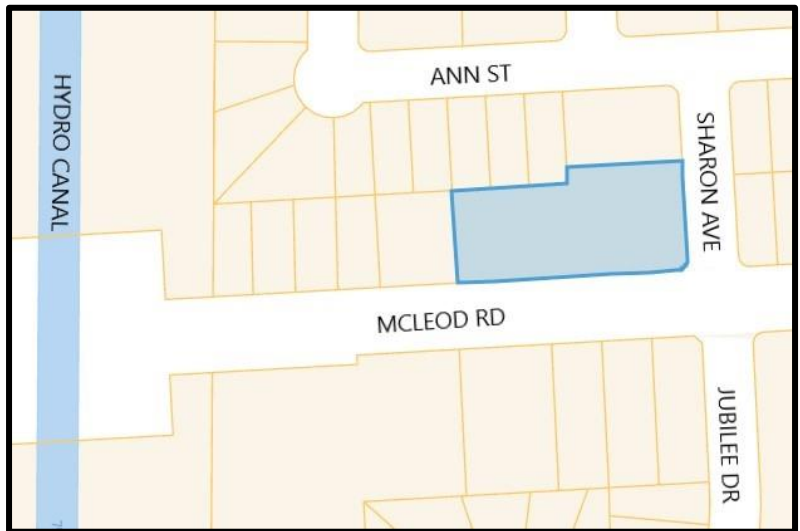
NOTICE OF THE PASSING OF ZONING BY-LAW NO. 2023-101

7081 McLeod Road (Assessment Roll No.: 272508001207001)
Zoning By-law Amendment - City File: AM-2023-005
Applicant: LivWell Development Group Inc (Adam Peaker)
Agent: NPG Planning Solutions Inc (Aaron Butler)

The Council of the Corporation of the City of Niagara Falls on the 24th day of October, 2023 passed By-law No. 2023-101, under Section 34 of the *Planning Act*.

PURPOSE AND EFFECT

The purpose of By-law No. 2023-101 is to rezone the lands to a Residential Apartment 5E Density (R5E) zone with site specific regulations permitting reduced front yard depth, exterior side yard width, amenity space per dwelling unit, landscaped open space, landscaped open strip between parking spaces and the front lot line without a decorative wall or fence, number of parking spaces, maneuvering aisle, and building height; increased interior side yard width, projections of balconies and unsupported canopies into any required yard; and established minimum landscaped open space strips abutting lot lines. The site specific R5E zone will permit the construction of a 5 storey, 50 unit apartment dwelling.



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

Section 34 of the *Planning Act*

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 **20th day of November, 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 30th day of October, 2023.

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