



NOTICE OF THE PASSING OF ZONING BY-LAW NO. 2023-113

5705 Buchanan Avenue
Legal: Lot 808 Plan 9 Town of Niagara Falls; City of Niagara Falls
Assessment Roll No.: 272503000703400
Zoning By-law Amendment Application – City File: AM-2023-009
Applicant: Vikrampal Moomie & Baljit Moomie
Agent: Aaron Butler (NPG Planning Solutions Inc.)

The Council of the Corporation of the City of Niagara Falls on the 14th day of November, 2023 passed By-law No. 2023-113 under Section 34 of the *Planning Act*.

PURPOSE AND EFFECT

The purpose of By-law No. 2023-113 is to rezone the lands to a Deferred Tourist Commercial (DTC) zone with site specific regulations permitting an existing 3-unit dwelling that may be used for three vacation rental units.

The site-specific DTC zone will permit the existing building envelope, an increase in the maximum area of the rear yard which can be used as parking area and will add vacation rental unit as a permitted use.

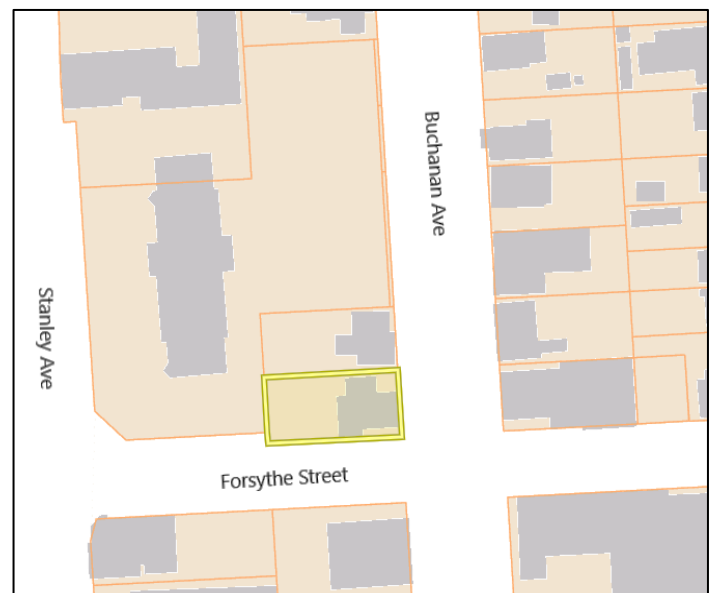
By-law No. 2023-113 is in conformity with the City of Niagara Falls Official Plan and is not subject to an amendment to the Official Plan.

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 **12th day of December, 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 21st day of November, 2023.

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