



NOTICE AND EXPLANATORY NOTE PASSING OF ZONING BY-LAW NO. 2018-119

**North and South Sides of Swayze Drive West of CN Railway (Assessment Roll No.: 2725-040-002-16105 and Part of Assessment Roll No. 2725-040-003-11200)
Zoning By-law Amendment Application – City File: AM-2017-014
Applicant: 1006057 Ontario Limited (George Bahdi)**

The Council of The Corporation of the City of Niagara Falls passed By-law No. 2018-119 on the 13th day of November, 2018, under Section 34 of the *Planning Act*.

PURPOSE AND EFFECT

The purpose of By-law No. 2018-119 is to rezone the southerly portion of Parcel 1, as shown on the location map to the left, a site specific Residential Apartment 5B Density (R5B-1076) zone to permit the development of two 4 storey apartment buildings with a total of 61 dwelling units, and to remove site specific regulations from the Open Space (OS) zoning of Parcel 2 in order to remove permission for required parking for uses located on Parcel 1 to locate on Parcel 2. The Environmental Protection Area (EPA-947) zone which applies to the northerly wooded portion of Parcel 1 is not affected by By-law No. 2018-119.

By-law No. 2018-119 is in conformity with the City of Niagara Falls Official Plan and is not subject to an amendment to the Official Plan.

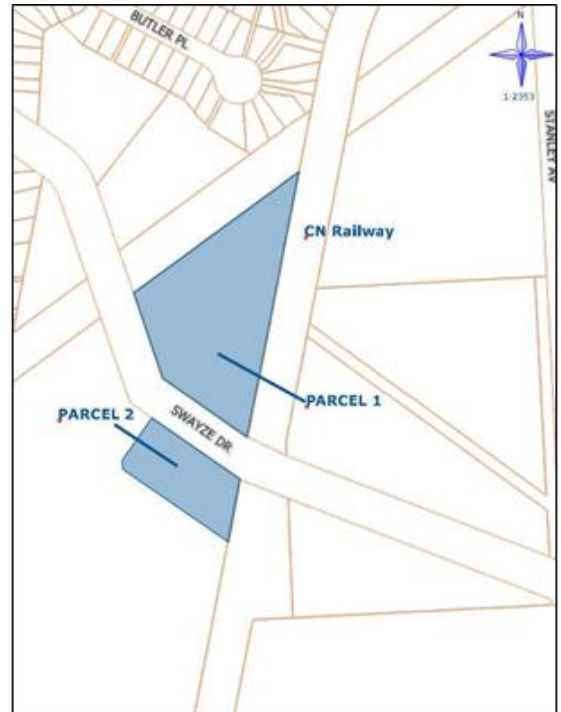
MORE INFORMATION

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 Local Planning Appeal Tribunal in respect of the by-law by filing a Notice of Appeal no later than the **6th day of December, 2018** 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 Local Planning Appeal Tribunal filing fee of \$300.00 in the form of a certified cheque or money order, made payable to the Minister of Finance.

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 Local Planning Appeal 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 \$300.00 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 16th day of November, 2018.

Alex Herlovitch. MCIP, RPP
Director of Planning, Building & Development
City of Niagara Falls
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Niagara Falls, ON L2E 6X5