



# NOTICE OF ADOPTION OF OFFICIAL PLAN AMENDMENT NO. 136 AND THE PASSING OF ZONING BY-LAW NO. 2020-21

**South-Side of McLeod Road and West Side of Kalar Road  
(Assessment Roll No: 2725-110-002-07410)  
Draft Plan of Subdivision – Splendour Subdivision – City File: 26T-11-2019-004  
Official Plan and Zoning By-law Amendment Application – City File: AM-2019-018  
Applicant: Cobas Developments Inc. (Mark Basciano)**

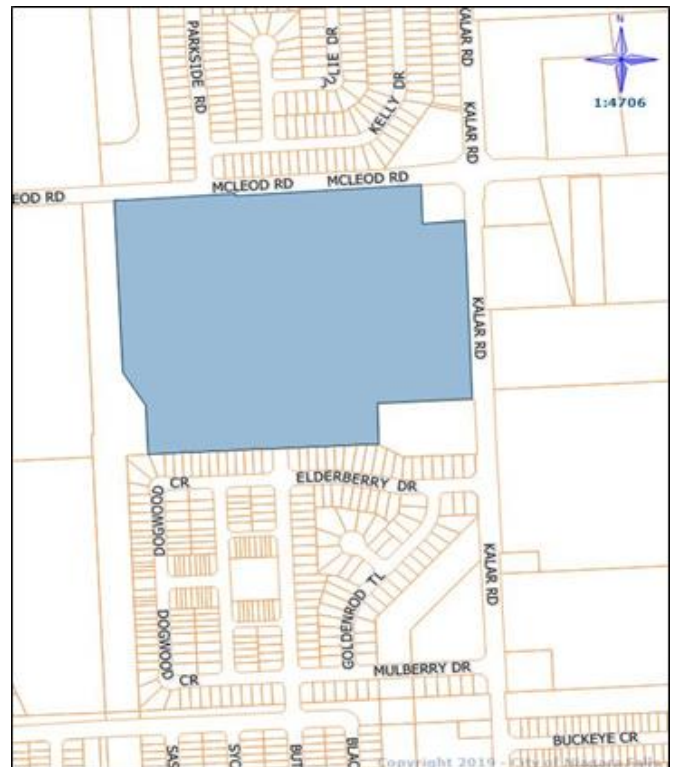
TAKE NOTICE that on the 3rd day of March, 2020, the Council of the Corporation of the City of Niagara Falls passed By-law No. 2020-22, under Section 17 of the *Planning Act* which provided for the adoption of Official Plan Amendment No. 136, and passed By-law No. 2020-21, under Section 34 of the *Planning Act*.

## PURPOSE AND EFFECT

Official Plan Amendment (OPA) No. 136 site specifically amends the Garner South Secondary Plan to redesignate the Residential, High Density block on the land to Residential, Medium Density and to adjust the land use boundaries between the Residential, Low and Medium Density and Open Space designations on the land.

By-law No. 2020-21 rezones the proposed residential lots and blocks site specific Residential Mixed (R3), the proposed park and walkway connection site specific Open Space (OS), and the block for proposed school sites Institutional (I).

OPA No. 136 and By-law No. 2020-21 facilitate the development of the Splendour Plan of Subdivision, which includes 104 lots for detached dwellings, 8 lots for 16 semi-detached dwelling units, 26 blocks for 148 on-street townhouse dwelling units, 1 block for the future division into 2 elementary school sites, 1 block for a park, 1 block for a walkway connection and blocks for road widenings and 0.3 metre reserves.



## MORE INFORMATION

Copies of the Official Plan Amendment and the by-law are 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

Official Plan Amendment No. 136 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 adoption of the Official Plan Amendment and the passage of the by-law may appeal the Official Plan Amendment and/or the by-law to the Local Planning Appeal Tribunal in respect of the Official Plan Amendment and/or the by-law by filing a Notice of Appeal no later than the **26th day of March, 2020**, 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, 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. A separate filing fee is required for each appeal to the proposed Official Plan Amendment and Zoning By-law.

**Only individuals, corporations and public bodies who made oral or written submissions to Council prior to the adoption of the Official Plan Amendment and the passage of the by-law may appeal the Official Plan Amendment and/or 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 Official Plan Amendment was adopted and 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 for each appeal, 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 6th day of March, 2020.

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