



NOTICE OF APPROVAL OF OFFICIAL PLAN AMENDMENT No. 139 AND THE PASSING OF ZONING BY-LAW NO. 2021-96

5411 River Road (Assessment Roll No.: 2725-020-002-14700)
Official Plan and Zoning By-law Amendment Application – City File: AM-2019-022
Owner: Alfred and Collette D’Souza
Agent: Rocco Vacca (Sullivan Mahoney)

TAKE NOTICE that on the 14th day of September, 2021, the Council of the Corporation of the City of Niagara Falls passed By-law No. 2021-95, under Section 17 of the *Planning Act* which provided for the adoption of Official Plan Amendment No. 139, and passed By-law No. 2021-96, under Section 34 of the *Planning Act*.

PURPOSE AND EFFECT

The purpose of Official Plan Amendment No. 139 is to amend the City’s Official Plan to permit the use of the existing detached dwelling on the subject lands as a vacation rental unit with 3 bedrooms for tourists.

The purpose of Zoning By-law No. 2021-96 is to amend By-law No. 79-200 to apply site specific regulations to permit the use of the existing detached dwelling as a vacation rental unit with 3 bedrooms for tourists.

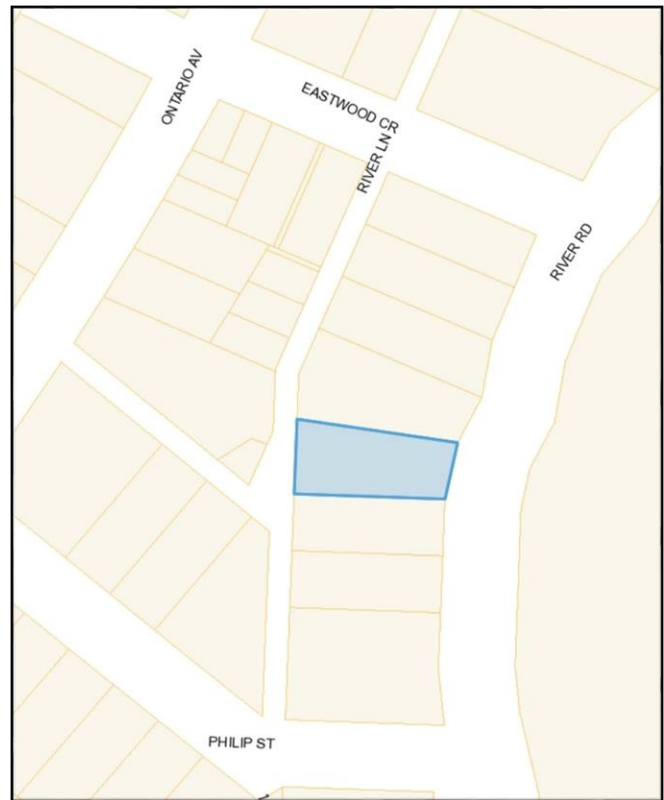
MORE INFORMATION

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. 139 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 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 October, 2021** 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 adoption of the Official Plan Amendment and/or 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. A separate filing fee is required for each appeal to the proposed Official Plan Amendment and Zoning By-law.

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/or 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 17th day of September, 2021.



Alex Herlovitch, MCIP, RPP
Director of Planning, Building & Development
City of Niagara Falls
4310 Queen Street, P.O. 1023
Niagara Falls, ON L2E 6X5

AB:cv