



NOTICE OF THE PASSING OF ZONING BY-LAW NO. 2021-121

5756 Ferry Street (Roll No(s): 2725-070-001-02900)
Zoning By-law Amendment Application – City File: AM-2021-006
Applicant: 2576426 Ontario Inc. (Alim Gurler)
Agent: A.J. Clarke & Associated Ltd. (Miles Weekes)

TAKE NOTICE that on the 16th day of November, 2021, the Council of the Corporation of the City of Niagara Falls passed By-law No. 2021-121, under Section 34 of the Planning Act.

PURPOSE AND EFFECT

The purpose of By-law No. 2021-121 is to rezone the subject lands to a site specific General Commercial (GC(H)) zone to permit a 9 storey mixed use building with 96 dwelling units and ground floor commercial uses and 1 dwelling unit at grade with an increase in height and a decrease in parking aisle width. In addition, the by-law establishes the maximum number of dwelling units, the rear yard depth, and a minimum floor area for commercial uses.

The zoning includes a holding “H” symbol that will apply to the land until the necessary Environmental Site Assessments and a Record of Site Condition (RSC) has been filed with the Ministry of Environment, Conservation, and Parks.

MORE INFORMATION

Copies of 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 it.

LEGAL NOTICE

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 **8th day of December, 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 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 18th day of November, 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

JH:cv

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