



NOTICE OF APPROVAL OF OFFICIAL PLAN AMENDMENT No. 140 AND THE PASSING OF ZONING BY-LAW NO. 2021-120

2788-2798 St. Paul Avenue (Roll No(s).: 2725-040-001-00121)
Official Plan and Zoning By-law Amendment Application – City File: AM-2021-012
Applicant: 2704432 Ontario Inc.
Agent: NPG Planning Solutions Inc. (Jeremy Tran)

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. 2021-119, under Section 17 of the *Planning Act* which provided for the adoption of Official Plan Amendment No. 140, and passed By-law No. 2021-120, under Section 34 of the *Planning Act*.

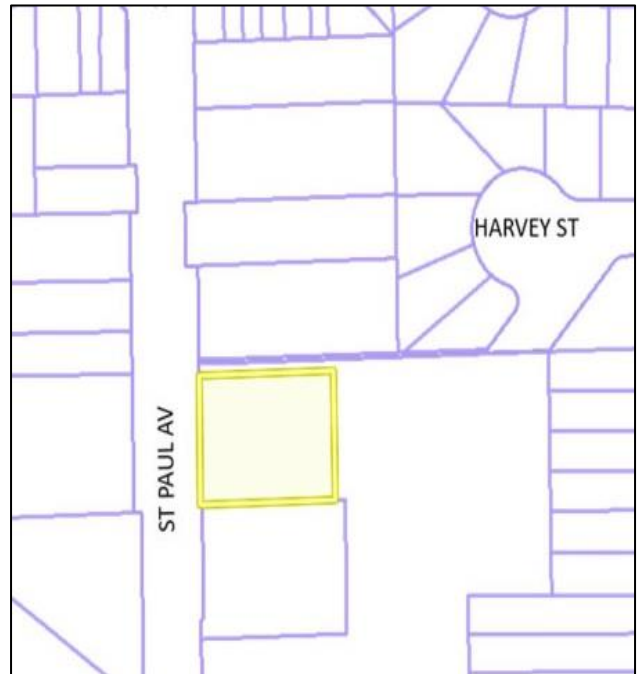
PURPOSE AND EFFECT

OPA No. 140 and By-law No. 2021-120 will permit the development of a 5 storey apartment building with 39 dwelling units.

The purpose of OPA No. 140 is to amend the City’s Official Plan to permit an apartment building with a density of 150 units per hectare.

The purpose of By-law No. 2021-120 is to rezone the subject lands to a site specific Residential Apartment 5E Density (R5E (H)) zone. It will permit a reduced front yard and number of parking spaces, allow for the balconies to project further into the south interior side yard, and increased lot coverage and building height.

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



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. 140 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 adaption of the Official Plan Amendment and/or passage of the by-law may appeal the Official Plan Amendment and/or the by-law to the Ontario Land Tribunal in respect of the Official Plan Amendment and/or 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 Official Plan Amendment and/or the by-

law and the reasons in support of the objection(s), 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 Official Plan Amendment and/or 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 Official Plan Amendment was adopted and/or 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. A separate filing fee is required for each appeal.

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
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 Niagara Falls, ON L2E 6X5

JH:cv