



NOTICE AND EXPLANATORY NOTE OF THE ADOPTION OF OFFICIAL PLAN AMENDMENT NO. 142 AND THE PASSING OF ZONING BY-LAWS NO. 2022-45 to 2022-49

City-Wide Amendment to the City's Official Plan and Zoning By-laws
City File(s): OPA No. 142 & AM-2022-004
Applicant: City of Niagara Falls

The Council of the Corporation of the City of Niagara Falls on the 10th day of May, 2022 passed By-law No. 2022-44, under Section 17 of the *Planning Act* which provided for the adoption of Official Plan Amendment No. 142 (OPA 142), and passed By-laws No. 2022-45 to 2022-49 inclusive, under Section 34 of the *Planning Act*.

PURPOSE AND EFFECT

The purpose of OPA 142 is to amend the City's Official Plan to permit cannabis cultivation and production in the Industrial designation subject to specific criteria outlined in the amendment.

The purpose of By-law No. 2022-45 is to amend By-law 79-200 to permit cannabis cultivation and production in the General Industrial (GI) and Heavy Industrial (HI) zone subject to specific criteria outlined in the by-law.

The purpose of By-law No. 2022-46 is to amend By-law 1538 (Crowland) to permit cannabis cultivation and production in the YARD STORAGE AND HEAVY MANUFACTURING DISTRICT zone subject to specific criteria outlined in the by-law.

The purpose of By-law No. 2022-47 is to amend By-law 356 (1996) for Willoughby Township to permit cannabis cultivation and production in the INDUSTRIAL zone subject to specific criteria outlined in the by-law.

The purpose of By-law No. 2022-48 is to amend By-law No. 70-69 (Humberstone) to include new definitions for Licensed Cannabis Production Facility and Designated Medical Growth of Cannabis.

The purpose of By-law No. 2022-49 is to amend Site Plan Control By-law 2011-113 to have cannabis cultivation and production operations subject to Site Plan Control.

MORE INFORMATION

Copies of the Official Plan Amendment and the by-laws 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. 142 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 **2nd day of June, 2022** 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 13th day of May, 2022.

Kira Dolch, MCIP, RPP, CNU-A
Director of Planning, Building & Development
City of Niagara Falls
4310 Queen Street, P.O. 1023
Niagara Falls, ON L2E 6X5