



## NOTICE OF THE ADOPTION OF OFFICIAL PLAN AMENDMENT NO. 180 AND OF THE PASSING OF BY-LAW NO. 2025-032

**Official Plan Amendment and Zoning By-law Amendment - City File: AM-2025-001 (PLOPZB20250041)**  
**Owner Occupied Short-Term Rentals in Residential Areas**  
**Applicant: City of Niagara Falls**

The Council of the Corporation of the City of Niagara Falls on the 8th day of July, 2025 passed By-law No. 2025-031 under Section 17 of the *Planning Act* which provided for the adoption of Official Plan Amendment No. 180, and passed By-law No. 2025-032 under Section 34 of the *Planning Act* which provided for an amendment to Zoning Bylaw No. 79-200.

### PURPOSE AND EFFECT

The purpose and effect of Official Plan Amendment No. 180 is to amend the City of Niagara Falls Official Plan to permit Owner Occupied Short-Term Rentals as a home occupation within Residential designations. The purpose and effect of By-law No. 2025-032 is to amend Zoning By-law No. 79-200 to allow Owner Occupied Short-Term Rentals within, or accessory to, permitted detached dwellings, semi-detached dwellings, duplex dwellings, and townhouse dwellings on Lands zoned R1A, R1B, R1C, R1D, R1E, R1F, R2, R3, R4, or TRM. The areas affected by these Amendments are not shown on a key location map as they are described above. Council approved these amendments as part of a 14-month pilot program that is intended to be reviewed by the end of 2026. The key provisions associated with the zoning permissions include the following:

- The owner must have their principal residence on the property and must be present for the duration of the rental period;
- The rental must be within a separate self-contained dwelling unit;
- Only one Owner Occupied Short-Term Rental is permitted per property;
- The owner must obtain a license from the City of Niagara Falls and keep it current and maintained in good standing;
- The number of bedrooms permitted for an Owner Occupied Short Term-Rental would be limited to three (3);
- The number of guests permitted is limited in accordance with the Ontario Building Code, to a maximum of six (6);
- Parking requirements would be one (1) space for the owner and one (1) space for the Owner Occupied Short Term-Rental, with an additional space required if there are 3 bedrooms (2-3 spaces required based on size);
- Owner Occupied Short-Term Rentals must be rented to a single group (i.e., no renting of individual bedrooms to separate groups);
- The maximum rental period is 28 consecutive days or less; and,
- A minimum distance of 150 metres is required, property line to property line, between licensed Owner Occupied Short-Term Rentals.

Changes to the Licensing By-law (By-law No. 2025-033), Fee By-law (By-law No. 2025-034), Administrative Penalties (Non-Parking) By-law (By-law No. 2025-035), and the Municipal Accommodation Tax By-law (By-law No. 2025-036) were also passed to implement Official Plan Amendment No. 180 and By-law 2025-032.

### EFFECT OF WRITTEN AND ORAL SUBMISSIONS

Written and oral submissions in relation to Official Plan Amendment No. 180 and By-law No. 2025-032 were received and considered as a part of the City's consultation process. A summary of written and oral submissions along with responses are included in Appendix 1 of Report PBD-2025-43 on the July 8, 2025 Council agenda, available online here: <https://niagarafalls.civicweb.net/filepro/documents/87909/?preview=97101&attachmenturl=%2Fdocument%2F95916>

In response to the written and oral submissions on Official Plan Amendment No. 180 and By-law No. 2025-032, modifications were made to remove permissions for Owner Occupied Short-Term Rentals in the Parkway Residential special policy area, not specify where an owner must live on the property, and clarify that parking is permitted in tandem. Following the March 18th, 2025 Statutory Public Meeting additional changes were made to undertake the permissions for Owner Occupied Short-Term Rentals as a 14 month pilot program where staff will report back to Council at the end of 2026, limiting the number of licenses to 100 and requiring a minimum distance of 150 metres between Owner Occupied Short-Term Rentals to avoid undue concentration.

Comments requested expanded permissions, however, changes were generally not made in this regard to ensure that Owner Occupied Short-Term Rentals are permitted in a manner that is appropriate as a home occupation within residential neighbourhoods in the urban area boundary.

### MORE INFORMATION

For additional information on Official Plan Amendment No. 180 and By-law No. 2025-032, contact Kailen Goerz by email at [kgoerz@niagarafalls.ca](mailto:kgoerz@niagarafalls.ca) or call 905-356-7521 ext. 4252.

A copy of Official Plan Amendment No. 180 and a copy of By-law No. 2025-032 along with the other supporting By-laws, are available for review at the Planning, Building & Development Department at 4343 Morrison Street, Niagara Falls, Ontario, L2E 6Z9 between 8:30 AM and 4:30 PM.

### LEGAL NOTICE Sections 17 and 34 of the Planning Act

Official Plan Amendment No. 180 is exempt from approval by the Regional Municipality of Niagara. The decision of Council is final if a Notice of Appeal is not received on or before the last day for filing a Notice of Appeal.

In accordance with Bill 185, which received Royal Assent on June 6th, 2024, the Minister, the applicant, or a specified person, public body, or registered owner of any land to which Official Plan Amendment No. 180 and/or By-law No. 2025-032 apply, who made oral submissions at a Public Meeting or written submissions to City Council prior to the adoption of Official Plan Amendment No. 180 and/or the passing of By-law No. 2025-032, may appeal the adoption of Official Plan Amendment No. 180 and/or the passing of By-law No. 2025-032 to the Ontario Land Tribunal by filing Notices of Appeal no later than **July 31st, 2025**, with the City Clerk, Bill Matson ([billmatson@niagarafalls.ca](mailto:billmatson@niagarafalls.ca)). The appeal(s) must set out the reasons for the objection(s) to Official Plan Amendment No. 180 and/or By-law No. 2025-032, the specific part(s) of Official Plan Amendment No. 180 to which the appeal(s) applies (if applicable), together with the Ontario Land Tribunal filing fee(s) 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(s) 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(s). A Request for Lower Fee form can be found on the Ontario Land Tribunal website: [https://olt.gov.on.ca/wp-content/uploads/2023/02/OLT\\_-\\_Request-for-Lower-Fee-Form.html](https://olt.gov.on.ca/wp-content/uploads/2023/02/OLT_-_Request-for-Lower-Fee-Form.html).

Only the Minister, the applicant, or a specified person, public body, or registered owner of any land to which Official Plan Amendment No. 180 and/or By-law No. 2025-032 apply who made oral submissions at a Public Meeting or written submissions to City Council prior to the adoption of Official Plan Amendment No. 180 and/or the passing of By-law No. 2025-032 may appeal Official Plan Amendment No. 180 and/or By-law No. 2025-032 to the Ontario Land Tribunal. **Third-party appeals are no longer permitted.**

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 Official Plan Amendment No. 180 was adopted and/or By-law No. 2025-032 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, Ontario this 11th day of July 2025.