



# NOTICE OF PUBLIC MEETING

Canada Post Labour Disruption, this Notice is being published in the newspaper in lieu of being provided by ordinary mail.

The City's Planning, Building & Development Department has received an application for a Minor Zoning By-law amendment for the lands noted below.

**5763 Desson Ave**  
**Assessment Roll No.: 272503000710700**  
**Zoning By-law Amendment Application – City File: AM-2025-017**  
**Applicant: MARINELLI MICHAEL**  
**Agent: Jennifer Vida Consulting (Jennifer Vida)**

## COUNCIL MEETING

Public Meetings may be attended remotely and electronically or in person.

A Public Meeting of Council has been scheduled for:

**Date: October 28<sup>th</sup>, 2025**

**Time: Public Meetings start at 5:00 PM**

**Location: Council Chambers, City Hall, 4310 Queen Street**

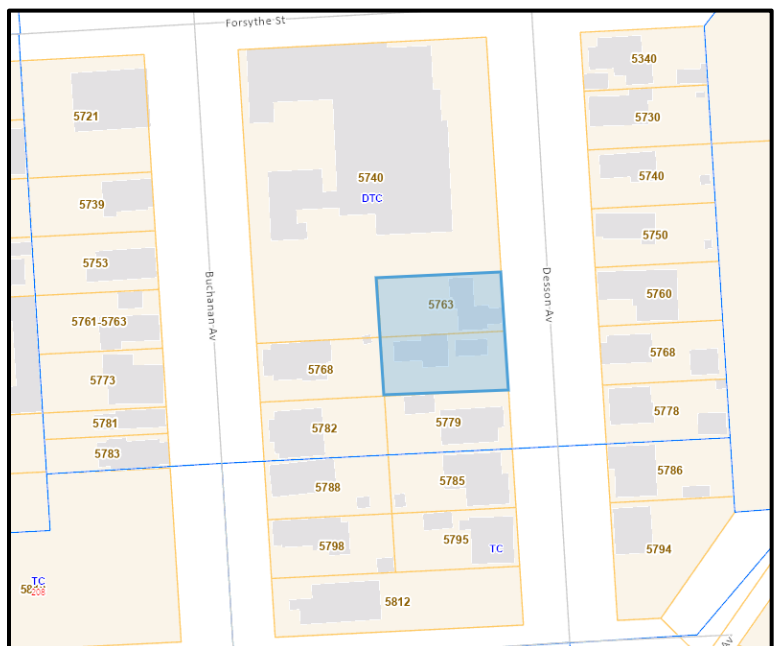
Visit <https://niagarafalls.ca/city-hall/council/schedule.aspx> to watch the Council Meeting.

## PROPOSED AMENDMENT

A Minor Zoning By-law Amendment application has been submitted for 5763 Desson Avenue and the vacant lot directly to the south, that have historically been used together as one residential property, although they are legally two separate lots.

The proposal is to permit the existing single detached dwelling for the use of one Vacation Rental Unit, and converting an accessory building on the southern lot, to a residential dwelling for the use of one Vacation Rental Unit, bringing the existing buildings into compliance with the City's Zoning By-law 79-200.

The subject lands are zoned Deferred Tourist Commercial (DTC) under Zoning By-law 79-200. The applicant is requesting to place the lands under a site-specific DTC zone to add the use of a Vacation Rental Unit on each lot.



Schedule 1 shows details of the proposal. The application proposes to address minimum front yard depth, minimum interior side yard width on each side, and projection of accessory buildings and accessory structures on the existing dwelling lot. On the vacant lot the application proposes to address minimum front yard depth, minimum rear yard depth, minimum interior side yard, and accessory buildings or structures in the front yard, through the Minor Zoning By-law amendment application, the properties will be brought into compliance with Zoning Bylaw 79-200.

## **HAVE YOUR SAY**

### **WRITTEN SUBMISSION**

Please provide written input or request notice of Council's decision by mailing your comments to the Planning, Building & Development Department, City Hall, 4310 Queen Street, Niagara Falls, Ontario, L2E 6X5 or by sending an email to [jabraham@niagarafalls.ca](mailto:jabraham@niagarafalls.ca). Comments are preferred by **October 24<sup>th</sup>, 2025** to be included in Council's agenda package.

### **ORAL SUBMISSION - If attending remotely using web-based platform**

To participate remotely and electronically or in person at the public meeting please pre-register with the City Clerk by sending an email to [billmatson@niagarafalls.ca](mailto:billmatson@niagarafalls.ca) before 4:30 pm **on October 27<sup>th</sup>, 2025**. All registrants who indicate they wish to attend remotely and electronically will be provided with instructions on how to participate in the public meeting using an electronic platform. Registrants will be notified of Council's decision.

### **MORE INFORMATION**

For more information, please contact Jessica Abraham, Planner 1, at (905)356-7521, extension 4334, between the hours of 8:30 a.m. and 4:30 p.m. or by email anytime at [jabraham@niagarafalls.ca](mailto:jabraham@niagarafalls.ca). A Copy of the Planning, Building & Development Department's Recommendation Report will be available at <https://niagarafalls.ca/city-hall/council/schedule.aspx> after 4:00 PM the Thursday before the meeting.

## **LEGAL NOTICE**

### **Section 34 of the *Planning Act***

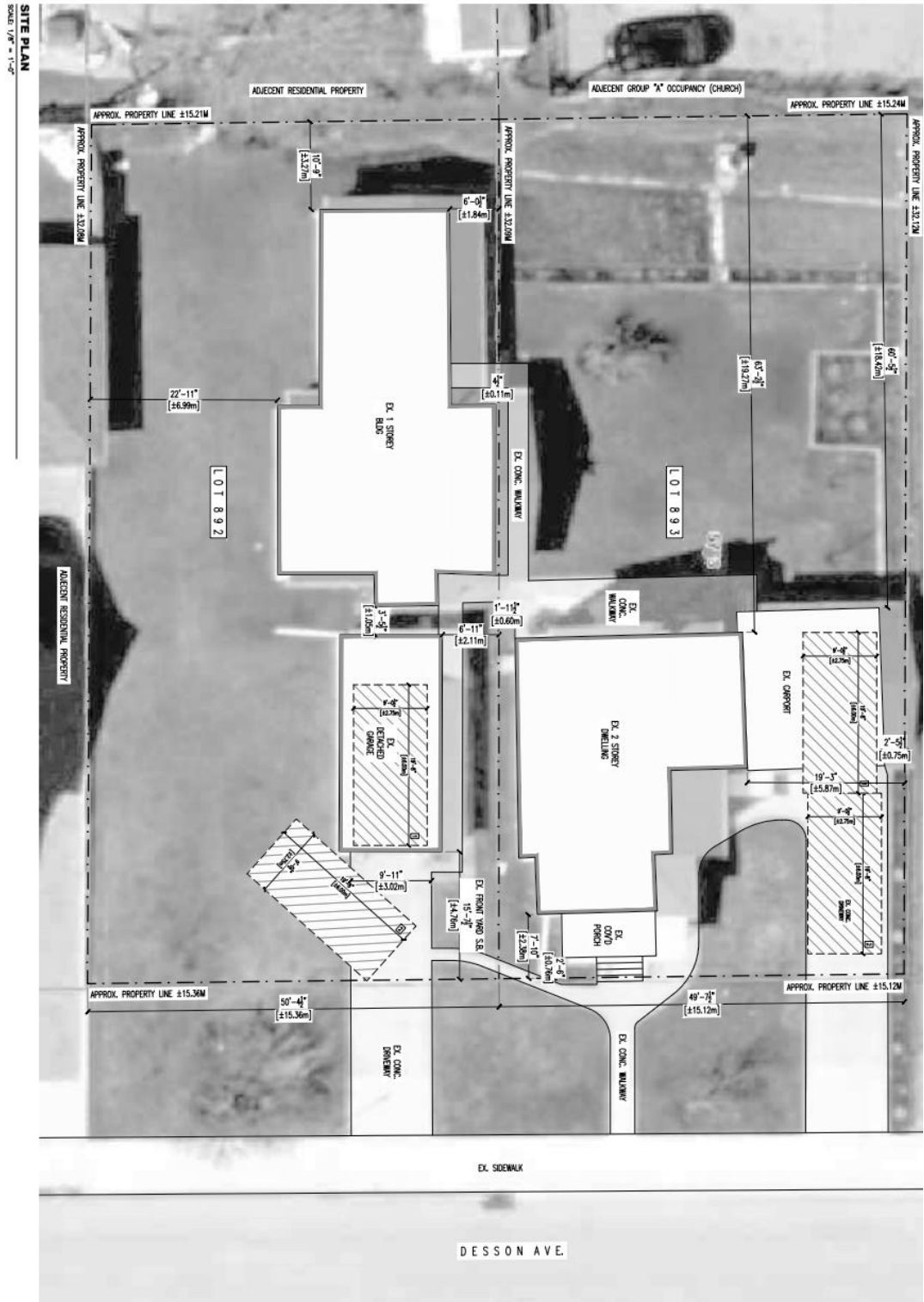
In accordance with Bill 185, which received Royal Assent on June 6th, 2024, the Minister, the applicant, or a specified person, public body, or registered owner of any land to which the By-law will apply, who made oral submissions at a Public Meeting or written submissions to City Council prior to the passage of the By-law, may appeal the By-law to the Ontario Land Tribunal. **Third-party appeals are no longer permitted.**

If a person or public body would otherwise have an ability to appeal the decision of the City of Niagara Falls to the Ontario Land Tribunal but the person or public body does not make oral submissions at a Public Meeting or make written submissions to the City of Niagara Falls before the by-law is passed, the person or public body is not entitled to appeal the decision of the Niagara Falls City Council to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a Public Meeting or make written submissions to the City of Niagara Falls in respect to the proposed by-law before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so

Dated at the City of Niagara Falls this 26<sup>th</sup> day of September, 2025.

## SCHEDULE 1



SITE DESIGN AND WATER FALLS, ON DEFERRED DROUGHT COMMERCIAL ZONE (DDZ)			
	± AREA (a <sup>2</sup> )	± AREA (a <sup>2</sup> )	± COVERAGE
LOT	5,545	497.2	100.0
EX. DRILLING	76.0	70.9	14.2
EX. DRIVE PAVING	62.4	5.8	1.1
EX. CURB/ST	326.1	30.5	6.0
EX. TYPICAL COVERAGE	115.5	107.2	22.2
MIN. LOT COVERAGE			45.9
EX. LANDSCAPING OPEN AREA			63.4%
MIN. REQ'D LANDSCAPED OPEN AREA			20%

LOT 892 DATA		SAGE DESIGN INC. SAGE DESIGN INC. DEFERRED TREATMENT COMMERCIAL ZONE (DDC)	
	± AREA (m²)	± AREA (m²)	± OVERSHOOTS (sq)
LOT	5,277	440.3	100.0
EX. DETACHED GARAGE	334.1	31.0	6.3
EX. 1 STORY BLDG	970.4	90.1	18.3
EX. TOTAL OVERSHOOTS	1,304.4	121.2	24.6
MAX. LOT COVERAGE			43.8%
EX. UNIMPROVED OPEN AREA			67.4%
MAX. REDD. UNIMPROVED OPEN AREA			50%