



**NOTICE OF ADOPTION OF
OFFICIAL PLAN AMENDMENT No. 127
AND THE PASSING OF
ZONING BY-LAW NOS.
2018-91 & 2018-92**

**Official Plan and Zoning By-law Amendment Application – City File: AM-2017-005
Regulating Vacation Rental Units and Bed and Breakfasts**

TAKE NOTICE that on the 14th day of August, 2018, the Council of the Corporation of the City of Niagara Falls passed By-law No. 2018-90, under Section 17 of the *Planning Act* which provided for the adoption of Official Plan Amendment No. 127, and passed By-law Nos. 2018-91 and 2018-92, under Section 34 of the *Planning Act*.

PURPOSE AND EFFECT

Official Plan Amendment No. 127 adds definitions and policies to the Official Plan respecting Vacation Rental Units and Bed and Breakfasts. These policies require an Official Plan and Zoning By-law amendment to permit a Vacation Rental Unit in Residential, Niagara Parkway Residential and Good General Agriculture Zones, subject to criteria contained in the policies. These policies also permit owner occupied Bed and Breakfasts through an implementing zoning by-law in the Residential and Niagara Parkway Residential designations.

By-law No. 2018-91 amends By-law Nos. 79-200, 395-1966 (Willoughby) and 1538, 1958 (Crowland) to permit owner occupied Bed and Breakfasts, with up to 3 guest rooms for rent, as of right in the Residential 1A Density (R1A), Residential 1B Density (R1B), Residential 1C Density (R1C), Residential 1D Density (R1D), Residential 1E Density (R1E), Residential 1F Density (R1F), Residential Two (R2), Residential Mixed (R3), Transition Residential Multiple (TRM), Deferred Tourist Commercial (DTC), Deferred Commercial (DC), Agriculture (A), Rural (R), and Development Holding (DH) Zones of By-law No. 79-200, the Rural, Niagara River Parkway Residential and Village Residential Zones of By-law No. 395, 1966 and the Rural-Agricultural Zone of By-law No. 1538, 1958, and owner occupied Bed and Breakfasts, with up to 6 guest rooms for rent, as of right in the Tourist Commercial (TC), General Commercial (GC) and Central Business Commercial (CB) zones, subject to compliance with applicable regulations in the respective by-laws.

By-law No. 2018-92 amends By-law No. 79-200 to permit Vacation Rental Units, with up to 3 bedrooms, as of right in the Tourist Commercial (TC), General Commercial (GC) and Central Business Commercial (CB) Zones, subject to compliance with applicable regulations in the by-law.

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. 127 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 adoption of the Official Plan Amendment and the passage of the by-law may appeal the Official Plan Amendment and/or the by-law to the Ontario Municipal Board in respect of the Official Plan Amendment and/or the by-law by filing a Notice of Appeal no later than the **6th day of September, 2018** 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, together with the Ontario Municipal Board filing fee of \$300.00 in the form of a certified cheque or money order, made payable to the Ontario Municipal Board. A separate filing fee is required for each appeal to the proposed Official Plan Amendment and Zoning By-law.

Only individuals, corporations and public bodies who made oral or written submissions to Council prior to the adoption of the Official Plan Amendment and the passage of the by-law may appeal the Official Plan Amendment and/or the by-law to the Ontario Municipal Board. 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 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 Ontario Municipal Board, 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 \$300.00 for each appeal, 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 17th day of August, 2018.

Alex Herlovitch. MCIP, RPP
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