

In advance of the Case Management Conference of 2 September 2022, the parties to OLT Case No. OLT-21-001728 (Appellant Kenneth Westhues, Tom Halinski and Naomi Mares for the City of Niagara Falls, and Rocco Vacca for Applicant John Pinter) reached tentative agreement in August 2022 on the following list of issues for adjudication by the tribunal:

1. Are Official Plan Amendment (OPA) No. 139 and the by-law consistent with the Provincial Policy Statement, in particular:
  - a) Section 1.1.1, Healthy, safe and livable communities
  - b) Section 1.3, Employment
  - c) Section 1.4, Housing
2. Do OPA No. 139 and the by-law comply with A Place to Grow: Growth Plan for Greater Golden Horseshoe, in particular:
  - a) Subsection 18 of Section 2.2.5, Employment
  - b) Section 2.2.6, Housing
3. Do OPA No. 139 and the by-law comply with the Regional Municipality of Niagara Official Plan, in particular:
  - a) Section 2.A.1., Tourism and Recreation
  - b) Section 11.A., Residential Areas and Housing
  - c) (in the revised Official Plan now pending approval by the Ministry of Municipal Affairs and Housing) Section 2.3, Housing
4. Does OPA No. 139 conform with the policy regime of the City of Niagara Falls Official Plan, in particular:
  - a) Part 2, Section 1.17, Vacation Rental Units, in particular Subsections 1.10.5, 1.10.6, and 1.10.7
  - b) Part 2, Section 3.1.3, Accommodations
  - c) Part 2, Sections 4.2.37 and 4.2.38, River Road Satellite District
  - d) Part 2, Section 13, Preamble
  - e) Part 4, Section 2.6, Official Plan Review and Amendments, in particular Subsections 2.6.1, 2.6.2, 2.6.3 and 2.6.5
5. Does the ZBA, By-law 2021-96, conform to the OP, as modified by OPA 139?