

PART 2 - BODY OF THE AMENDMENT

All of this part of the document entitled PART 2 - BODY OF THE AMENDMENT, consisting of the following text and attached map, constitute Amendment No. 139 to the Official Plan of the City of Niagara Falls.

DETAILS OF THE AMENDMENT

The Official Plan of the City of Niagara Falls is hereby amended as follows:

1. MAP CHANGE

The "Area Affected by this Amendment", shown on the map attached hereto, entitled "Map 1 to Amendment No. 139", shall be identified as Special Policy Area "76" on Schedule "A" to the Official Plan

2. TEXT CHANGE

a. PART 2, SECTION 13 - SPECIAL POLICY AREAS is hereby amended by adding the following subsection:

13.76 SPECIAL POLICY AREA "76"

Special Policy Area "76" applies to 0.07 hectares of land on the west side of River Road, south of Eastwood Crescent. Notwithstanding the policies of Part 2, Section 1.4 – Residential, and Part 2 Sections 4.2.37 and 4.2.38 – River Road Satellite District, a single vacation rental unit may be permitted on the land, subject to the following policies:

- i. The vacation unit shall be limited to the existing detached dwelling.
- ii. The vacation rental unit shall be limited to a maximum of three (3) bedrooms to ensure the scale and physical character is compatible with the surrounding neighbourhood.
- iii. Parking and landscaping shall be consistent with the residential environment.
- iv. The vacation rental unit will be subject to a licensing by-law passed under the Municipal Act, 2001, designed to regulate the operational aspects of Vacation Rental Units including, but not limited to: compliance with zoning, excessive noise, garbage disposal; property standards and adequate insurance.

b. The following definition is hereby added to APPENDIX 1 – DEFINITIONS:

"Vacation Rental Unit" means the commercial use of a detached dwelling or dwelling unit that is available for rent in its entirety for a period of 28 consecutive days or less, to provide temporary lodging to the travelling and vacationing public and is licensed by the City of Niagara Falls to carry on business.

CITY OF NIAGARA FALLS

By-law No. 2021-

A by-law to amend By-law No. 79-200, to permit the use of the lands for a vacation rental unit (AM-2019-022).

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:

1. The Lands that are the subject of and affected by the provisions of this by-law are described in Schedule 1 of this by-law and shall be referred to in this by-law as the "Lands". Schedule 1 is a part of this by-law.
2. The purpose of this by-law is to amend the provisions of By-law No. 79-200, to permit the use of the Lands in a manner that would otherwise be prohibited by that by-law. In the case of any conflict between a specific provision of this by-law and any existing provision of By-law No. 79-200, the provisions of this by-law are to prevail.
3. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses and regulations shall be the permitted uses and regulations governing the permitted uses on and of the Lands.
4. The permitted uses shall be:
 - (a) The uses permitted in the R2 zone
 - (b) The use of a detached dwelling, existing on the date of the passage of this by-law, for a vacation rental unit
5. The regulations governing the permitted uses shall be:
 - (a) Maximum number of bedrooms in a vacation rental unit 3
 - (b) Minimum number of parking spaces for a vacation rental unit 3, which may be provided in tandem and which shall be constructed and maintained in accordance with Section 4.19.3(a) of By-law No. 79-200
 - (c) The balance of regulations specified for an R2 use.
6. For the purposes of this by-law:

"VACATION RENTAL UNIT" means the commercial use of a detached dwelling that is available for rent in its entirety for a period of 28 consecutive days or less,

to provide temporary lodging to a single group of the travelling and vacationing public and is licensed by the City of Niagara Falls to carry on business

7. All other applicable regulations set out in By-law No. 79-200 shall continue to apply to govern the permitted uses on the Lands, with all necessary changes in detail.
8. No person shall use the Lands for a use that is not a permitted use.
9. No person shall use the Lands in a manner that is contrary to the regulations.
10. The provisions of this by-law shall be shown on Sheet D4 of Schedule "A" of By-law No. 79-200 by redesignating the Lands from R2 and numbered 2 to R2 and numbered 2 and 1148.
11. Section 19 of By-law No. 79-200 is amended by adding thereto:
19.1.1148 Refer to By-law No. 2021-_____.

Read a First, Second and Third time; passed, signed and sealed in open Council this 14th day of September, 2021.

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WILLIAM G. MATSON, CITY CLERK

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JAMES M. DIODATI, MAYOR