

## CITY OF NIAGARA FALLS

### **By-law No. 2026-029**

An interim control by-law to prohibit motel-to-residential conversion applications along Lundy's Lane within the City of Niagara Falls under Section 38 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended (PBD-2026-15).

**WHEREAS** Section 38 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, authorizes the Council of a municipality to pass an interim control by-law where the Council has directed, by by-law or resolution, that a review or study be undertaken in respect of land use planning policies in the municipality, or in any defined area thereof;

**AND WHEREAS** on January 20, 2026, the Council of The Corporation of the City of Niagara Falls approved the recommendations set out in Report PBD-2026-08, and directed staff to prepare an interim control by-law to restrict motel conversions on Lundy's Lane until the new Official Plan is in place;

**AND WHEREAS** on March 31, 2026, the Council of The Corporation of the City of Niagara Falls approved the recommendation of Report PBD-2026-15 to pass an interim control by-law to prohibit new motel conversion applications on Lundy's Lane for a period of one year;

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

1. That the Lands that are the subject of and affected by the provisions of this by-law are those properties that front on, abut, or otherwise touch Lundy's Lane as identified in Schedule "A" of this by-law and shall be referred to in this by-law as the "Interim Control Area".
2. That notwithstanding any other by-law to the contrary, within the Interim Control Area, no person shall:
  - (a) Convert a building or structure used or formerly used as a Motel or Hotel to contain one or more dwelling units;
  - (b) Establish dwelling units within a building or structure that is used or was formerly used as a motel or hotel;
  - (c) Alter, expand, or reconstruct a building or structure used or formerly used as Motel or Hotel for the purpose of enabling the creation of dwelling units;
  - (d) Where the purpose or effect would be to permit one or more dwelling units where a Motel or Hotel use exists or has existed, no person shall apply for or obtain approval of a Zoning By-law Amendment or a Minor

Variance where such application is submitted after the date this by-law comes into force and effect;

- (e) Construct, or permit the construction of, a new building or structure containing one or more dwelling units where a Motel or Hotel use exists or has existed.

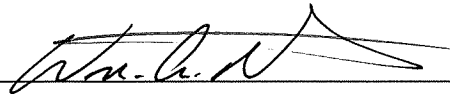
- 3. For the purpose of this by-law

“Hotel” and “Motel” have the same meaning as defined in Zoning By-law No. 79-200 and includes any building or structure lawfully established for such use prior to the passing of this by-law, whether or not such use is currently operating.

“Dwelling Unit” means a self-contained set of rooms occupied or designed to be occupied as an independent and separate self-contained unit and includes a kitchen with cooking facilities and bathroom facilities intended for the exclusive use of the unit as set out in Zoning By-law No. 79-200.

- 4. That the City Clerk is hereby authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

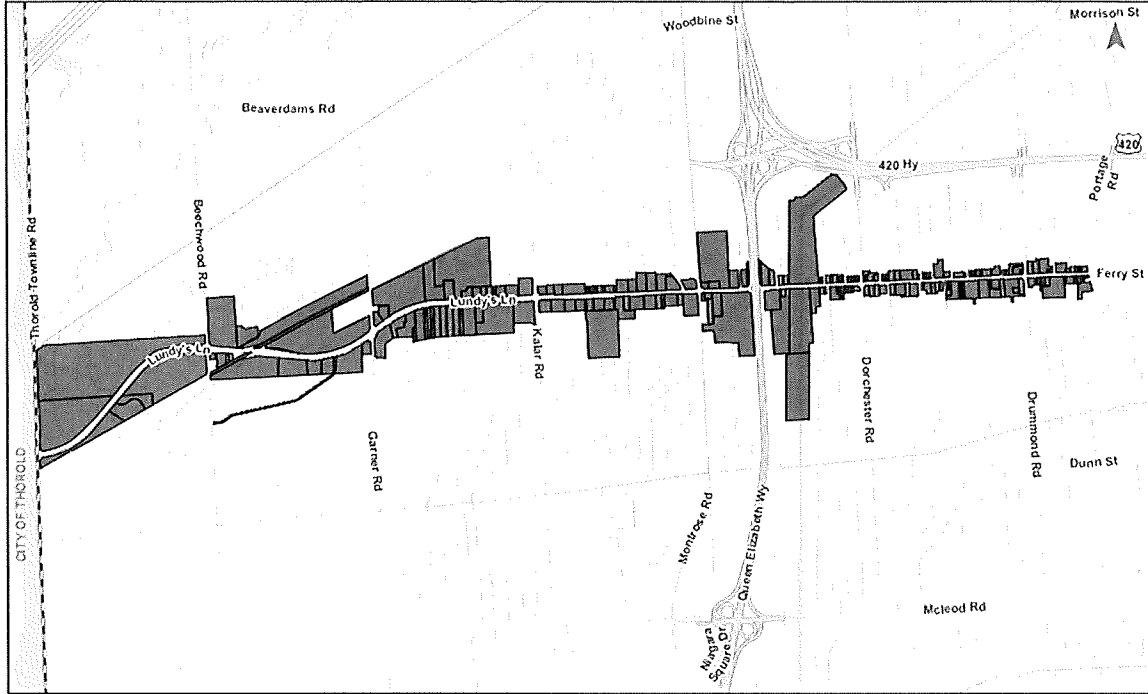
**Read a First, Second and Third time; passed, signed and sealed in open Council this 31<sup>st</sup> day of March, 2026.**




WILLIAM G. MATSON, CITY CLERK



JAMES M. DIODATI, MAYOR



 Properties Abutting Lundy's Lane

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