

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. XX - 23**

325 KING STREET

A BY-LAW TO AMEND BY-LAW NO. 4316-09, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LANDS AND THE ERECTION, USE, BULK, HEIGHT, LOCATION, AND SPACING OF BUILDINGS AND STRUCTURES WITHIN THE TOWN OF NIAGARA-ON-THE-LAKE.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule "A-1" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Map A (attached to and forming part of this By-law) from "Institutional (I) Zone" to "General Commercial (GC-X) – Site Specific Zone".

2. That Subsection 7.14, Site Specific Exceptions is hereby further amended by adding the following:

"7.14.XX 325 King Street – See Schedule 'A-1' (GC-X):

7.14.XX.1 GC-X Permitted Uses:

In lieu of the corresponding provisions of Subsection 7.8.1, only the following uses shall be permitted on the lands identified as GC-X on Schedule "A-1":

- a) hotel;
- b) restaurant;
- c) outdoor patio restaurant, as a secondary use to an existing restaurant in accordance with Section 6.36, except that:
 - a. the maximum size of the patio shall be 280 sq. m.; and
 - b. provisions 6.36 (b), (d), (g), (h) and (k) shall not apply.
- d) personal service establishment, as a secondary use to a hotel;
- e) conference centre;
- f) banquet facilities;
- g) spa; and
- h) retail use, as a secondary use to a hotel.

7.14.XX.2 GC-X Zone Requirements:

In lieu of the corresponding provisions of Subsection 7.8.2, the following provisions shall apply on the lands identified as GC-X on Schedule “A-1”:

Zone Requirements:

(a)	Minimum lot frontage	125.0 m
(b)	Minimum lot area	16,000 sq. m.
(c)	Maximum lot coverage	25%
(d)	Minimum landscaped open space	60%
(e)	Minimum front yard setback (setback to King Street)	25.0 m
(f)	Minimum interior side yard setback	N/A
(g)	Minimum exterior side yard setback (setback to Gage and Centre Streets)	20.0 m
(h)	Minimum rear yard setback (setback to Regent Street)	45.0 m
(j)	Maximum building height	19.0 m

- 7.14.XX.3 No amplified music or public address system shall be utilized outdoors.
- 7.14.XX.4 Notwithstanding Section 6.27 Loading Space Requirements of By-law No. 4316-09 as amended, the following provisions shall apply:
 - a. a total of 2 loading spaces shall be required.
 - b. a loading space may be located 15.0 m from the street line, accessed from Gage Street and/or Centre Street.
- 7.14.XX.5 Notwithstanding the provisions of Section 6.39 Parking Space Requirements, and 6.40 Parking Space Requirements, Additional Provisions, of By-law No. 4316-09 as amended, a minimum of 168 parking spaces shall be required.
- 7.14.XX.6 Notwithstanding the provisions of Section 6.42 Parking, Accessible Space Requirements, of By-law No. 4316-09 as amended, a minimum of 7 accessible parking spaces shall be required.
- 7.14.XX.7 Provision 6.42 (f) of By-law No. 4316-09 as amended, with respect to minimum vertical clearance for accessible parking spaces, passenger loading zones, and along access routes, shall not apply.
- 7.14.XX.8 Notwithstanding the provisions of Section 6.44 Permitted Yard Projections and Encroachments, of By-law No. 4316-09 as amended, a Porte Cochere is permitted to encroach into the front yard up to a minimum setback of 12.0 metres from the lot line.

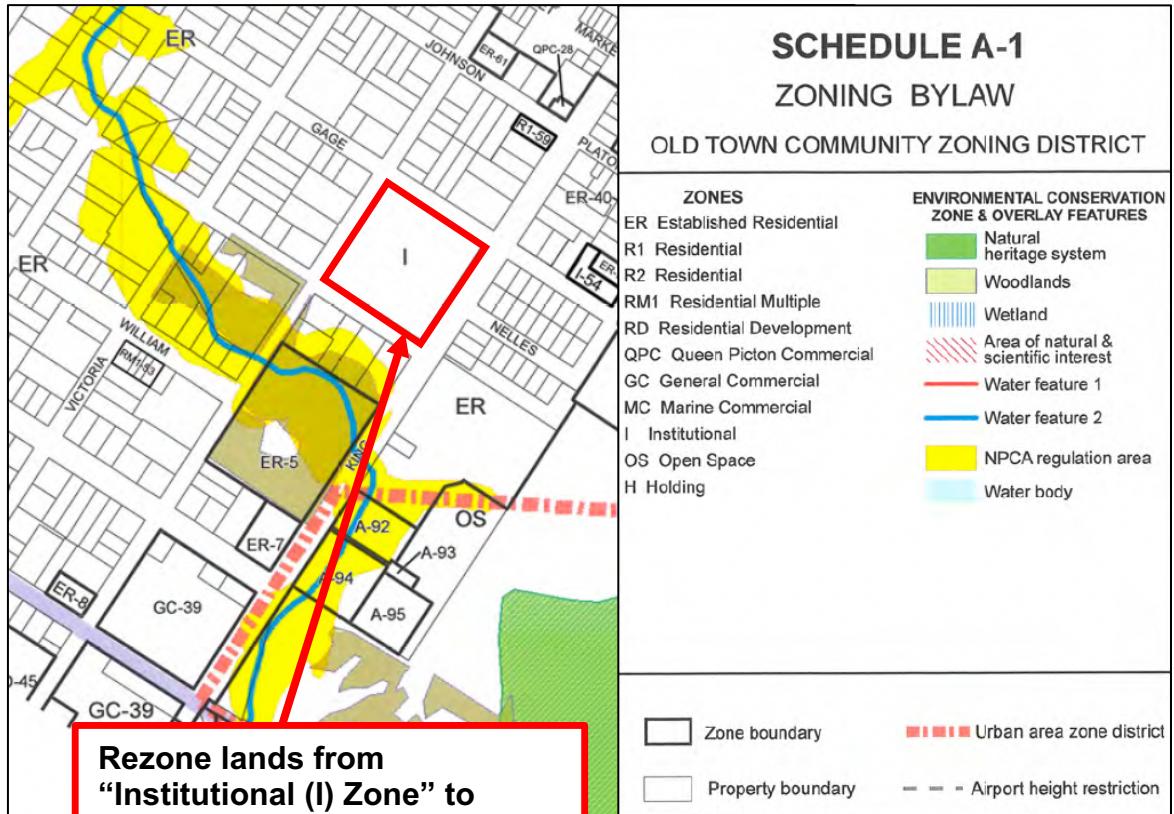
3. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS _____ DAY OF _____, 2023.

LORD MAYOR

TOWN CLERK

MAP A



**Rezone lands from
"Institutional (I) Zone" to
"General Commercial (GC-X)
– Site Specific Zone".**