

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. ####-24**

Official Plan Amendment No. 91
West Side of Concession 7 Road, North of York Road
Roll 262702001916000 and 262702001915000

NIAGARA ON THE LAKE PART LOTS 179 TO 181 PART ROAD ALLOWANCE REGISTERD PLAN 30R3553 PT PART 1 AND REGISTERED PLAN 30R13678 PART 1; and PART TOWNSHIP LOT 181 REGSITERED PLAN 30R11752 PT PART 2, Niagara-on-the-Lake.

A BY-LAW PURSUANT TO SECTION 17 OF THE ONTARIO PLANNING ACT
TO AMEND THE TOWN OF NIAGARA-ON-THE-LAKE OFFICIAL PLAN

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 17 of the *Planning Act, R.S.O. 1990, c.P.13, as amended*;

The Council of The Corporation of the Town of Niagara-on-the-Lake, in accordance with the provisions of Section 17 of the *Planning Act* hereby enacts as follows:

1. Amendment No. 91 to the Official Plan for the Town of Niagara-on-the-Lake consisting of the attached explanatory text and schedule is hereby adopted.
2. Amendment No. 91 to the Official Plan for the Town of Niagara-on-the-Lake is exempt from the approval of the Regional Municipality of Niagara and will come into force and take effect on the day of the final passing thereof.

Enacted and passed this 27th day of February, 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

**Amendment No. 91 to the Official Plan
for the Town of Niagara-on-the-Lake**

PART A – THE PREAMBLE

Part A does not constitute part of this amendment. Part A describes the purpose and basis for this amendment.

PART B – THE AMENDMENT

Part B constitutes Amendment No. 91 to the Official Plan for the Town of Niagara-on-the-Lake.

**PART C – ADDITIONAL
INFORMATION**

Part C does not constitute part of this amendment but outlines additional information available upon request.

PART A - THE PREAMBLE

The preamble does not constitute part of this amendment.

PURPOSE

The purpose of this amendment is to redesignate the subject lands from “Prestige Industrial” and “Conservation” to site-specific “Low Density Residential”, “Medium Density Residential” and “Open Space & Community Facilities” to facilitate residential and commercial uses. The amendment will also be reflected in the Glendale Secondary Plan.

BASIS

The basis of the amendment is as follows:

1. The development portions of the subject lands are located in the Urban Area of Glendale, located on the west side of Concession 7 Road, north of York Road and south of Queenston Road, and is known as Modero Estates. A portion of the subject lands are located outside of the Urban Area Boundary. No development is proposed outside of the Urban Area Boundary.
2. The subject lands are currently recognized as locally designated employment lands located outside of a Regionally identified Employment Area. The change in land use to accommodate residential uses conforms with the Council endorsed Glendale District Plan. The change in land use has been examined and evaluated in the context of the ongoing work to support the Glendale Secondary Plan update. The development supports the creation of local commercial jobs within the village commercial block.
3. The Official Plan directs that low density residential development will generally not exceed 6 units per acre (14 units per hectare) and that medium density residential development will generally not exceed 12 units per acre (30 units per hectare) unless accompanied by a detailed site and area analysis demonstrating that there will be minimal impact on surrounding neighborhoods. The Glendale Secondary Plan provides direction for a mix of densities on residential lands.
4. The proposal would result in a net residential density of 13 units per acre (32 units per hectare) over the entirety of the subdivision. A site-specific exemption is proposed to allow for a maximum net residential density of 10 units per acre (25 units per hectare) for low density residential development, and a maximum net residential density of 22 units per acre (55 units per hectare) for medium density residential development. The subject lands are surrounded by a tree covered area that forms part of the Core Natural Heritage System, providing visual screening from the existing dwellings located along Concession 7 Road. Tree cover combined with a significant

setback from the subject lands demonstrates that the proposed development is not anticipated to have a significant adverse impact on the surrounding area.

5. Studies submitted as part of the application support the development, demonstrate protection of the environmental area, and address land use compatibility. The proposal would provide more housing and a more diverse housing stock, including townhouses and apartments, to address current housing needs.
6. The amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan (2020), the Regional Official Plan (2014 Office Consolidation) and the general intent of the Town's Official Plan (2017 Consolidation, as amended).

PART B - THE AMENDMENT

Part B – The Amendment, consisting of the following text and Schedule, constitutes Amendment No. 91 to the Official Plan for the Town of Niagara-on-the-Lake.

DETAILS OF THE AMENDMENT

1. Schedule “F” to the Official Plan be amended by redesignating the subject lands from “Prestige Industrial” and “Conservation” to site-specific “Low Density Residential – EX-RES-13”, “Medium Density Residential – EX-RES-14” and “Open Space & Community Facilities” as shown on Schedule 1 attached hereto. Schedule F is further amended by refining the boundaries of the “Conservation” designation per the approved environmental study.
2. That the following is added to Part 3 – Land Use Policies, Section 9: Residential under section “9.5 EXCEPTIONS”:

“EX-RES-13 The lands identified as Low Density Residential – EX-RES-13 on Schedule F (Modero Estates), shall be permitted to be developed with a maximum net residential density of 10 units per acre (25 units per hectare), measured collectively across the entirety of the area subject to this site-specific policy.”

“EX-RES-14 The lands identified as Medium Density Residential – EX-RES-14 on Schedule F (Modero Estates), shall be permitted to be developed with a maximum net residential density of 22 units per acre (55 units per hectare), measured collectively across the entirety of the area subject to this site-specific policy. In addition to the permitted uses, local serving commercial uses may be permitted abutting Concession 7 Road in accordance with the implementing Zoning By-law.”
3. Schedule “F1” to the Official Plan be amended by redesignating the subject lands from “Industrial Park” to “Modero Estates Residential Community” and refining the boundary of the “Environmental Conservation Area” as shown on Schedule 2 attached hereto.
4. Under 6.32.6 Special Policy Area A-7 (Glendale Secondary Plan), Section 3 - Land Use and Site Development, the following Subsection is added:

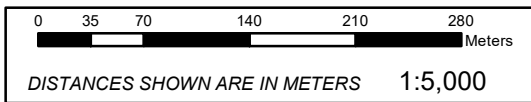
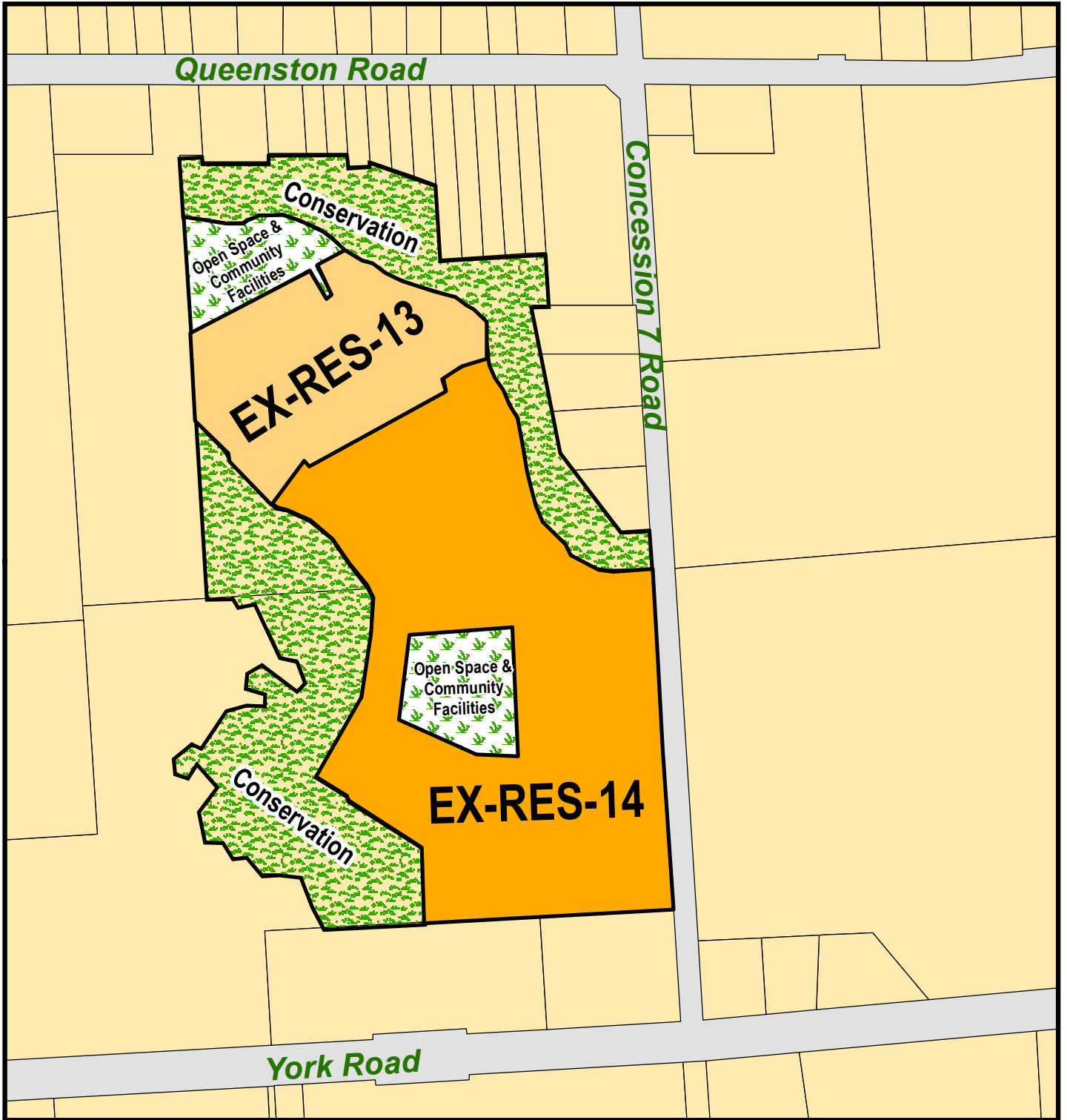
3.10 Modero Estates Community

- a) Medium density forms of housing, including street and block townhouses and built form variations thereof shall be permitted.
- b) Low density forms of housing, including single detached housing, shall be permitted.
- c) Mixed use development including Commercial Uses (Local Serving) at grade with residential units above or behind shall be permitted along Concession 7 Road.

PART C – ADDITIONAL INFORMATION

The following additional information is available upon request:

1. Community and Development Services Report CDS-24-036
2. Council Meeting Minutes dated February 27, 2024



**SCHEDULE 1 ATTACHED TO OFFICIAL PLAN AMENDMENT #91
 BEING AN AMENDMENT TO SCHEDULE "F" and "F1" OF THE
 OFFICIAL PLAN OF THE TOWN OF NIAGARA-ON-THE-LAKE**

LORD MAYOR
 GARY ZALEPA

TOWN CLERK
 GRANT BIVOL