

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

Official Plan Amendment No. 85

Lots 149, 150, 191, 192 Township Plan 86 Niagara, Part 1 on Plan 30R15804
Niagara-on-the-Lake, 325 King Street (West Side of King Street, South Side of
Gage Street, East of Regent Street, North of Centre Street)

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. 85 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. 85 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 25th day of June, 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

**Amendment No. 85 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. 85 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.

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PART A - THE PREAMBLE

The preamble does not constitute part of this amendment.

PURPOSE

The purpose of this amendment is to redesignate lands from “Open Space & Community Facilities” to “General Commercial (EX-COM-6)” with site-specific exemptions to permit the proposed hotel and associated uses.

BASIS

The basis of the amendment is as follows:

1. The subject lands are located in the Urban Area of Old Town and are known municipally as 325 King Street.
2. The Official Plan designates the subject lands as “Open Space & Community Facilities,” and an Amendment to the Official Plan is required to permit the proposed hotel with a restaurant and patio, spa and personal services, banquet/conference facilities, and associated retail uses.
3. Provincial and Regional policies encourage a range and mix of uses within settlement areas, including the Delineated Built-up Area. The proposed commercial use is supported by Provincial and Regional policy direction.
4. Provincial, Regional and Town policies require the conservation and protection of archaeological and cultural heritage resources as part of new or redevelopment proposals. All archaeological and cultural heritage matters have been considered and have been or will be protected and conserved as part of the redevelopment of the subject lands.
5. Analysis provided with the requested amendment demonstrates that the proposed development is not anticipated to have a significant adverse impact on the surrounding area.
6. The proposed hotel and associated uses are compatible with existing and planned development in Old Town, including proximity to the Queen-Picton Commercial Area, and represents an appropriate and compatible form of intensification by making efficient use of land and existing services.
7. The proposal is not anticipated to have an adverse impact on the overall function of the Old Town area or the Queen-Picton Commercial Area. There are opportunities to provide a continued range and mix of uses and services in the surrounding residential and commercial areas.

8. The proposal would provide additional tourism opportunities, including overnight accommodations.
9. The amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan (2020 Consolidation), the Niagara Official Plan (2022) and the general intent of the Town's Official Plan (2017 Consolidation, as amended).
10. A future application for Site Plan Approval is required to create the proposed hotel building and associated internal uses, parking and landscaping and screening.

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PART B - THE AMENDMENT

Part B – The Amendment, consisting of the following text and Schedule, constitutes Amendment No. 85 to the Official Plan for the Town of Niagara-on-the-Lake.

DETAILS OF THE AMENDMENT

1. Schedule B to the Official Plan be amended by redesignating lands from “Open Space & Community Facilities” to “General Commercial Exemption (EX-COM-6)” as shown on ‘Schedule 1’ attached hereto.

2. That the following is added to Section 10.5 (Exceptions):

EX-COM-6 The lands identified as EX-COM-6 on Schedule “B” shall be subject to all requirements of the “General Commercial” designation under Section 10.3.1 and any other general requirement of this Plan, except the following shall apply:

a) In lieu of the permitted uses under Section 10.3.1(a) of the Official Plan, only the following uses shall be permitted on the subject lands identified as “EX-COM-6” on Schedule B:

Main Uses:

- Hotel
- Spa
- Restaurant
- Banquet and Conference Facilities

Secondary Uses:

- Retail and personal service uses associated with the main Hotel use.

Retail uses that are not associated with the main Hotel use shall not be permitted.

b) The main Hotel building shall be sited and oriented towards King Street, and appropriate landscaping shall be provided around the property, to be implemented through the Site Plan Application process, on the subject lands identified as “EX-COM-6.”

c) Access to any driveway leading to a parking area shall be provided from King Street on the subject lands identified as “EX-COM-6.”

- d) Access to loading areas, one each from Gage Street and Centre Street, are permitted, and must be well screened and landscaped to minimize visual impacts from the street, on the subject lands identified as “EX-COM-6” on Schedule B.

- e) Prior to Site Plan Approval, a Cultural Heritage Impact Assessment shall be prepared to identify a plan for how cultural heritage elements of the site will be considered and incorporated into any redevelopment of the site, on the subject lands identified as “EX-COM-6.”

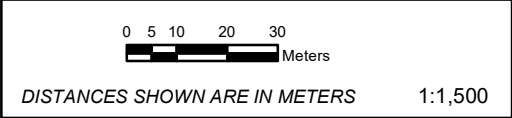
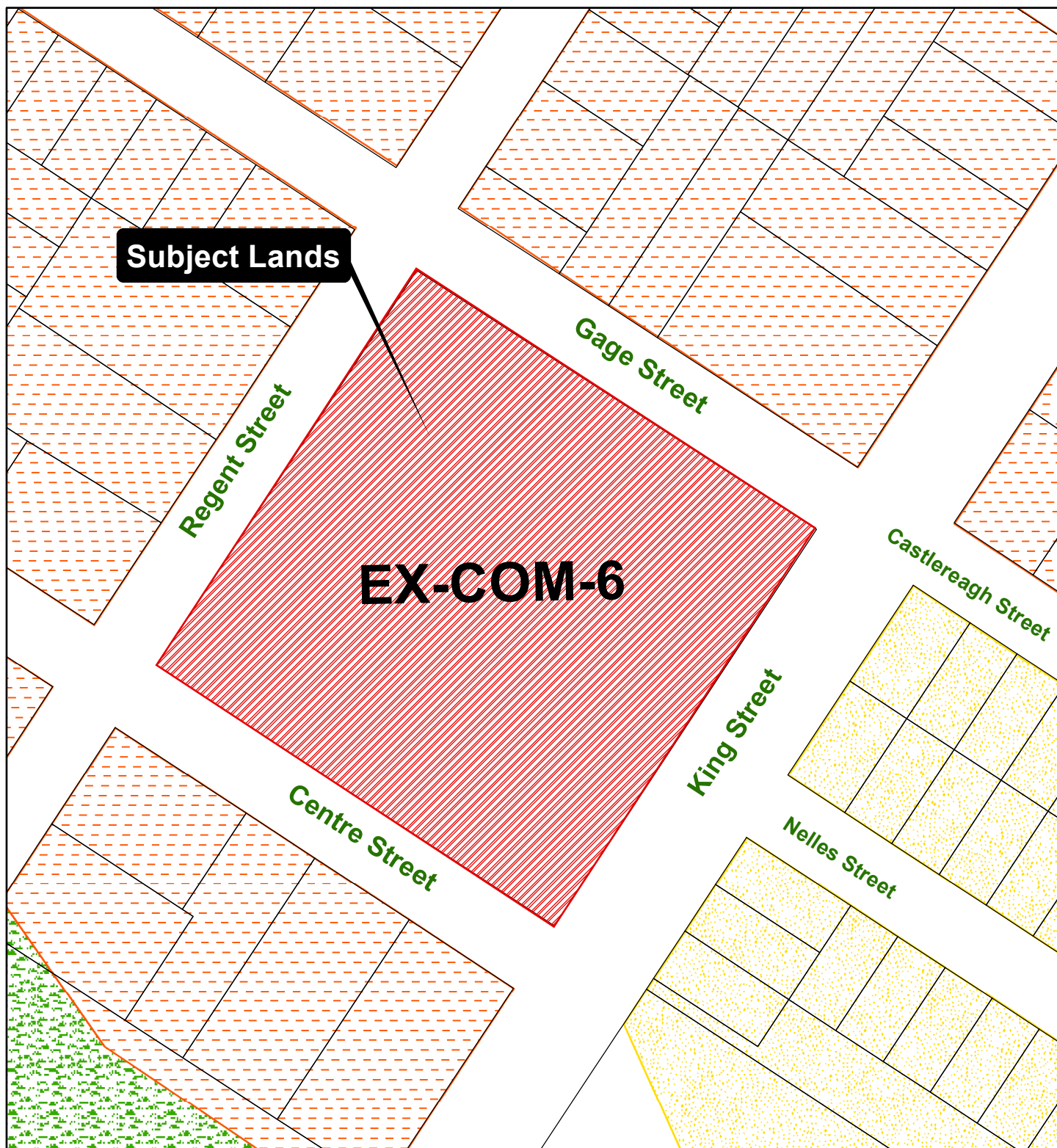
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PART C – ADDITIONAL INFORMATION

The following additional information is available upon request:

1. Community and Development Services Report CDS-23-192
2. Council Meeting Minutes dated June 25, 2024
3. Community and Development Services Report CDS-23-086
4. Council Meeting Minutes dated May 23, 2023

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**SCHEDULE 1 ATTACHED TO OFFICIAL PLAN AMENDMENT #85
BEING AN AMENDMENT TO SCHEDULE "B" OF THE OFFICIAL
PLAN OF THE TOWN OF NIAGARA-ON-THE-LAKE**

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL