

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

Official Plan Amendment No. 95

Part of Lot 2 of Concession 9 Grantham; Part 44 and 45 as in Plan 30R14403, Being Stopped Up, Closed, Declared Surplus and Disposed as a Portion of Regional Road 70 (Taylor Road) by By-law 88-2014 as in NR442322; Subject to an Easement in Gross Over Part 44 of Plan 30R14403 as in NR469304; Subject to an Easement as in NR469306 and Part Lot 2, Concession 9 Grantham Designated as Part 2 on Plan 30R569 Except Part 52 on Plan 30R14403; Town of Niagara-on-the-Lake; and, Firstly: Part Lot 2 of Concession 9 Grantham Parts 1 and 2 of 30R2395; Secondly: Part Lots 2-3 of Concession 9 Grantham; Part Road Allowance Between Lots 2 and 3 of Concession 9 Grantham, Parts 8, 9, 14-20, 25-31, 34-40 of Plan 30R14403, Being Stopped Up, Closed, Declared Surplus and Disposed as a Portion of Regional Road 70 (Taylor Road) by By-law 88-2014 as in NR442322; Thirdly: Part Lots 2-3 of Concession 9 Grantham; Part Road Allowance Between Lots 2 and 3 of Concession 9 Grantham, Parts 21, 32, 41 to 43 and 46 to 51 of Plan 30R14403, Being Stopped Up, Closed, Declared Surplus and Disposed as a Portion of Regional Road 70 (Taylor Road) by By-law 88-2014 as in NR442322; Fourthly: Part Lot 3 of Concession 9 Grantham, Parts 6 and 7 of Plan 30R14403, Being Stopped Up, Closed, Declared Surplus and Disposed as a Portion of Regional Road 70 (Taylor Road) by By-law 88-2014 as in NR442322; Subject to an Easement in Gross Over Parts 25-31 of Plan 30R14403 as in NR569304; Subject to an Easement in Gross Over Parts 19, 30 and 39 of Plan 30R14403 as in NR469305; Subject to an Easement Over Parts 8, 14, 17, 18, 19, 25, 27, 28, 29, 30, 37, 38 and 39 in Plan 30R14403 as in NR469306; Subject to an Easement in Gross Over Parts 8, 9 and 14 to 20 of Plan 30R14403 as in NR491489; Subject to an Easement in Gross Over Parts 32, 42, 48 and 49 on Plan 30R14403 as in NR469304; Subject to an Easement Over Parts 42 and 43 on Plan 30R14403 as in NR469306; Subject to an Easement in Gross Over Parts 21, 50 and 51 on Plan 30R14403 as in NR491489; Subject to an Easement in Gross as in NR491489; Town of Niagara-on-the-Lake (235-253 Taylor Road)

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. 95 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. 95 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. 95 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. 95 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 a portion of the subject lands from “Prestige Industrial” and “Village Centre” to site-specific “Village Centre” to facilitate the addition of a mixed use and residential development on the subject lands. The amendment will also be reflected in the update to the Glendale Secondary Plan.

BASIS

The basis of the amendment is as follows:

1. The subject lands are located in the Urban Area of Glendale, municipally addressed as 235 and 253 Taylor Road, located on the east side of Taylor Road, north of Glendale Avenue, and south of the Queen Elizabeth Way.
2. The Official Plan provides policy direction for commercial, hospitality and residential uses. The proposal requests to permit additional commercial uses, in addition to residential uses (approximately 810 residential units) and commercial uses (approximately 1,515 square metres of ground floor commercial area fronting Taylor Road). The existing uses on the subject lands, including the hotel, conference centre, resort, spa and fitness facility, will continue to be permitted. The addition of residential uses and further commercial uses results in a compatible form of intensification through a mixed-use development and makes efficient use of land and existing services.
3. The Official Plan permits building heights on the subject lands to range from 2 to 16 storeys, including Landmark Buildings. The Glendale Secondary Plan contains a policy for the subject lands which states that, notwithstanding the height limit of 16 storeys for buildings in the centre of the site, one building in this area may be permitted a maximum height of 20 storeys. The proposal would result in a mixed use development with more than one new building having building heights of 17 to 25 storeys. Currently, building heights would be restricted to approximately 19 metres above ground level (5-6 storeys) based on the in-force Airport Zoning Regulation (AZR). The 17- to 25-storey building heights (maximum height of 85.5 metres) are only permitted subject to Transport Canada issuing a permanent exemption to the AZR.
4. Studies submitted as part of the application support the development, and address servicing and land use compatibility.

5. The proposal would provide additional housing and a more diverse housing stock to address current housing needs.
6. 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).
7. Future applications for Draft Plan of Condominium and Site Plan Approval are required to create the proposed mixed-use development, and to allow for the individual sale of units.

PART B - THE AMENDMENT

Part B – The Amendment, consisting of the following text and Schedule, constitutes Amendment No. 95 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 adding text reference to “OPA No. 95” on the subject lands.
2. Schedule “F1” to the Official Plan be amended by redesignating the subject lands from “Village Centre” to site-specific “Village Centre – EX-VC-01” as shown on ‘Schedule 1’ attached hereto.
3. That the following is added to 6.32.6 Special Policy Area A-7 (Glendale Secondary Plan), Section 3 – Land Use and Site Development:

3.11 The lands identified as EX-VC-01 on Schedule “F1” shall be permitted

EX-VC-01 The lands identified as EX-VC-01 on Schedule F1 shall be subject to all requirements of the “Village Centre” designation under Section 6.23.6.3.7 and any other general requirements of this Plan, except the following shall apply:

- a) In lieu of Section 6.4, a maximum building height of 85.5 metres is permitted for one building on the subject lands identified as “EX-VC-01” on Schedule F1, subject to an exemption to the Airport Zoning Regulations from Transport Canada.
- b) In addition to the uses permitted under Section 6.32.6.3.7(a) of the Official Plan, the following uses are permitted on the subject lands identified as “EX-VC-01” on Schedule F1:
 - Bake Shop
 - Catering Establishment
 - Commercial Recreation Facility
 - Convenience Store
 - Courier Service Establishment
 - Dry Cleaning Outlet
 - Financial Institution
 - Grocery Store
 - Laboratory
 - Medical Clinic
 - Outdoor Patio Restaurant as a Secondary Use to a Restaurant in accordance with Section 6.36
 - Personal Service Establishment
 - Postal Outlet

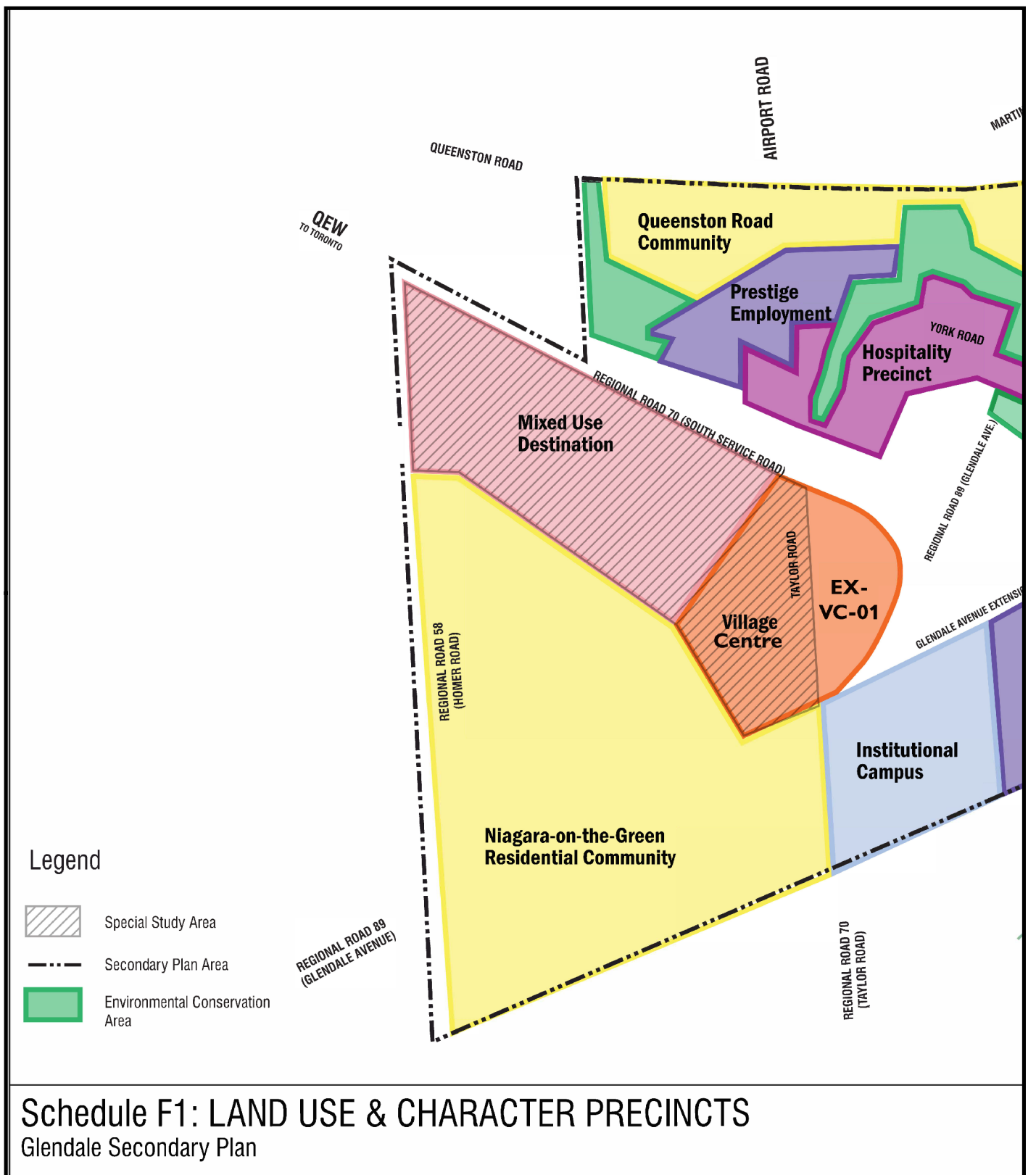
- Public Use
 - Residential Dwelling Units Above and/or Behind any Commercial Use in accordance with Section 6.48
 - Tavern
 - Apartment Building(s)
- c) In lieu of Section 6.32.6.3.7(i) ii), one building up to 25 storeys in height (approximately 85.5 metres), which utilizes a 1 to 5 storey podium shall be permitted along Taylor Road, on the subject lands identified as “EX-VC-01” on Schedule F1, subject to an exemption to the Airport Zoning Regulations from Transport Canada.
- d) In lieu of Section 6.32.6.3.7(i) iv), a maximum height of 25 storeys (approximately 85.5 metres) is permitted for one (1) Landmark Building, and a maximum height of 17-21 storeys (approximately 58.0 metres to 71.0 metres) is permitted for all other buildings located on the southern portion of the subject lands identified as “EX-VC-01” on Schedule F1, subject to an exemption to the Airport Zoning Regulations from Transport Canada.
- e) In lieu of Section 6.32.6.3.7(i) v), portions of buildings above eight storeys shall be setback a minimum of 4 metres from Taylor Road and a minimum of 9.0 metres from the southernmost point of the site, on the subject lands identified as “EX-VC-01” on Schedule F1.
- f) In lieu of Section 6.32.6.3.7(i) viii), buildings shall be permitted close to the street edge on the subject lands identified as “EX-VC-01” on Schedule F1.
- g) In lieu of Schedule F4, the Parks and Publicly Accessibly Amenity Space may be located internal to the subject lands identified as “EX-VC-01” on Schedule F1, and/or along Glendale Avenue and Taylor Road.
- h) In lieu of Sections 9.4(4) and 6A(4.4)k), a maximum net residential density of no greater than 140 units per hectare is permitted on the subject lands identified as “EX-VC-01” on Schedule F1.
- i) In lieu of Section 22.6, the use of the Holding “H” symbol may be used in the corresponding site-specific zoning by-law for the

purposes of limiting building heights until such time as an exemption from the applicable Airport Zoning Regulation is obtained.

PART C – ADDITIONAL INFORMATION

The following additional information is available upon request:

1. Community and Development Services Report CDS-24-096
2. Council Meeting Minutes dated June 25, 2024
3. Community and Development Services Report CDS-23-193
4. Council Meeting Minutes dated October 24, 2023



**SCHEDULE 1 ATTACHED TO OFFICIAL PLAN AMENDMENT #95
BEING AN AMENDMENT TO SCHEDULE "F-1" OF THE OFFICIAL
PLAN OF THE TOWN OF NIAGARA-ON-THE-LAKE**

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL