

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

Official Plan Amendment No. 100
Unaddressed Parcel Located South of Penner Street, East of Elden Street, North of
Field Road, and West of Niagara Stone Road
Roll 262702001313304

“Lots 39 and 40, Part of Lots 34, 35 and 38, Plan 304, Part of Block 9, Township Plan 85,
Niagara, Parts 1 & 2 30R16153”; Town of 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. 100 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. 100 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 March, 2025.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

**Amendment No. 100 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. 100 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 “Service Commercial” and “Low Density Residential” to a residential exception designation “EX-RES-18” with site-specific exceptions to permit a medium density residential development (being a 4-storey apartment building and eight (8) one-storey townhouse dwellings) with a maximum residential net density of 80 units per hectare, with parking located to the north side of the apartment building, and that the lot is located on a local street.

BASIS

The basis of the amendment is as follows:

1. The subject lands do not have a municipal address and are located in the Urban Area of Virgil, located south of Penner Street, east of Elden Street, west of Niagara Stone Road and north of Field Road.
2. The Official Plan directs that medium density residential developments will generally not exceed a residential net density of 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 proposal would result in a residential net density of 80 units per hectare. Analysis provided with the requested amendment demonstrates that the proposed development is not anticipated to have a significant adverse impact on the surrounding area.
3. The proposed residential apartment building and townhouse dwellings are compatible with existing and planned development in this area of Virgil and represent an appropriate and compatible form of intensification by making efficient use of existing services and optimizing the use of land that is currently used as a surface parking lot.
4. The proposal would provide more housing and a more diverse housing stock, to address current housing needs.
5. The Amendment is consistent with the Provincial Planning Statement (2024) and conforms with the Niagara Official Plan (2022) and the Town’s Official Plan (2017 Consolidation, as amended).
6. A future application for Site Plan Approval is required to facilitate the development of the apartment building and townhouse dwelling units.

PART B - THE AMENDMENT

Part B – The Amendment, consisting of the following text and Schedule, constitutes Amendment No. 100 to the Official Plan for the Town of Niagara-on-the-Lake.

DETAILS OF THE AMENDMENT

1. That Schedule C to the Official Plan, as amended, is further amended by redesignating the subject lands from “Service Commercial” and “Low Density Residential” to “EX-RES-18,” as shown on Schedule 1 attached hereto.
2. That the following is added to Part 3 – Land Use Policies, Section 9: Residential under section “9.5 EXCEPTIONS”:

“EX-RES-18 The lands identified as “EX-RES-18” on Schedule C, with no municipal address located south of Penner Street, east of Elden Street, north of Field Road, and west of Niagara Stone Road, shall be subject to all requirements of the “Medium Density Residential” designation and any other general requirements of this Plan, except the following shall apply:

In addition to the uses identified under Subsection 9.3.2 (1) of the Official Plan, an apartment building being four (4) storeys in height containing a maximum of twenty-four (24) apartment dwelling units shall be permitted. A maximum *residential net density* of 80 units per hectare, measured across the entirety of the subject lands, shall be permitted.

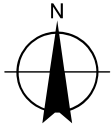
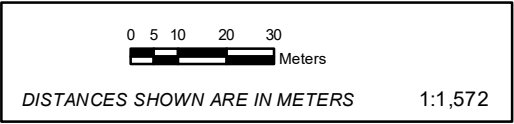
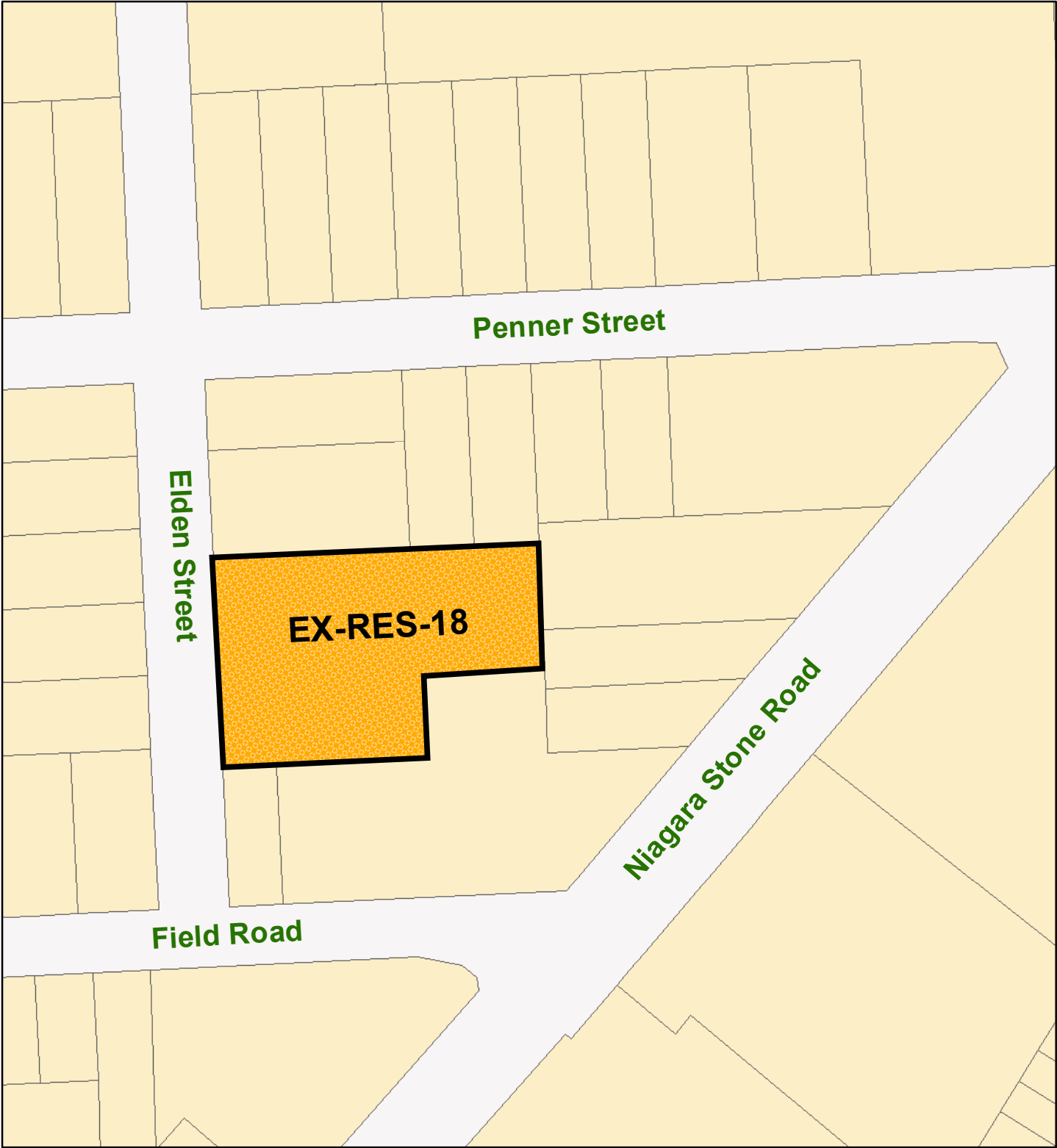
Notwithstanding Policy 9.3.2.3 g) of the Official Plan, the lands are located on a local street.

Notwithstanding Subsection 6A.4.4 f) (Built-Up Area Intensification Policies) and 6A.4.4 b) (Urban Design) of the Official Plan, visitor parking for the apartment building is permitted at the north side of the building.”

PART C – ADDITIONAL INFORMATION

The following additional information is available upon request:

1. Information Report to Council – Public Meeting, 1570 Niagara Stone Road (CDS-24-146)
2. Community and Development Services Report CDS-25-023
3. Council Meeting Minutes dated March 25, 2025



**SCHEDULE 1 ATTACHED TO OFFICIAL PLAN AMENDMENT #100
BEING AN AMENDMENT TO SCHEDULE "C" OF THE OFFICIAL
PLAN OF THE TOWN OF NIAGARA-ON-THE-LAKE**

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL