

Explanation of the Purpose and Effect of
By-law 4316CC(2)-26

The subject lands are municipally known as 524 York Road, Niagara-on-the-Lake, and legally described as “PART LOT 1 CONCESSION 9 GRANTHAM PARTS 5 & 6, 30R11076; TOGETHER WITH EASEMENT OVER PART 2, 30R9834 AS IN LOT 185306; SUBJECT TO EASEMENT OVER PART 1, 30R10995 IN FAVOUR OF THE REGIONAL MUNICIPALITY OF NIAGARA AS IN NR15088”; NIAGARA ON THE LAKE.

Purpose

The purpose of this By-law is to rezone a portion of the subject lands to permit the development of a seven (7) storey hotel and a one (1) storey restaurant. A “Holding (H)” symbol is included to require the submission and approval of a “Woodland Enhancement Plan” as well as any necessary legal agreements required for off-site environmental restoration and enhancement.

Effect

The effect of this By-law is to rezone a portion of the subject lands from “Glendale Community Zoning District – Open Space - Key Features (OSF) Zone” and “Glendale Community Zoning District – Regional Commercial (RC1-15) Site Specific Zone” to “Glendale Community Zoning District - Regional Commercial (RC1-15-H) – Site Specific Holding Zone,” with site-specific provisions for building height, definitions, permitted yard encroachments, loading and parking requirements.

<i>Applicant:</i>	Niagara York Road Inc. (c/o Darko Vranich)
<i>File Number:</i>	ZBA-01-2025
<i>Report Number:</i>	PBDS-26-006
<i>Assessment Roll Number:</i>	262702001802450

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316CC(2)-26**

524 York Road Roll 262702001802450

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO *PLANNING ACT* TO AMEND BY-LAW 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 the Council for the Town of Niagara-on-the-Lake did approve By-law 4316CC-17 on February 13, 2017, to rezone a portion of the subject lands to “Glendale Community Zoning District – Regional Commercial (RC1-15A) - Site Specific Zone” and “Glendale Community Zoning District – Regional Commercial (RC1-15) – Site Specific Zone.”

AND WHEREAS the Council for the Town of Niagara-on-the-Lake did approve By-law 4316CC(1)-24 on February 27, 2024, to further rezone a portion of the subject lands to “Glendale Community Zoning District – Regional Commercial (RC1-15A) - Site Specific Zone.”

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

1. Schedule “A-21” of By-law 4316-09, as amended, is further amended by changing the zoning of a portion of the subject lands identified on Map “A” attached to and forming part of this By-law from “Glendale Community Zoning District – Open Space - Key Features (OSF) Zone” and “Glendale Community

Zoning District – Regional Commercial (RC1-15) Site Specific Zone” to “Glendale Community Zoning District - Regional Commercial (RC1-15-H) – Site Specific Holding Zone.”

2. That Subsection 11.18.15.1 of By-law 4316-09, as amended, is deleted in its entirety and replaced with the following:

11.18.15.1 RC1-15-H - Zone Requirements

(h)	Maximum building height	23.5 metres
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11.18.15.1.1 RC1-15-H – Site Specific Definitions

For the purposes of this By-law, an Outdoor Hotel Patio is permitted, and is defined as follows:

- a) **OUTDOOR HOTEL PATIO** - means a platform that shall be uncovered, with or without a foundation, attached to or abutting a hotel building, which shall be available for use by the hotel guests occupying the guest rooms or suites for leisure activities only. No commercial cooking equipment is permitted on an Outdoor Hotel Patio, and parking requirements shall not be applicable to an Outdoor Hotel Patio.

11.18.15.1.2 RC1-15-H – Permitted Yard Projections and Encroachments

In addition to the provisions of Subsection 6.44, Table 6-10, an unenclosed and uncovered *Outdoor Hotel Patio* may encroach 1.4 metres into an exterior side yard. In lieu of the corresponding provisions of Subsection 6.44, Table 6-10, steps may encroach 3.0 metres into an exterior side yard.

11.18.15.1.3 RC1-15-H – Loading Space Requirements

- a) In lieu of the provisions of Subsection 6.27(a), a non-residential building that has a gross floor area of 465 square metres or greater shall require one (1) loading space.

- b) In lieu of Subsection 6.27 (e), loading spaces shall be permitted in the interior side yard or rear yard, or to the rear of the main front wall and exterior side wall of the main building, provided such spaces are setback a minimum of 2.0 metres from a lot line. A 2.0 metre wide landscape buffer shall be maintained between a loading space and a lot line to provide a visual screen.
- c) In lieu of Subsection 6.36 (c), an *Outdoor Patio Restaurant* shall be located a minimum of 1.5 metres from any loading area, parking spaces, internal road or driveway located on the lot. A 1.5 metre wide landscape buffer shall be maintained between an *Outdoor Patio Restaurant* and a loading area, parking area, internal road or driveway.

11.18.15.1.4 RC1-15-H – Parking Space Requirements

- a) In lieu of the corresponding provisions of Subsection 6.39, Table 6-4, the following parking requirements shall apply:

Type of Use	Minimum Number of Parking Spaces
Hotel	1 parking space per guest room. Parking space requirements shall not apply to any accessory uses located within the hotel
Restaurant	1 parking space per 14.0 square metres of gross floor area. Parking space requirements shall not apply to gross floor area located below grade or in a basement

- b) In lieu of the corresponding provisions of Subsection 6.38 (e), Table 6-3, a maximum of ten (10) vehicular parking spaces may be provided for compact vehicles with the following dimensions:

Parking Alignment	Dimensions		
	Minimum Width	Minimum Length	Minimum Driveways & Aisle Widths
90 degrees	2.75 m	4.8 m	6.0 m

c) In lieu of the provisions of Subsection 6.41, Table 6-7, the following bicycle parking requirements shall apply:

Type of Use	Minimum Number of Bicycle Parking Spaces
Hotel	1 per 650 m ² of gross floor area
Restaurant	2 per 100 m ² of gross floor area

d) In lieu of the corresponding provisions of Subsection 6.43, Table 6-9, passenger bus parking spaces shall not be required.

e) In lieu of the corresponding provisions of Subsection 6.40 (j), a driveway shall be setback a minimum of 4.5 metres from an exterior property line provided that such driveway is visually screened by a 1.5 metre wide landscape buffer.

11.18.15.1.5 RC1-15-H Holding (H) Provision

Site alteration or development of the subject lands identified as RC1-15-H on Schedule "A-21" shall not be permitted until such time as the submission and approval of a "Woodland Enhancement Plan" in addition to any necessary legal agreements required for environmental restoration and enhancement to take place off-site on parcels of land which are not the subject lands. The Holding (H) symbol shall not be removed until such time as the submission of the "Woodland Enhancement Plan" and necessary legal agreements have been entered into for off-site environmental restoration and enhancement, all to the satisfaction of the Director of Planning, Building and Development Services.

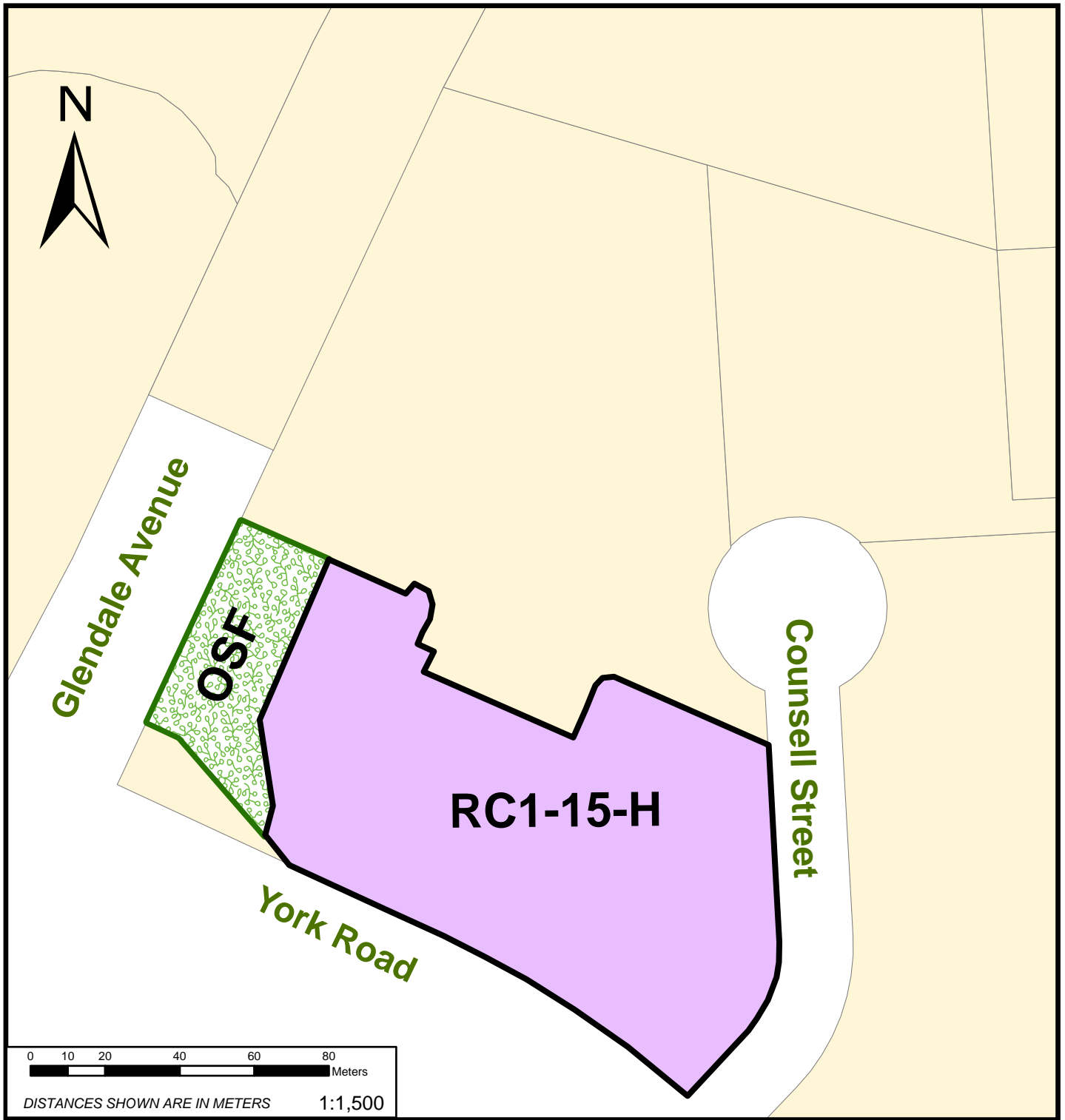
3. That this By-law shall become effective upon final approval of the related Amendment No. 105 to the Niagara-on-the-Lake Official Plan.

READ A FIRST, SECOND AND THIRD TIME THIS 28th DAY OF APRIL 2026.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

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MAP 'A' ATTACHED TO BY-LAW 4316CC(2)-26, BEING AN AMENDMENT TO SCHEDULE "A-21" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 28TH DAY OF APRIL, 2026.

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL