

Explanation of the Purpose and Effect of
By-law 500WU(1)-19

The subject lands are a parcel of land described as 16006 Niagara River Parkway, more particularly described as Lot 3, Plan M11, Town of Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone the property to partially remove the Holding (“H”) Symbol from the property. The Holding (“H”) Symbol will continue to apply to the entire property, however only the “Restaurant” use will continue to be restricted until such time as the zoning is further amended to remove the Holding (“H”) Symbol entirely, following submission of a traffic impact study by the owner and review and approval of the same by the Town and the Niagara Parks Commission.

Effect

The effect of this By-law is to rezone the property to remove the Holding (“H”) Symbol from the property for all uses except a “restaurant” use, such that only a “restaurant” use will continue to be restricted by the remaining Holding (“H”) Symbol:

<i>Owner:</i>	954521 ONTARIO LIMITED
<i>File Number:</i>	ZBA-03-2019
<i>Report Number:</i>	CDS-19-016
<i>Assessment Roll Number:</i>	2627020011009000000

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 500WU(1)-19**

16006 NIAGARA RIVER PARKWAY
Roll: 2627 020 011 00900 0000

A BY-LAW PURSUANT TO SECTION 34 OF THE PLANNING ACT, BEING A BY-LAW TO AMEND BY-LAW NO. 500WU-15, BEING A BY-LAW TO AMEND BY-LAW 500A-74, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES THEREON.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended;

AND WHEREAS the Town of Niagara-on-the-Lake Council did approve By-law No. 500WU-15 on July 27, 2015, which imposed a Holding (“H”) Symbol on certain lands within the Town of Niagara-on-the-Lake.

AND WHEREAS the Owner of the lands has now met the requirements for partial removal of the Holding (“H”) Symbol from the lands.

AND WHEREAS the Holding (“H”) Symbol shall continue to apply to the property for certain land uses until such time as the Owner has met the remaining conditions to removal of the Symbol.

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

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

1. Paragraph 8 of By-law 500WU-15 is deleted in its entirety and replaced with the following:
 - “8. Development of the lands for a “Restaurant” use shall only be permitted upon removal of the Holding (“H”) Symbol. Prior to the removal of the Holding (“H”) Symbol from the lands, the applicant shall complete a traffic impact study to identify and address impacts on the Niagara River Parkway, to the satisfaction of the Niagara Parks Commission and the Town of Niagara-on-the-Lake. The study must consider context, travel demand, evaluation of impacts, site access, circulation and remedial measures.”

2. That the effective date of this By-law shall be the date of final passage thereof.
READ A FIRST, SECOND AND THIRD TIME THIS 10th DAY OF JUNE, 2019.

LORD MAYOR BETTY DISERO

TOWN CLERK PETER TODD