

**Explanation of the Purpose and Effect of
By-law XX-XX**

The subject lands are municipally known as 524 York Road, Niagara-on-the-Lake, and legally described as PART OF 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 amend the existing site-specific zoning by-law to rezone the southern portion of the subject lands to permit additional height and reduced parking standards.

Effect

The effect of this By-law is to further modify the existing “Glendale Community Zoning District - Regional Commercial (RC1-15) – Site Specific Zone” to permit a 10 storey hotel building and two 1 storey restaurant buildings with associated parking and loading.

<i>Applicant:</i>	Darko Vranich (Niagara York Road Inc.)
<i>File Number:</i>	PC-24-2024
<i>Report Number:</i>	X
<i>Assessment Roll Number:</i>	2627020018024500000

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

524 York Road Roll 262702001802450

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO PLANNING ACT TO AMEND BY-LAW 4316CC-17, BEING A BY-LAW TO AMEND BY-LAW 431609, 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 (RC1-15) - Site Specific Zone”.

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

1. That Subsection 11.18.15 – Site Specific Exceptions of Section 11 – Glendale Community Zoning Districts is deleted and replaced with the following:

11.18.15

Notwithstanding the provisions of Subsection 11.10, the following provisions shall apply to the lands identified as RC1-15:

(a) Maximum building height for lands north of east-west private road:	17.0 m (55.77 ft)
(b) Maximum building height for lands south of east-west private road:	33.0 m (108.26 ft)

Notwithstanding the provisions of Subsection 6.0, the following provisions shall apply to the lands identified as RC1-15:

Minimum loading spaces for a non-residential buildings gross floor area over 465 m ²	1
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Notwithstanding Subsection 6.27(e), on the lands identified as RC1-15, loading spaces shall be permitted in the interior side 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 3.0 m (9.84 ft) from the street line.

Notwithstanding Subsection 6.36(c), an outdoor patio restaurant shall be located a minimum of 1.5 m (4.92 ft) from any loading area, parking spaces, internal road or driveway located on the lot;

Notwithstanding the provisions of Subsection 6.39, the following parking requirements shall apply to the lands identified as RC1-15:

Hotel	1 parking space per guest room including any accessory uses
Restaurant	1 per 22.5 m ² GFLA and no parking shall be required for a patio space associated with a restaurant.

11.18.15.1 RC1-15-H Holding (H) Provision

The development of any building beyond the height of 140 metres above sea level for the portion of the subject lands identified as RC1-15-H on Schedule A-21 shall only be permitted upon removal of the Holding (H) symbol. The Holding (H) symbol shall not be removed until such time as:

- a. An exemption to the Airport Zoning Regulation is granted by Transport Canada and is submitted to the Town for the development of building heights greater than 140 metres above sea level on the southern portion of subject lands identified as RC1-15-H on Schedule A-21. In lieu of an exemption by Transport Canada for increased height, the development of the subject lands identified as RC1-15-H on Schedule A-21 shall be permitted to a maximum height of 140 metres above sea level.
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 X DAY OF X, 2025.

LORD MAYOR

TOWN CLERK