

Explanation of the Purpose and Effect of
By-law XXXX - 25

The subject lands are described as 1544 & 1546 Four Mile Creek Road, Niagara-on-the-Lake, more particularly described as PT LT 112, Town of Niagara-On-The-Lake, Regional Municipality of Niagara.

Purpose

The purpose of this By-law is to rezone the Subject Lands to permit a two-storey commercial building and four-storey residential building by removing the holding (H) provision.

The entirety of the subject lands is zoned “Village Commercial with Holding (VC-H) Zone”. The proposed amendment will rezone the lands to “Village Commercial (VC-XX)” with site-specific provisions.

Effect

The effect of this By-law is to rezone the Subject Lands from “Village Commercial with Holding (VC-H) Zone” to “Village Commercial (VC-XX)” with site specific provisions for height, rear yard setback, buffer strip abutting a residential zone and permitted yard projections encroachments into the front yard.

<i>Owner:</i>	Times Group Corp.
<i>File Number:</i>	ZBA-XX-2025
<i>Report Numbers:</i>	CDS-25-XXX
<i>Assessment Roll Number:</i>	262702001423600 & 262702001423700

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 2025 - XX**

1544 Four Mile Creek Road Roll 262702001423600
1546 Four Mile Creek Road Roll 262702001423700

A BY-LAW TO AMEND BY-LAW NO **4316-09**, ENTITLED A BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION, AND USE OF BUILDINGS AND STRUCTURES IN 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 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. That .Schedule “A-14” of By-law 4316-09, as amended, is hereby further amended by changing the zoning of the subject lands identified on Map A (attached to and forming part of this By-law) from “Village Commercial with Holding (VC-H) Zone” to “Village Commercial (VC-XX) Site Specific Zone”.
2. That Schedule A (attached to and forming part of this By-Law) be included and form part of the Town of Niagara-on-the-Lake Zoning By-law 4316-09 as “Figure X: On the Lake Developments – Phase 2”.
3. That Subsection 10.12 – Site Specific Exceptions of Section 10 – Virgil Community Zoning District is hereby further amended by adding the following:

**10.12.XX 1544 & 1546 Four Mile Creek Road, On the Lake Developments (Phase 2)
– See Schedule ‘A-14’ (VC-XX)**

Notwithstanding the provisions of the “Village Commercial (VC) Zone” of Section 10 – Virgil Community Zoning District and Section 6 – Provisions of Zoning By-law 4316-09, the following provisions shall be applicable on those lands shown on Schedule A.

(a)	Minimum rear yard setback	1.60 m
(b)	Maximum building height	15.85 m
(c)	Buffer Strip - Interior side yard abutting Residential zone	1.0 m
(d)	Permitted Yard Projections and Encroachments - Canopies, awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, signs	1.8 m
(e)	Permitted Yard Projections and Encroachments	150 mm

	- Sills, cornices, eaves, gutters, parapets, pilasters or other ornamental structures	
f)	Below grade rear yard setback	0 m
g)	In the VC-XX zone, residential uses shall be permitted within a stand-alone building separate from a non-residential use building.	

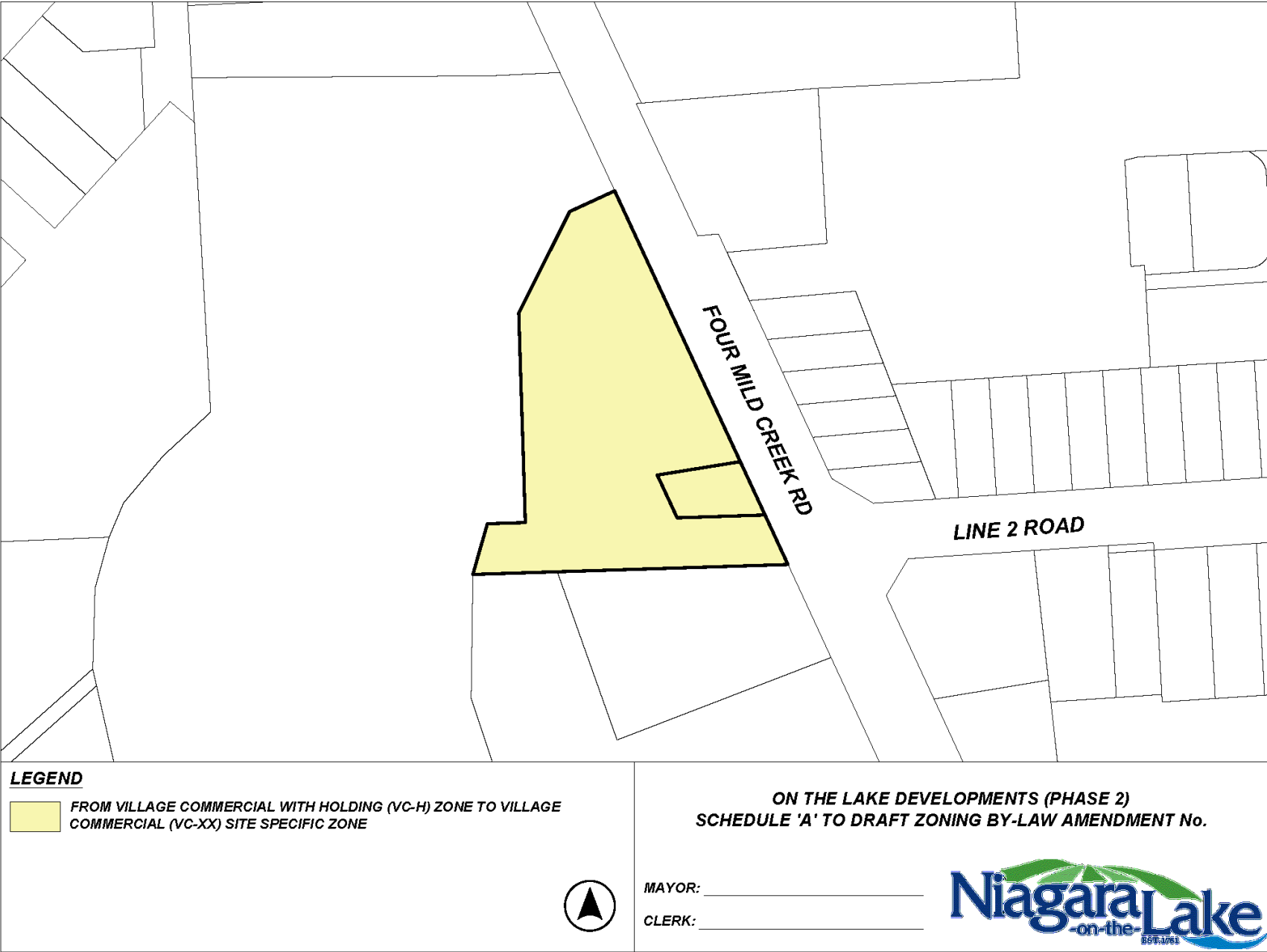
4. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS ____ DAY OF ____, 2025.

LORD MAYOR – GARY ZALEPA

TOWN CLERK – GRANT BIVOL

SCHEDULE A to By-law 2025-XX



LEGEND

 FROM VILLAGE COMMERCIAL WITH HOLDING (VC-H) ZONE TO VILLAGE COMMERCIAL (VC-XX) SITE SPECIFIC ZONE



MAYOR: _____

CLERK: _____

