

PREPARED FOR:
Solmar (Niagara 2) Inc.

JUNE

2025

PLANNING JUSTIFICATION REPORT

200 John Street East &
588 Charlotte Street
Town of Niagara-on-the-Lake

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1 Introduction



1.1. Purpose

This Planning Justification Report has been prepared on behalf of Solmar (Niagara 2) Inc., the owners of 200 John Street and 588 Charlotte Street in the Town of the Niagara-on-the-Lake (referred herein as the “subject lands”) in support of an Official Plan Amendment application.

Section 2 of this report provides a detailed description of the proposed Official Plan Amendment.

Section 3 provides a detailed overview and assessment of the applicable planning policy framework against which the proposed Official Plan Amendment must be evaluated. The policy documents reviewed include the Provincial Planning Statement (2024), the Greenbelt Plan (2017), the Niagara Official Plan, as well as the Town of Niagara-on-the-Lake Official Plan.

Concluding remarks regarding all of the information contained in this report are found in **Section 4**.

1.2. Location & Surrounding Area Context

The majority of the subject lands are situated within the Niagara/Old Town urban area, as shown on **Figure 1**. A portion of the subject lands are located within the Greenbelt Plan Area. The total area of the subject lands are approximately 8.71 hectares (21.52 ac.), exclusive of the portion of the lands within the Greenbelt Plan Area.

The property is located on the south side of John Street, between Charlotte Street and the Upper Canada Heritage Trail, as shown on **Figure 2**. Also identified on **Figure 2** are the land uses adjacent to the subject lands.

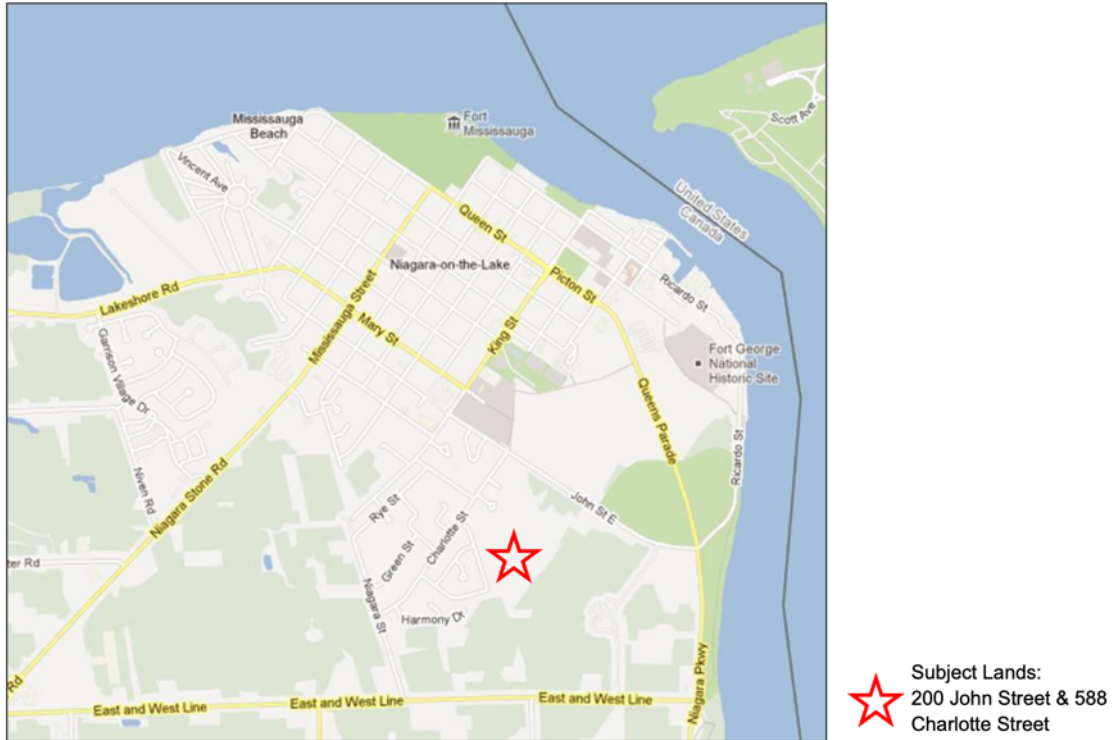
John Street in the vicinity of the lands is characterized by detached dwellings on large lots as well as large agricultural lots and the Butler’s Barracks National Historic Site and related Commons public open space. Other defining characteristics of the area are the residential subdivisions to the west along Charlotte Street and southwest of the subject lands along The Promenade; the Upper Canada Heritage Trail along the south boundary of the lands; the Two Sisters Winery to the east; and the Randwood property to the north.

The subject lands are currently occupied by two detached dwellings, accessory structures and vacant land. Certain buildings and landscape elements on the subject lands are designated cultural heritage resources under the Ontario Heritage Act.

The following **Table 1** provides a more fulsome and detailed list of surrounding uses.

Table 1 – Surrounding Uses

Direction of Surrounding Use	Description of Surrounding Use
North	440 King Street <ul style="list-style-type: none"> • The Commons at Butler's Barracks National Historic Site. • This property is commonly used as an event venue that has a capacity to hold approximately 30,000 people. 144 & 176 John Street - Randwood: <ul style="list-style-type: none"> • This property is zoned to permit the development of a hotel and conference centre facility.
East	210 John Street: <ul style="list-style-type: none"> • Estate residential property 240 John Street: <ul style="list-style-type: none"> • Two Sisters Vineyard and Restaurant, over 76 acres' vineyard with a 2-storey building in the middle 290 John Street: <ul style="list-style-type: none"> • Peller Estates Winery & Restaurant
South	The Promenade <ul style="list-style-type: none"> • Existing residential subdivision Upper Canada Heritage Trail <ul style="list-style-type: none"> • Existing pedestrian trail on former rail right-of-way
West	Charlotte Street and Weatherstone Court <ul style="list-style-type: none"> • Existing residential dwellings



Source: Google Maps

Figure 1 – Location Map



Figure 2 – Location Context and Surrounding Uses

2 Proposal



2.1. Proposed Official Plan Amendment

No development is contemplated as part of this Official Plan Amendment application. The purpose of this Official Plan Amendment is a technical house-keeping amendment to redesignate a portion of the subject lands to recognize its inclusion within the urban area boundary and to establish the primary and emergency means of access to the subject lands. **Appendix ‘A’** to this report contains the proposed Draft Official Plan Amendment.

Boundary Adjustment and Designation Change

The proposed Official Plan Amendment seeks to re-designate approximately 1.52 hectares (3.76 ac) of land generally located on the south side of John Street East at the eastern boundary of the Old Town Settlement Area, from Agricultural to Low Density Residential and included within the Urban Area Boundary to address discrepancies between Schedules B and I-1 of the Town’s Official Plan (discussed further in **Section 2.2**). The lands to be re-designated form a portion of a larger property municipally addressed as 200 John Street East as shown on **Figure 3**.

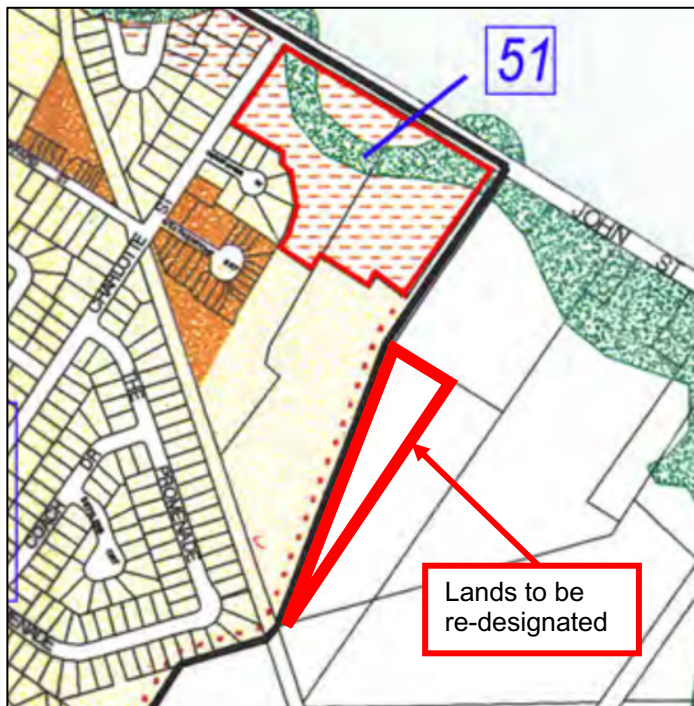


Figure 3 – Lands to be re-designated from “Agricultural” to “Low Density Residential” and included in “Urban Area Boundary”

In a decision issued by the Ontario Land Tribunal on October 11, 2024, regarding a previous appeal of applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Heritage Permits for the subject lands, the Tribunal ordered that the appeal be allowed in part, and that the Town's Official Plan be amended to reflect the changes noted above. However, in a later decision dated April 15, 2025, the Tribunal ordered that the appeals be dismissed. While the October 2024 Tribunal decision appears to have amended the Town's Official Plan to correct the Urban Area Boundary and to redesignate the lands identified in Figure 3 to Low Density Residential, given that the April 2025 Tribunal decision dismissed the appeals, out of an abundance of caution, the proposed amendment includes the correction to the Urban Area Boundary and redesignation to Low Density Residential.

Site-Specific Exception for Primary and Emergency Access

This proposed Official Plan Amendment also establishes that primary vehicular access related to any future development of the subject lands shall be provided by way of a private road to be constructed along the "panhandle" portion of the subject lands to provide direct access to and from John Street East, and that emergency access to and from the subject lands shall be provided from Charlotte Street as shown on **Figure 4**. The proposed Official Plan Amendment also includes the following requirements for a future private road:

- That there is a minimum 9-metre curb radius for the curbs on both sides of the private road where it meets John Street East; and
- That the eastern edge of the pavement is located no closer than 14.5 metres from the western edge of the existing driveway at 210 John Street.

The purpose of this site-specific exception is to respond to concerns raised by the Ontario Land Tribunal in its October 2024 decision. The Tribunal had concerns related to safety regarding the turning radii at the intersection of the proposed private road along the panhandle and John Street East, as well as the separation distance between the proposed private road and the existing driveway at 210 John Street

The proposed site-specific exception is based on the proposed access redesign prepared by Paradigm Transportation Solutions Limited (Paradigm), in response to the OLT decision, which contemplates a 9-metre curb radius on both sides of the private road and a 14.8-metre separation distance between the eastern pavement edge of the private road and the western edge of the existing driveway at 210 John Street to provide safe vehicular access for a future development on the subject lands. Existing mature vegetation as well as heritage features designated under Part IV or Part V of the Ontario Heritage Act will need to be considered in the design and construction of both the primary access and

emergency access at the time of a future zoning by-law amendment and heritage permit.



Figure 4 – Primary and Emergency Access Locations

2.2. Existing Official Plan Designation

Schedule “B” – Land Use Plan of the Niagara-on-the-Lake Official Plan designates the portion of the subject lands that is located within the Urban Area Boundary as Low Density Residential, Medium Density Residential and Agricultural. The portion of the subject lands located outside of the Urban Area Boundary is designated Agricultural as shown on **Figure 5**. As shown on **Figure 6**, Schedule I-1 of the Official Plan also delineates the portion of the subject lands that are within the Urban Area Boundary as Built-up Area. As shown within both figures, there is a discrepancy between the way the urban area boundary has been delineated across the subject lands. Schedule I-1 shows the correct delineation of the urban area boundary across the subject lands, as this matches the urban area boundary delineated in the Niagara Official Plan.

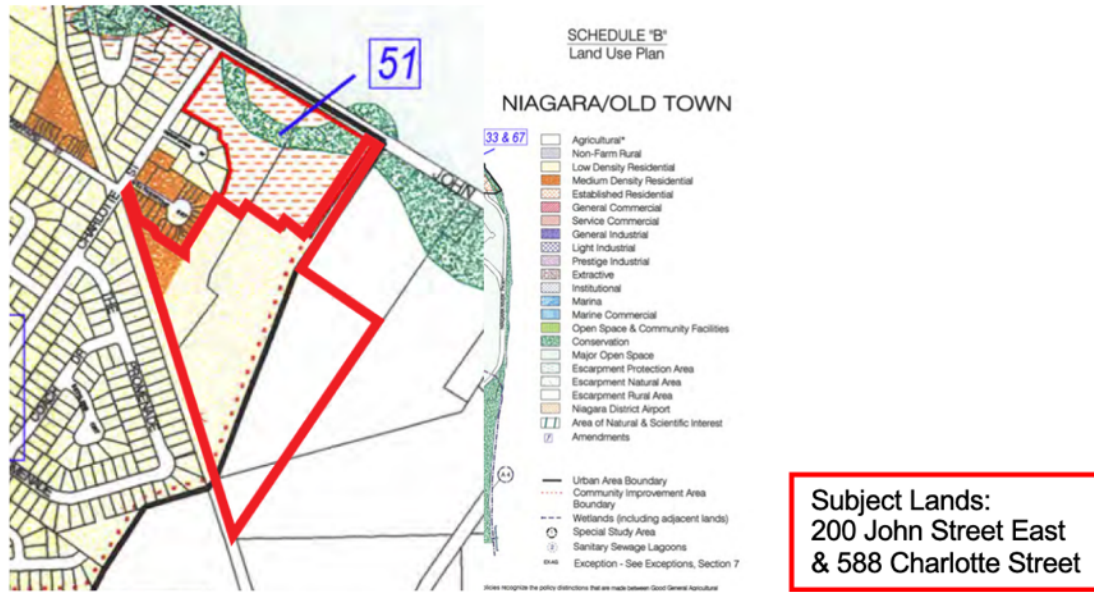


Figure 5 – Niagara-on-the-Lake Official Plan Schedule “B”

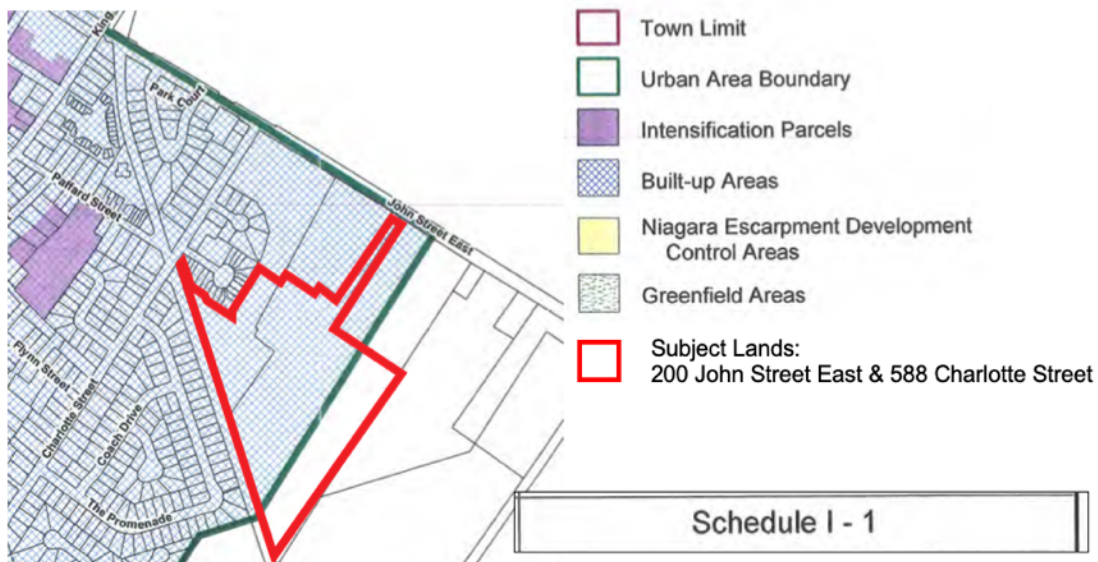


Figure 6 – Niagara-on-the-Lake Official Plan Schedule “I-1”

Since the land use designations on Schedule B of the Official Plan do not accurately follow the correct Urban Areas Boundary across the subject lands, a triangle of the subject lands that are technically located within the Urban Area Boundary are currently designated as Agricultural. As such, an Official Plan Amendment is required to address this technical matter, and to designate this triangle of the subject lands as Low Density Residential, consistent with the designation that applies to the majority of the subject lands.

2.3. Supporting Studies

As part of this Official Plan Amendment application, a Transportation Study is being finalized by Paradigm.

The Paradigm transportation report is being prepared in response to the October 11, 2024 OLT decision regarding access through the panhandle for the subject lands. The report summarizes the issues identified in the OLT decision and provides a proposed redesign of the access with responses to each issue where applicable. Paradigm recommends a 7-metre pavement width for the private road, and a realignment of the private road to be closer to the west limit of the panhandle. Paradigm advises that a 7-metre road will provide sufficient capacity to accommodate the expected traffic generated from the future development of the lands.

Paradigm's design for the primary access provides for a 9-metre curb radii on the east and west sides of the panhandle private road in addition to a 3.9-metre tangent from the east-side radius of the road to the existing west-side flare of the westerly driveway at 210 John Street East (as shown on **Figure 7**). This radii is consistent with the Town's Municipal Engineering Standards, reducing the potential for larger vehicles to encroach into oncoming lanes when exiting onto John Street East from the panhandle.

The Transportation Association of Canada guideline suggests a 15-metre separation between the near edge of the crossroad and the near edge of the adjacent driveway. The revised design by Paradigm would provide a 14.8-metre separation from the edge of the 210 John Street driveway to the edge of the private road on the subject site. It should be noted that the Official Plan Amendment proposes a 14.5-metre separation to allow for tolerance during the road construction process. According to Paradigm, the proposed redesign satisfies the intent of the Transportation Association of Canada guideline and they have concluded that the proposed redesign of the panhandle access generally addresses the issues identified by the OLT and satisfies the intent of section 51(24)(e) of the Planning Act with regards to highway connections and safety.

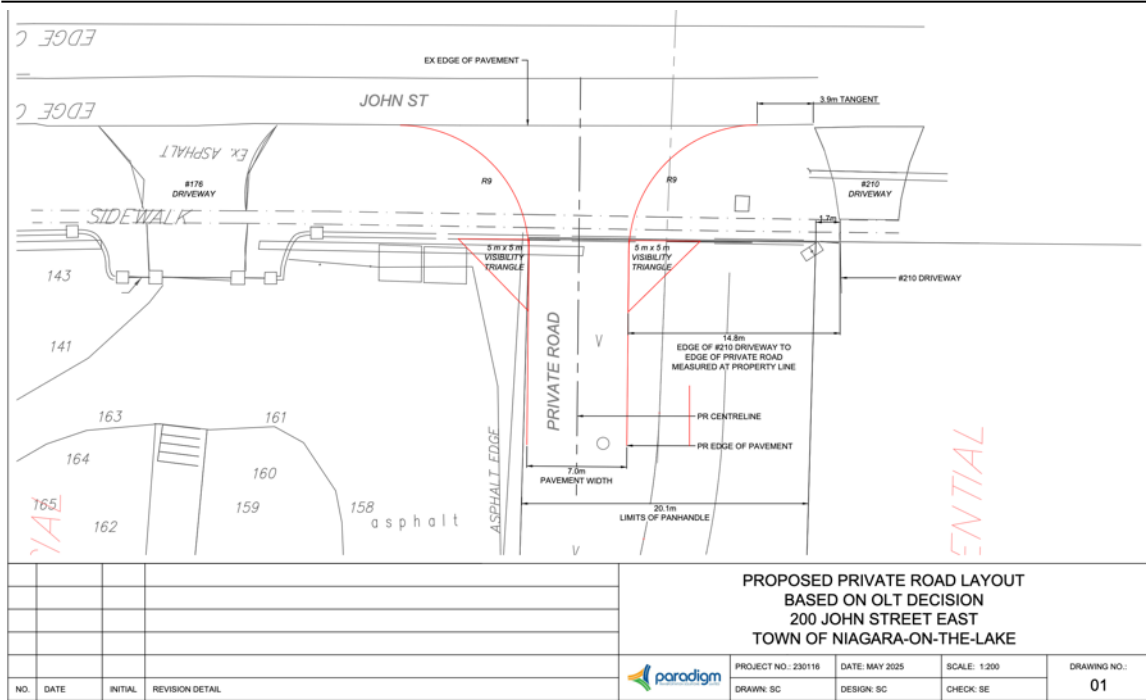


Figure 7 – Proposed Private Road Layout

3 Policy Review & Planning Assessment



This section of the report assesses the merits of the proposal in the context of provincial, regional, and local policy applicable to the subject lands. The policy documents reviewed include the Provincial Planning Statement (2024), the Greenbelt Plan (2017), the Niagara Official Plan (2022), and the Town of Niagara-on-the-Lake Official Plan (2017). This section also includes a review of the adopted Niagara-on-the-Lake Official Plan (2019), as well as adopted Official Plan Amendment 78, as they relate to the proposed amendment, neither of which are in effect.

3.1. Provincial Planning Statement (2024)

The Provincial Planning Statement, 2024 (PPS) provides direction to the land use planning process. Planning decisions by municipal councils and other decision-makers are required to be consistent with the PPS.

Section 2.3 of the PPS directs that settlement areas shall be the focus area of growth and development. Land use patterns within settlement areas should provide for a range and mix of land uses that efficiently use land and resources, optimize existing and planned infrastructure and support active transportation and transit. The PPS also directs that planning authorities shall support intensification and redevelopment to support the achievement of complete communities.

Consistency:

The lands to be re-designated as part of the Official Plan Amendment application from Agricultural to Low Density Residential are within the Urban Area Boundary delineated in the Niagara Official Plan as well as Schedule I-1 of the Niagara-on-the-Lake Official Plan. This technical amendment proposes to correct the delineation of the Urban Area Boundary on Schedule B of the Town's Official Plan so it is in conformity with the Region's Official Plan.

The majority of the subject lands are currently designated Low Density Residential, Medium Density Residential and Agricultural and most of the lands are within the Town and Region's Urban Area Boundary. The subject lands are appropriate for accommodating intensification on a site within the Built-up Area of the Town as it is situated within the Old Town community, located within walking distance to an existing transit route (between the Court House, Fort George and Community Centre bus stops along John Street) and within walking distance to many of the Town's amenities.

Future development on the subject lands will contribute to the supply of housing within the Town and can be fully serviced since it is within an urban settlement area where infrastructure and community facilities are located and available.

With respect to infrastructure servicing, Section 3.1 of the PPS contains policies to ensure that sustainable infrastructure services, including sewer, water and stormwater services, are provided efficiently. Generally, the policies require the optimization of existing services to ensure that they are financially viable and that the impacts of development on climate be considered.

Consistency:

The subject lands are located within a fully serviced settlement area and can rely on existing infrastructure facilities. With respect to public service facilities, the subject lands are located within close proximity to the Upper Canada Heritage Trail, which provides recreational opportunities, as well as nearby to the Town's fire station, public library and community centre. As such, a future development on the subject lands could make efficient use of existing infrastructure and public service facilities within Old Town.

3.2. Greenbelt Plan 2017

The Greenbelt Plan identifies areas where urbanization should not occur in order to provide permanent protection to the agricultural land base and ecological features and functions. All lands within the Town of Niagara-on-the-Lake are within the Greenbelt Plan Area, as shown on **Figure 8**. The majority of the lands within the Town are designated "Protected Countryside – Tender Fruit and Grape Lands", with the exception of the lands within the Town's settlement areas and lands subject to the Niagara Escarpment Plan. The settlement areas, including Old Town, are designated as "Protected Countryside – Towns and Villages" which are generally not subject to the policies of the Greenbelt Plan, and are governed by municipal plans and related programs and initiatives.

Conformity:

The majority of the subject lands are located within the Old Town settlement area boundary, as shown on **Figure 8** and are designated Towns and Villages in the Greenbelt Plan including the triangular lands that are currently designated Agriculture in the Town's Official Plan. Section 3.4.3 of the Greenbelt Plan states that Towns/Villages continue to be governed by official plans, and as such, are not generally subject to the policies of the Greenbelt Plan.

The easterly portion of the subject lands, measuring approximately 3.63 hectares in size, outside of the proposed Urban Area Boundary are contained within the "Protected Countryside – Tender Fruit and Grape

Lands” designation. No development is proposed for the subject lands at this time and should any application come forward at a later time, no development will be proposed for the easterly portion of the subject lands which are located in the “Protected Countryside – Tender Fruit and Grape Lands”, the majority of which is currently a vineyard.

Policy 3.1.2.5 of the Greenbelt Plan speaks to the interface between agricultural and non-agricultural uses. The policy states that land use compatibility shall be achieved by avoiding, where possible, or minimizing and mitigating adverse impacts of on the Agricultural System, based on provincial guidance. Related to this, the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed Minimum Distance Separation (MDS) Formulae to address land use compatibility issues between agricultural uses such as livestock facilities, manure storage or anaerobic digesters and sensitive land uses.

Conformity:

The interface between the Urban Area lands and the lands within the Greenbelt Tender Fruit and Grape Lands to the east will be such that there will be no adverse impacts on the Agricultural System. With respect to MDS, there is one barn located south of the subject lands, as shown on **Figure 9**. Although located on a neighbouring property, the same owner who owns the subject lands owns the barn. According to information obtained from the owner, the barn contains 60 chickens, 50 rabbits, 7 goats and 6 sheep. According to the MDS calculator on the OMAFRA website, the minimum required distance of any future proposed development from the livestock barn is 86 metres (281 feet), as shown on **Figure 9**, which is substantially less than the distance between the subject lands and the barn. As such, any future proposed urban development would comply with OMAFRA’s MDS regulations.

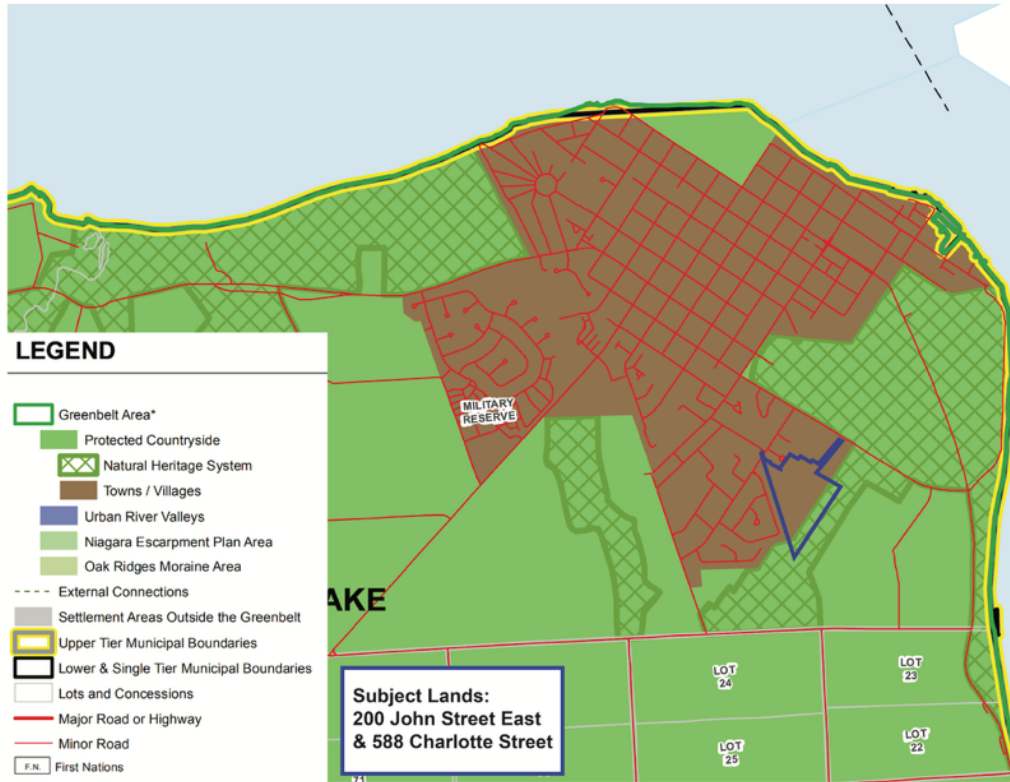


Figure 8 – Greenbelt Plan



Figure 9 – Minimum Distance Separation (MDS)

3.3. Niagara Official Plan, 2022

The Niagara Official Plan contains policies, goals and objectives to guide the physical, economic and social development of Niagara Region. The Niagara Official Plan is now an Official Plan of the 12 local municipalities, including the Town of Niagara-on-the-Lake who is responsible for the interpretation and implementation of the Niagara Official Plan as it applies to Niagara-on-the-Lake.

Section 2.2 of the Niagara Official Plan directs growth towards settlement areas. Settlement areas are comprised of both urban areas and hamlets (rural settlements) and the preamble of Section 2.2 states that most development will occur in existing urban areas, where municipal infrastructure and transportation options exist or are planned.

Conformity:

The subject lands including the triangular lands are designated Urban Area and within the settlement area boundary of Old Town.

The subject lands including the triangular lands are within the delineated built-up area of the Niagara Official Plan, where the majority of growth within the Region is directed towards. The subject lands are also situated near the Town's transit corridor and in close proximity to community facilities in Old Town, such as the public library and community centre, fire station, parks, schools and shopping areas. The inclusion of the triangular lands within the Old Town Settlement boundary for low density residential purposes conforms to the applicable policies of this Official Plan.

3.4. Town of Niagara-on-the-Lake Official Plan, 2017 (In-Force and Effect)

As discussed in Section 2.2 of this report, Schedule "B" of the Niagara-on-the-Lake Official Plan designates the portion of the subject lands that is located within the Urban Area Boundary as Low Density Residential, Medium Density Residential and Agricultural. The portion of the subject lands located outside of the Urban Area Boundary is designated Agricultural.

Conformity:

While an Official Plan Amendment is required to redesignate the triangular lands from Agricultural to Low Density Residential, the proposed amendment is technical in nature as the triangle of land falls within the urban area boundary, but which were incorrectly mapped as being outside of the urban area boundary.

The OP contains a number of policies to guide the location, type and form of development within the Town. Section 6A: Growth Management Policies of the

Official Plan identifies Urban Areas, Built-up Areas, intensification areas, Designated Greenfield Areas and provides a full range of related growth management policies. As described earlier in this report, Schedule I-1 of the Official Plan identifies the subject lands as being within the Built-up Area of the Town. Section 2.3 of Section 6A reiterates that lands within the Urban Area Boundary are to be the focus of urban development.

Section 4.3 of the Official Plan states that “the majority of the Town’s intensification will be encouraged in specific Intensification Areas, and with infilling in other locations in the Built-Up Area where the development is consistent with the land use compatibility, Urban Design and other applicable policies of this Plan and where development will not negatively impact designated heritage areas, heritage resources and estates lots”.

Conformity:

The subject lands are proposed to be redesignated as Low Density Residential, adjacent to existing residential subdivisions and are suitable for future urban development. As such, the intent to develop the lands for urban purposes conforms with the policy objectives of Section 2.3 and 4.3.

There is a requirement for a “Planning Impact Analysis” to be completed for all applications for Official Plan and/or Zoning By-law Amendments. Section 6.23 of the Official Plan sets out specific criteria for the Planning Impact Analysis, and the following provides an assessment of all criteria listed:

Conformity:

a) Compatibility of the proposed use with surrounding land uses:

The intended urban use is compatible with the surrounding land uses, which include residential subdivisions made up of single detached and townhouse dwellings. The subject lands are buffered from the surrounding land uses to the west and south by the Upper Canada Heritage Trail which provides for privacy and separation distance from the nearby residential developments. As such, this criterion is satisfied.

b) The impact of height, location and spacing of the building on surrounding land uses:

No buildings are proposed as part of this Official Plan Amendment application. As such, this criterion is not applicable.

c) Preserving existing vegetation:

No removal of vegetation is proposed as part of this application. The portion of the subject lands outside of the Urban Area Boundary are

intended to remain as natural heritage and farmland should a development application come forward at a later time. As such, this criterion is not applicable.

- d) *Where a medium density residential development is proposed: the proximity to public open space and recreational facilities, community facilities and transit services, and the adequacy of these facilities and services:*

No residential development is proposed for the subject lands at this time. As such, this criterion is not applicable.

- e) *The physical suitability of the land for such proposed use and any anticipated environmental effects:*

No proposed use is proposed as part of this application but the subject lands are proposed for future urban uses for which they are identified. Paradigm advises that the primary access and secondary access are suitable for access purposes. The physical suitability of the lands for the specific urban uses and road configuration that is proposed in the future will need to include an environmental impact study that will be completed prior to the submission of a development application.

- f) *The size and shape of the parcel of land on which the proposed development is to be located, and the ability of the site to accommodate the intensity of the proposed use:*

The transportation report assesses the ability of the proposed accesses to accommodate a range of potential housing units based on the various submissions that were made to the OLT. Paradigm advises that the proposed accesses are able to accommodate future potential development on the subject site. .

- g) *The potential effect of the proposed use on the financial position of the municipality where a development is of a size that would impact in this regard:*

No specific development plan is proposed as part of this application. As such, this criterion is not applicable.

- h) *The adequacy of the existing roadway system to accommodate the proposed use:*

The transportation report assesses the adequacy of the proposed primary access and emergency access to the subject site to accommodate a range of potential housing units based on the various

submissions that were made to the OLT. Paradigm advises that the proposed accesses and the surrounding roadway system are adequate to accommodate future potential development on the subject site.

- i) *The regulations of the Regional Niagara Policy Plan, Niagara Peninsula Conservation Authority, the Niagara Escarpment Commission, Niagara Parks Commission, Provincial Policy and the requirements or regulations of any other applicable government department or agency:*

The previous sections of this report have assessed consistency and conformity of the proposed application in relation to applicable Provincial, Regional and Town policies. As such, this criterion is satisfied.

- j) *The servicing capabilities of the area and capacity of municipal services to accommodate the proposed use which shall include the drainage of the property and address the need for a storm water management plan:*

No development is proposed as part of this application. As such, this criterion is not applicable.

- k) *The location and adequacy of lighting, screening, and parking areas:*

No development is proposed as part of this application. As such, this criterion is not applicable.

- l) *Provisions for landscaping and fencing:*

No development is proposed as part of this application. As such, this criterion is not applicable.

- m) *The location of outside storage, garbage and loading facilities:*

No development is proposed as part of this application. As such, this criterion is not applicable.

- n) *The need and desirability of the use:*

The PPS directs growth to settlement areas, with policies promoting the intensification of built-up areas. The triangular lands are within the urban boundary and within a built-up area. In our opinion, the proposed Low Density designation on the triangular lands is desirable in that it will facilitate infill development in the future, at a density that is

compatible with that of the broader established neighbourhood to the west and south. As such, this criterion is satisfied.

o) The effect on the agricultural land base:

As the triangular lands are within the Urban Area boundary of Old Town, the application does not affect the Town's agricultural land base. The portion of the property outside the Urban Area boundary and outside the woodlot will be maintained for agricultural purposes. As such, this criterion is satisfied.

p) The identification of environmental, archaeological and heritage resources in the area and how the development will impact on those resources:

No development is proposed as part of this application. As such, this criterion is not applicable.

q) The availability of alternative sites where the application proposes an amendment to the Official Plan to change a land use designation or expand an urban boundary:

As noted previously in this report, the proposed change in land use designation from Agricultural to Low Density Residential is technical in nature, to accurately reflect the Urban Area boundary on the subject lands. As such, this criterion is satisfied.

r) Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified in the Planning Impact Analysis including the submission of detailed plans sufficient to show how the items of this policy have been complied with.

No development is proposed as part of this application. The proposed redesignation is not intended to have any adverse impacts on the surrounding land uses and streets. Further, the proposed amendment establishes site-specific policies to ensure that appropriate primary and emergency vehicular access shall be provided to accommodate any future development of the subject lands which has been confirmed by Paradigm to be adequate. As such, this criterion is satisfied.

3.5. Official Plan Amendment No. 78

Official Plan Amendment 78 to the Town of Niagara-on-the-Lake Official Plan was approved in November 2019 and brought forward some of the policies from the Town's 2019 adopted but not provincially-approved Official Plan.

OPA 78 provides additional residential infill and intensification policies to the Town's 2017 Official Plan to guide residential infill and intensification development in the Built-Up Areas of Old Town and Virgil when considering applications on lands designated Low Density Residential, Medium Density Residential and Established Residential. The following summarizes the policies added after Section 4.6 under Section 6A of the 2017 Official Plan and how each criterion for development is achieved:

- **Ensuring that lot frontages, lot areas, areas and building setbacks are consistent with that of existing lots on both sides of the street on which the property is located;**

No buildings are proposed for the subject lands at this time. As such, this criterion is satisfied.

- **Ensuring that the height, massing and scale of buildings are appropriate in relation to zoning for adjacent properties on the same street;**

No buildings are proposed as part of this application. As such, this criterion does not apply.

- **Ensuring that existing trees and vegetation are retained and enhanced, including new street trees;**

No specific development is proposed at this time. Tree preservation through the alignment of new streets will be addressed through future applications.

- **Ensuring that the width of garages and driveways are limited so as not to dominate the streetscape;**

No buildings are proposed as part of this application. As such, this criterion does not apply.

- **Minimizing impact of grading, drainage, access and circulation on adjacent properties;**

Paradigm has assessed access and circulation to the driveway to the east on 210 John Street and has prepared an access design, which provides a 9-metre curb radii on the east and west sides of the proposed private access road and a 14.8-metre separation from the edge of the 210 John Street driveway to the edge of the private access road on the subject site.

- **Ensuring that the orientation and sizing of new lots does not impact significant public views and vistas;**

No new lots are being created as part of this application. As such, this criterion is not applicable.

- **Ensuring that neighbourhood connectivity and traffic conditions are improved when the public street network is extended; and**

The proposed amendment does not involve the extension of the public street network, and as such, this criterion does not apply.

- **Ensuring that roads and municipal infrastructure is adequate.**

The transportation report assesses the adequacy of the proposed primary access and emergency access to the subject site to accommodate a range of potential housing units based on the various submissions that were made to the OLT. Paradigm advises that the proposed accesses and the surrounding roadway system are adequate to accommodate future potential development on the subject site.

3.6. Town of Niagara-on-the-Lake Official Plan, 2019 (Council Adopted)

A new Official Plan for the Town of Niagara-on-the-Lake was adopted by Town Council on October 22, 2019. At the time of the writing of this report, the adopted Official Plan has not yet been approved by the Minister of Municipal Affairs and Housing, and as such, is not in effect.

The schedules of the adopted Official Plan show the correct Settlement Area boundary for Old Town, which includes the triangular lands that are the subject of the proposed amendment. As such, the proposed amendment satisfies the intent of the adopted Official Plan.

4 Conclusion



The proposed amendment redesignates a portion of the subject lands in a manner that conforms to the Region's Official Plan and the Town's own Official Plan, and includes a site-specific policy to establish primary and emergency means of access to the subject lands and associated measures to ensure vehicular safety. Further, it has been demonstrated that the proposal is consistent with and conforms to Provincial, Regional, and local policy.

DRAFT
THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
NO. XX-25
OFFICIAL PLAN AMENDMENT
200 JOHN STREET EAST & 588 CHARLOTTE STREET

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. XX** of the Town of Niagara-on-the-Lake Official Plan, consisting of the attached explanatory text is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this ____ day of _____, 2025.

LORD MAYOR

TOWN CLERK

Certified that the above is a true copy of By-law **No. XX** as enacted and passed by the Council of the Town of Niagara-on-the-Lake.

TOWN OF NIAGARA-ON-THE-LAKE

PART A – THE PREAMBLE –

This part does not constitute part of this Amendment.

PART B – THE AMENDMENT –

This part consists of text and schedule, which constitutes Official Plan Amendment No. XX to the Town of Niagara-on-the-Lake Official Plan, approved on _____, 2025.

PART A – THE PREAMBLE

The preamble does not constitute part of this Amendment.

Purpose

The purpose of this Amendment is to re-designate approximately 1.52 ha (3.76 ac) of land generally located on the south side of John Street East at the eastern boundary of the Old Town Settlement Area, from Agricultural to Low Density Residential. The lands to be re-designated form a portion of a larger property municipally addressed as 200 John Street East. This Amendment also proposes to establish the primary means of access and emergency access to the properties municipally addressed as 200 John Street East and 588 Charlotte Street.

Basis

The basis of this Amendment is as follows:

1. There is a discrepancy in the way the urban area boundary of the Old Town Settlement Area is delineated in the vicinity of 200 John Street East between Schedule B and Schedule I-1 of the Official Plan. Schedule I-1 shows the correct delineation of the urban area boundary across the subject lands, as this matches the urban area boundary delineated in the Niagara Region Official Plan.
2. Since the land use designations on Schedule B of the Official Plan do not accurately follow the correct urban area boundary across 200 John Street East, a sliver of this property that is technically located within the urban area boundary is currently designated as Agricultural. As such, an Official Plan Amendment is required to address this technical matter, and to re-designate this sliver of the subject lands from Agricultural to Low Density Residential, consistent with the existing designation that applies to the portion of the property that is shown as being within the urban area boundary on Schedule B.
3. Access to 200 John Street East is currently provided by a private driveway along the portion of the property that is referred to as “the panhandle”, connecting directly to John Street East. Access to 588 Charlotte Street is currently provided by a private driveway connecting directly to Charlotte Street. For the purposes of this Amendment, both 200 John Street East and 588 Charlotte Street are referred to as the “subject lands”. The portion of the subject lands that are currently and proposed to be designated for residential purposes will eventually be developed to accommodate residential uses. The future development of the subject lands will require vehicular access for future residents and emergency services. This Amendment establishes that primary vehicular access related to any future

development of the subject lands shall be provided by way of a private road to be constructed along the "panhandle" portion of the subject lands in order to provide direct access to and from John Street East, and that emergency access to and from the subject lands shall be provided by way of a private emergency access connecting to Charlotte Street. Existing mature vegetation as well as heritage features designated under Part IV or Part V of the Ontario Heritage Act will need to be considered in the design and construction of both the primary access and emergency access at the time of a future zoning by-law amendment and heritage permit.

PART B – THE AMENDMENT

All of this part of the document entitled 'Part B – The Amendment' consisting of the following text and map changes constitutes Amendment No. XX to the Official Plan of the Town of Niagara-on-the-Lake.

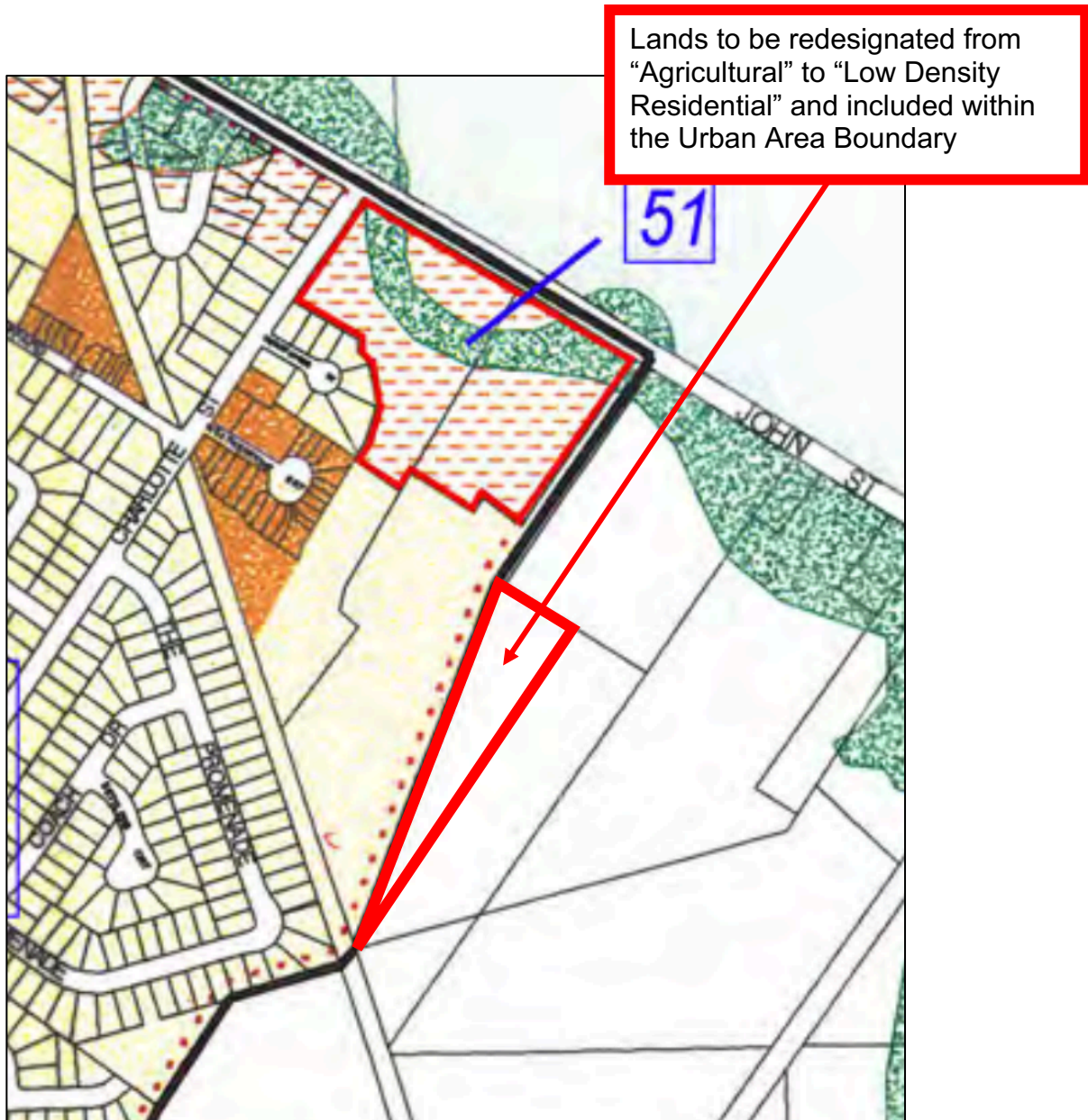
Details of the Amendment

1. That Schedule "B" Land Use Plan – Niagara / Old Town is amended by Schedule "1" attached hereto and forming part of this amendment, identifying the location of the lands to be redesignated from "Agricultural" to "Low Density Residential" and being included within the Urban Area Boundary.
2. That Schedule "B" Land Use Plan – Niagara / Old Town is further amended by Schedule "2" attached hereto and forming part of this amendment, identifying the location of the lands to be subject to exception EX-RES-XX.
3. That Section 9.5 Exceptions of the Official Plan be amended to add the following exception:

"EX-RES-XX The following policies shall also apply to the lands identified as EX-RES-XX on Schedule "B" Land Use Plan – Niagara / Old Town:

1. Primary access to 200 John Street East and 588 Charlotte Street shall be provided by way of a private road connecting directly to John Street East. The private road shall be constructed along the "panhandle" portion of the lands, located between 144/176 John Street East and 210 John Street East. The private road shall be constructed such that:
 - a. There is a minimum 9-metre curb radius for the curbs on both sides of the private road where it meets John Street East; and
 - b. The eastern edge of the pavement is located no closer than 14.5 metres from the western edge of the existing driveway at 210 John Street.
2. Emergency access to 200 John Street East and 588 Charlotte Street shall be provided from Charlotte Street.
3. Existing mature vegetation and heritage features designated under Part IV or Part V of the Ontario Heritage

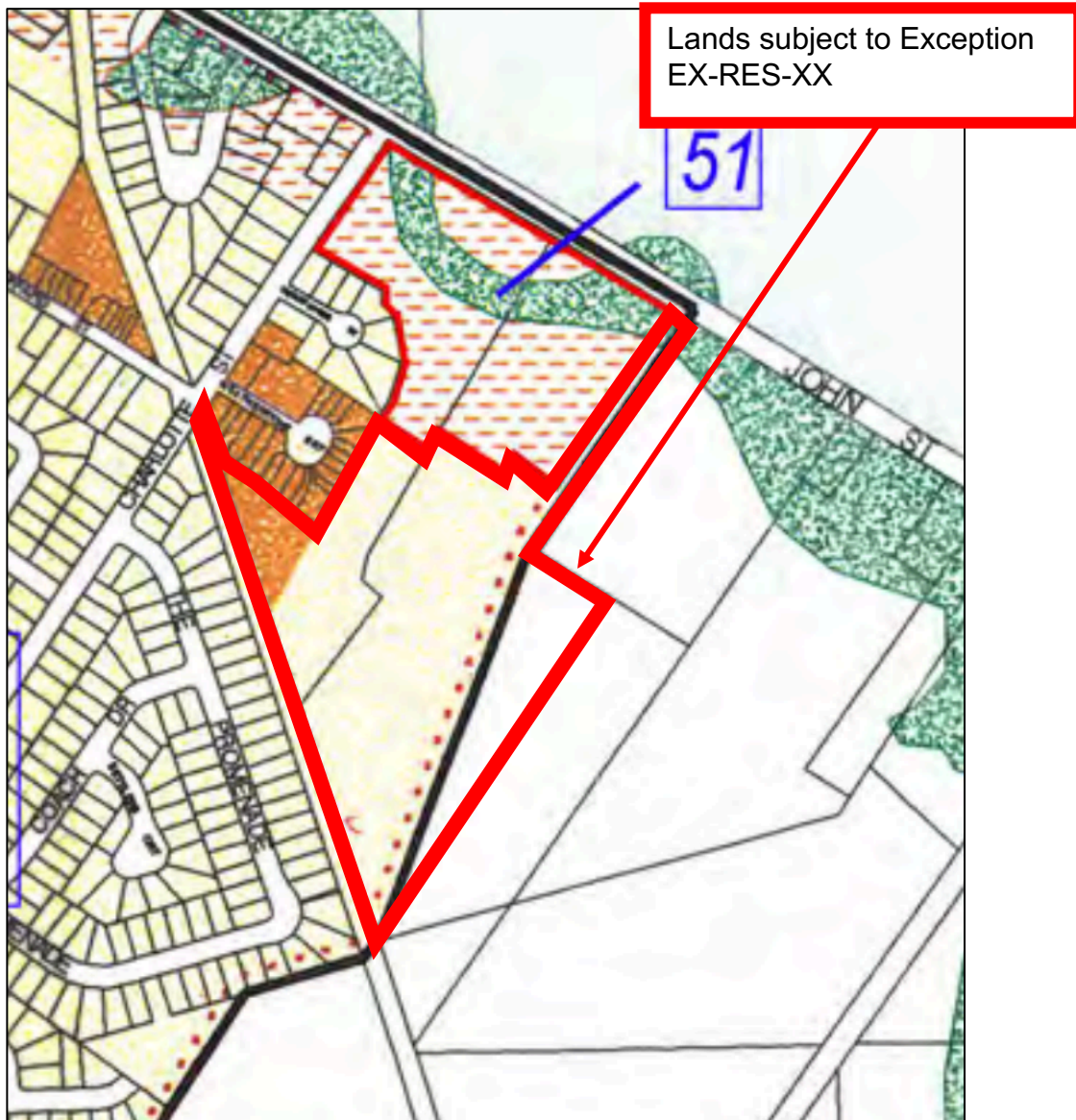
Act will be considered in the design and construction of both the primary access and emergency access at the time of future Zoning By-law Amendment and Heritage Permit applications.



**SCHEDULE 1 ATTACHED TO OFFICIAL PLAN AMENDMENT
NO. XX BEING AN AMENDMENT TO SCHEDULE "B" OF THE
OFFICIAL PLAN OF THE TOWN OF NIAGARA-ON-THE-LAKE**

LORD MAYOR

TOWN CLERK



**SCHEDULE 2 ATTACHED TO OFFICIAL PLAN AMENDMENT
NO. XX BEING AN AMENDMENT TO SCHEDULE "B" OF THE
OFFICIAL PLAN OF THE TOWN OF NIAGARA-ON-THE-LAKE**

LORD MAYOR

TOWN CLERK

SGL



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PROJECT

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