

Explanation of the Purpose and Effect of

By-law 4316XX-25

The subject lands are municipally known as 85 Queen Street, and legally described as Lot 57 and 58, Township Plan 86, Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone the lands as shown on Map 'A' (attached to and forming part of this By-law) from "Established Residential (ER) Zone" and "Queen Picton Commercial Zone" to "Queen Picton Commercial (QPC) – Site Specific Zone" to permit a change in the permitted use and site-specific exceptions to the existing Zoning provisions.

Effect

The effect of this By-law is to rezone the subject lands now known as 85 Queen Street to "Queen Picton Commercial (QPC) – Site Specific Zone." with site-specific provisions for lot frontage, lot depth, lot coverage, building height, front yard setback, interior side yard setback, exterior side yard setback, rear yard setback, number of loading bays and parking spaces.

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316XX-25**

85 Queen Street
Lot 57 and 58, Niagara Township Plan 86, Niagara-on-the -Lake
Roll # 2627 010 0061 1900

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 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 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

AND WHEREAS the 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-1" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Map 'A' (attached to and forming part of this By-Law) from "Established Residential (ER) Zone" and Queen Picton Commercial (QPC) Zone to "Queen Picton Commercial (QPC) – Site Specific Zone" to permit a theatre as herein defined:
2. That Subsection 7.14 Special Exceptions of By-Law 4316-09, as amended, is hereby further amended by adding the following section:

7.14.xxx 85 Queen Street – See Schedule 'A-1' (QPC-xxx)

7.14.xxx QPC-xxx Zone Requirements

In lieu of the corresponding provisions of Subsection 7.7 to Zoning By-law 4316-09, as amended, the following provisions shall apply to the lands shown on Map 'B' attached hereto:

- Minimum lot frontage	23.09 metres
- Minimum lot depth	65.31 metres
- Maximum lot Coverage	64.0%
- Minimum front yard setback	4.0 m
- Minimum interior side yard setback	1.5 m
- Minimum exterior side yard setback	7.0 m
- Minimum rear yard setback	6.0 m
- Maximum storeys	3 storey building
- Maximum building Height	19.6 m fly tower
- Maximum building Height	14.8 m main building
- Loading bay requirement	1 loading bay
- On-site parking	0 parking spaces

3. That Subsection 7.14 Special Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following definition:
4. **Theatre**" shall mean a building or structure, or parts thereof, used for the purpose of providing access to live performing arts, directly and through their associated support systems, to the public. This includes, but is not limited to, live stage performances such as plays, musicals, concerts, dance, and other live entertainment, but can include the exhibition of films (cinema). A theatre may be used periodically for community-based or charitable events. Accessory uses may include the sale and service of food and beverages or sale of associated merchandise, subject to applicable regulations. It may also host charitable fundraising events, patron centred events, educational workshops, artistic workshops or other non-profit events that advance or support the live arts or other charitable or related endeavours. Beyond the theatre venue itself, there may also be an artistic practice halls, lobby areas, technical and artistic preparatory spaces, education spaces or other support areas needed to conduct the theatre operations.
5. That the effective date of this By-law shall be the date of final passage thereof.

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

LORD MAYOR GARY ZALEPA

TOWN CLERK DONNA DELVECCHIO