

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE**

**BY-LAW NO. 4316##-25**

224 Regent Street or 46 Market Street

Roll # 262701000309000

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO *PLANNING ACT* TO AMEND BY-LAW NO. 4316-09, 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 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-1' of By-law 4316-09, is amended by changing the zoning of Part 1 identified on Schedule 'A' (attached to and forming part of this By-law) from "Queen Picton Commercial (QPC) Zone" to "Queen Picton Commercial (QPC-XX) – Site-Specific Zone".
2. That Section 7.14 – Site Specific Exceptions, as amended, is hereby further amended by adding the following subsection:

**7.14.XX 224 Regent Street or 46 Market Street – See Map A (QPC-XX)**

7.14.XX.1 QPC-XX Zone Requirements

In lieu of the corresponding provisions of Subsection 7.7, and in addition to such provisions, the following provisions shall apply on the lands identified as "Queen Picton Commercial (QPC-XX) on Schedule "A-1":

- 7.7.3 Notwithstanding the provisions of this By-law, 224 Regent Street or 46 Market Street shall have a lot frontage recognized as existing.
- 7.7.4 Notwithstanding the provisions of this By-law, 224 Regent Street or 46 Market Street shall have a required rear yard setback recognized as existing.

7.7.6 Notwithstanding the provisions of this By-law, 224 Regent Street or 46 Market Street shall have a required lot coverage recognized as existing.

7.14.XX.2 QPC-XX Sight Triangle

Notwithstanding the provisions of Subsection 6.52 of Zoning By-law 4316-09, as amended, a sight triangle shall not be required on the Subject Lands identified as QPC-XX on Schedule "A-1".

7.14.XX.3 QPC-XX Parking Space Requirements

Notwithstanding the provisions of Subsection 6.39 Table 6-4 of Zoning By-law 4316-09, as amended, a Restaurant, Queen-Picton Commercial Zone shall provide 1 parking space per 5 seats on the Subject Lands identified as QPC-XX on Schedule "A-1".

7.14.XX.4

A restaurant with an AGCO licensed capacity of 139 persons shall provide zero (0) parking spaces on the Subject Lands identified as QPC-XX on Schedule "A-1".

3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the lands shown on the attached Schedule.

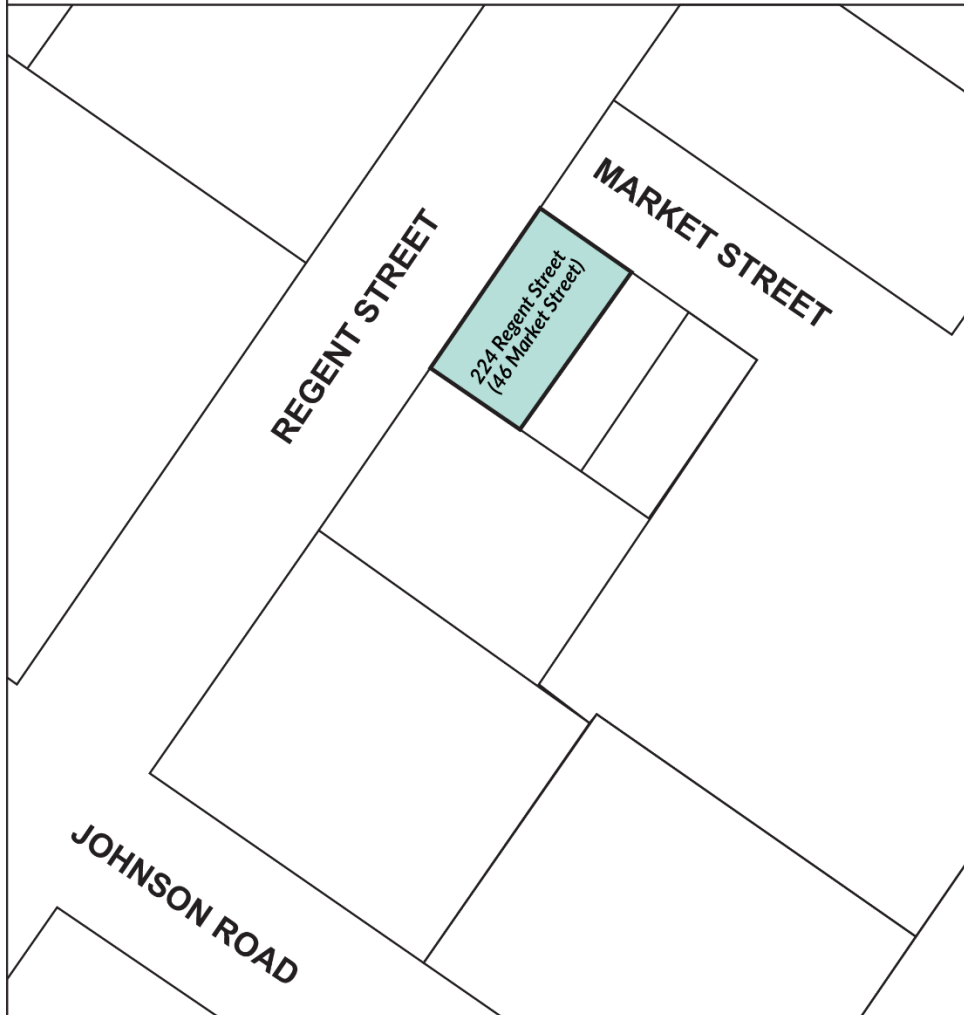
READ A FIRST, SECOND AND THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
LORD MAYOR GARY ZALEPA

\_\_\_\_\_  
TOWN CLERK GRANT BIVOL

# Schedule A

## Schedule A to Zoning By-law Amendment XX



By-law No.XX-202X  
THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY.LAW NO. XX  
PASSED THIS XXth DAY OF XX, 202X

 Queen Picton Commercial (QPC-XX) – Site-Specific Zone

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE**

**BY-LAW NO. 4316##-25**

226 Regent Street

Roll # 262701000320200

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO *PLANNING ACT* TO AMEND BY-LAW NO. 4316-09, 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 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-1' of By-law 4316-09, is amended by changing the zoning of Part 1 identified on Schedule 'A' (attached to and forming part of this By-law) from "Queen Picton Commercial (QPC) Zone" to "Queen Picton Commercial (QPC-XX) – Site-Specific Zone".
2. That Section 7.14 – Site Specific Exceptions, as amended, is hereby further amended by adding the following subsection:

**7.14.XX 226 Regent Street – See Map A (QPC-XX)**

7.14.XX.1 QPC-XX Zone Requirements

In lieu of the corresponding provisions of Subsection 7.7, and in addition to such provisions, the following provisions shall apply on the lands identified as "Queen Picton Commercial (QPC-XX) on Schedule "A-1":

- 7.7.1 (o) outdoor patio restaurant only as a secondary use to the restaurant on 224 Regent Street or 46 Market Street
- (p) cottage rentals

7.7.3 Notwithstanding the provisions of this By-law, 226 Regent Street shall have a lot frontage and lot depth recognized as existing.

7.7.7 Where an interior side yard of lands municipally known as 226 Regent Street that is located within the Queen Picton Commercial (QPC) Zone abuts a residential zone, a strip of land adjacent to the adjoining lot line being a minimum of 0.96 m in width shall be used as a buffer strip along a portion of the interior side yard.

#### 7.14.XX.2 QPC-XX Cottage Rental

Notwithstanding the provisions of Subsection 6.10 (c) and (e) of Zoning By-law 4316-09, as amended, the combined on-site amenity area for the Cottage Rentals shall be 239 m<sup>2</sup>, with a maximum of two Cottage Rentals and one off-street parking stall provided per Cottage Rental permitted on the lot on the Subject Lands identified as QPC-XX on Schedule "A-1".

#### 7.14.XX.3 QPC-XX Fencing

Notwithstanding the provisions of Subsection 6.17 of Zoning By-law 4316-09, as amended, the existing fencing and hedge shall be permitted on the Subject Lands identified as QPC-XX on Schedule "A-1".

#### 7.14.XX.4 QPC-XX Outdoor Patio Restaurant

Notwithstanding the provisions of Subsection 6.36 (a) and (b) of Zoning By-law 4316-09, as amended, the maximum outdoor patio size associated with the restaurant shall be 209 m<sup>2</sup> and be permitted in a yard that abuts a residential zone on the Subject Lands identified as QPC-XX on Schedule "A-1".

#### 7.14.XX.5 QPC-XX Parking Requirements

Notwithstanding the provisions of Subsection 6.38 Table 6-3 of Zoning By-law 4316-09, as amended, the minimum parking space dimensions for a parking alignment of 90 degrees on the Subject Lands identified as QPC-XX on Schedule "A-1" shall be as follows:

Minimum Driveways & Aisle Width: 3.8 m

#### 7.14.XX.6 QPC-XX Parking Space Requirements

Notwithstanding the provisions of Subsection 6.39 Table 6-4 of Zoning By-law 4316-09, as amended, no parking spaces shall be required for the permanent outdoor patio restaurant on the Subject Lands identified as QPC-XX on Schedule "A-1".

#### 7.14.XX.7 QPC-XX Parking Space Requirements, Additional Provisions

Notwithstanding the provisions of Subsection 6.40 (i) and (j) of Zoning By-law 4316-09, as amended, uncovered surface parking areas shall be permitted to be located no closer than 1.27 m to the front lot line and a driveway shall be permitted to be setback a minimum of 0.96 m from the interior side lot line, on the Subject Lands identified as QPC-XX on Schedule "A-1".

7.14.XX.8 QPC-XX Parking, Accessible Space Requirements

Notwithstanding the provisions of Subsection 6.42 Table 6-8 of Zoning By-law 4316-09, as amended, no accessible parking spaces shall be required for the permanent outdoor patio restaurant on the Subject Lands identified as QPC-XX on Schedule "A-1".

7.14.XX.9

The outdoor patio on 226 Regent Street shall only be permitted to operate as a secondary use to the principal restaurant use on 224 Regent Street or 46 Market Street, on the Subject Lands identified as QPC-XX on Schedule "A-1".

7.14.XX.10

Notwithstanding the definition of "Secondary Use" in Section 5 of the Zoning By-law 4316-09, as amended, a use secondary to the principal use may be permitted to operate on a separate property that is abutting the principal use, as identified in the site-specific Zoning By-law No. 4316##-25.

3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the lands shown on the attached Schedule.

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

\_\_\_\_\_  
LORD MAYOR GARY ZALEPA


\_\_\_\_\_  
TOWN CLERK GRANT BIVOL

# Schedule A

## Schedule A to Zoning By-law Amendment XX



By-law No.XX-202X  
THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY.LAW NO. XX  
PASSED THIS XXth DAY OF XX, 202X

 Queen Picton Commercial (QPC-XX) – Site-Specific Zone

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE**

**BY-LAW NO. 4316##-25**

42 Market Street

Roll # 262701000308900

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO *PLANNING ACT* TO AMEND BY-LAW NO. 4316-09, 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 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-1" of By-law 4316-09, is amended by changing the zoning of the Subject Lands identified on Map "A" (attached to and forming part of this By-law) from "Queen Picton Commercial (QPC) Zone" to "Queen Picton Commercial (QPC-XX) – Site-Specific Zone".
2. That Section 7.14 – Site Specific Exceptions, as amended, is hereby further amended by adding the following subsection:

**7.14.XX 42 Market Street – See Map A (QPC-XX)**

7.14.XX.1 QPC-XX Zone Requirements

In lieu of the corresponding provisions of Subsection 7.7, and in addition to such provisions, the following provisions shall apply on the lands identified as "Queen Picton Commercial (QPC-XX) on Schedule "A-1":

- 7.7.3 Notwithstanding the provisions of this By-law, 42 Market Street shall have a lot frontage recognized as existing.
- 7.7.4 Notwithstanding the provisions of this By-law, 42 Market Street shall have a required rear yard setback recognized as existing.

3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the lands shown on the attached Schedule.

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

\_\_\_\_\_  
LORD MAYOR GARY ZALEPA

\_\_\_\_\_  
TOWN CLERK GRANT BIVOL

# Schedule A

