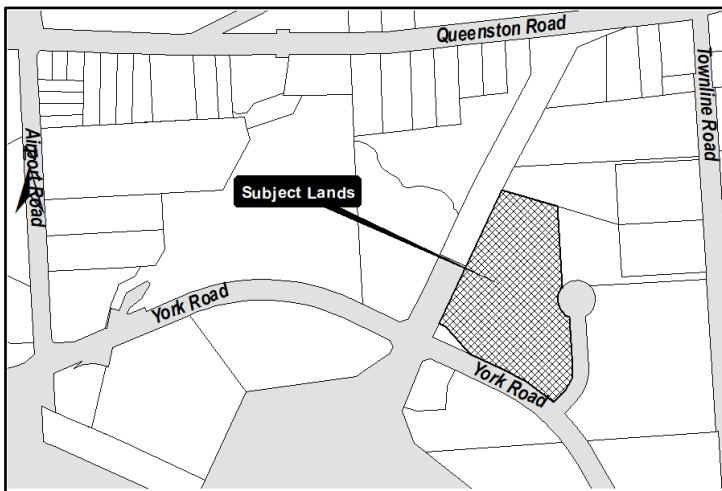




What:	Notice of Decision for an Official Plan Amendment and Zoning By-law Amendment (under Section 22 and Section 34, respectively, of the <i>Planning Act, R.S.O. 1990, c. P.13</i> , as amended).
When:	Approved at the April 28, 2026 Council Meeting
Regarding:	Official Plan Amendment – By-law 2026-020 (File OPA-01-2025) Zoning By-law Amendment - By-law 4316CC(2)-26 (File ZBA-01-2025) 524 York Road, Niagara-on-the-Lake

What is this?



Town Council for Niagara-on-the-Lake has considered written and oral submissions and approved an Official Plan Amendment and Zoning By-law Amendment on the subject lands as follows (see the location map):

Official Plan Amendment 105

The Official Plan Amendment redesignates a portion of the lands to a site-specific Mixed Use II designation “EX-MXII-1.” This site-specific designation permits a minimum building height of one (1)



storey for a restaurant, includes site-specific provisions for the location of loading, garbage, other service areas and parking, and allows for the use of a Holding symbol to require the submission and approval of a “Woodland Enhancement Plan” and necessary legal agreements required for off-site environmental restoration and enhancement.

Zoning By-law 4316CC(2)-26

The By-law provides a “Regional Commercial (RC1-15-H) – Site-Specific Holding Zone”, for a portion of the subject lands, with site-specific provisions for building height, definitions, permitted yard encroachments, loading and parking requirements. A “Holding (H)” symbol is included to prohibit site alteration or development on a portion of the subject lands until such time as the submission and approval of a “Woodland Enhancement Plan” as well as any necessary legal agreements required for off-site environmental restoration and enhancement. The “Holding (H)” symbol shall not be removed until such time as the submission of the “Woodland Enhancement Plan” and necessary legal agreements have been entered into for off-site environmental restoration and enhancement, all to the satisfaction of the Director of Planning, Building and Development Services.



The last date for filing a notice of appeal is May 19, 2026.

A notice of appeal:

- i. must be filed with the Town Clerk;
- ii. must set out the reasons for the appeal; and
- iii. must be accompanied by the fee required by the Ontario Land Tribunal.

An appeal to the Ontario Land Tribunal (OLT) in respect to all or part of this amendment may be made by filing a notice of appeal with the Town Clerk by one (1) of the following means:

- Through the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting the Town of Niagara-on-the-Lake as the Approval Authority; or,
- Through providing physical copies of the appeal materials to Town Hall at the address below; or,
- Through providing electronic copies of the appeal materials to the Town Clerk at clerks@notl.com.

The appeal fee can be paid online through e-file or by certified cheque/money order and submitted to the Town (certified cheque/money order to be addressed to the Minister of Finance, Province of Ontario). Further information and the required forms are available on the OLT website at www.olt.gov.on.ca.



Further notice and appeal eligibility:

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed Official Plan Amendment and/or Zoning By-law Amendment to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal of the decision of Town Council, unless the person or public body, before Town Council made its decision, made oral submissions at a public meeting or written submissions to Town Council, or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

Third party appeals are restricted for this application as per Bill 185, *Cutting Red Tape to Build More Homes Act, 2024. Planning Act* appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by the *Planning Act 1(1)*), and any “public body” (as defined by the *Planning Act 1(1)*).

Information with respect to the Official Plan Amendment and/or Zoning By-law Amendment and the decisions are available for public inspection from 8:30 a.m. to 4:30 p.m., Monday to Friday at the Town of Niagara-on-the-Lake, 1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON L0S 1T0. For inquiries, please contact the Town Clerk.

Dated at the Town of Niagara-on-the-Lake, **April 29, 2026**

Grant Bivol, Town Clerk (clerks@notl.com or 905-468-3266)

Town Hall, 1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON L0S 1T0