

Explanation of the Purpose and Effect of
By-law XX-26

The subject lands are municipally known as 95 Johnson Street, legally described as Part of Lot 101 TP Plan 86, Niagara as in RO484501, Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

Purpose

The purpose of this By-law is to re-zone the subject lands to permit a hospitality area within the existing inn on the subject lands. There are no physical changes to the Scotsman proposed through this amendment. The Scotsman will remain as an inn, but for the purposes of this amendment the Scotsman is referred to as a hotel.

Effect

The effect of this By-law is to rezone the subject lands at 95 Johnson Street from “Old Town Community Zoning District – Established Residential (ER-12) Site-Specific Zone”, to “Old Town Community Zoning District – Queen Picton Commercial (QPC-XX) Site Specific Zone”. The site-specific provisions will permit and define the hotel use, hospitality area, parking requirements, and applicable zone regulations.

<p><i>Applicant:</i> The Scotsman Hotel Incorporated <i>File Number:</i> ZBA-06-2025 <i>Report Number:</i> X <i>Assessment Roll Number:</i> 262701000310300</p>

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

BY-LAW NO. XX-26

95 Johnson Street

Roll #262701000310300

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 ERECTION, USE, BULK, HEIGHT, LOCATION, AND SPACING OF BUILDINGS AND STRUCTURES WITHIN 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.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts the following:

1. 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 "Old Town Community Zoning District – Established Residential (ER-12) Site Specific Zone" to "Old Town Community Zoning District – Queen Picton Commercial (QPC-XX) Site Specific Zone."
2. That Subsection 7.14- Site Specific Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following sections:

7.14.XX- 95 Johnson Street- See Schedule 'A-1' [QPC-XX]

7.14.XX.1 QPC-XX- Permitted Uses

In lieu of the corresponding provisions of Subsection 7.7.1 only the following uses are permitted on the lands identified as QPC-XX on Schedule 'A-1':

- a) *hotel*, as defined in 7.14.XX.2(b);
- b) *hospitality area*, as defined in 7.14.XX.2(a);
- c) *accessory buildings and structures; and*
- d) *residential dwelling unit*

7.14.XX.2 QPC-XX- Site Specific Definitions

For the purposes of this By-law, the following definition applies to lands identified as QPC-XX on Schedule 'A-1':

- a) A “hospitality area” is defined as a private, controlled area within the ground floor and courtyard area of the *hotel*, where food and alcohol can be purchased and consumed by patrons of the *hotel*, but does not include the use of commercial cooking equipment on site.
- b) A “hotel” is defined as a commercial establishment in which accommodation is provided for the traveling public and having a minimum of six (6) guest sleeping rooms or suites and may include among its internal functions a *hospitality area*.

7.14.XX.3 QPC-XX Zone Requirements

In lieu of the corresponding provisions of Subsections 7.7.3, 7.7.4, 7.7.5, 7.7.6, and 7.7.7, the following provisions shall apply on the lands identified as QPC-XX on Schedule ‘A-1’:

a)	Minimum lot frontage and depth	As existing as of the date of this By-law
b)	Minimum yard setbacks	As existing as of the date of this By-law
c)	Maximum building height	As existing as of the date of this By-law
d)	Maximum lot coverage	As existing as of the date of this By-law
e)	Minimum buffer strip along an interior side yard or rear yard	As existing as of the date of this By-law
f)	Minimum landscaped open space	As existing as of the date of this By-law

7.14.XX.4 QPC-XX- Parking Requirements

In lieu of the provisions of Subsections 6.39, Table 6-4 and Subsection 6.40a), the following parking provisions shall apply on the lands identified as QPC-XX on Schedule ‘A-1’:

- a) A minimum of eight (8) parking spaces shall be provided on-site for the *hotel* and the *residential dwelling* unit.
- b) A minimum of 4 parking spaces, in addition to those required by Subsection 7.14.XX.4a), shall be provided for the *hospitality area* and shall be permitted to be provided off-site as detailed in a shared parking lease agreement with the owners of the off-site property.

7.14.XX.5 QPC-XX- Amenity Area

In lieu of the provisions of Subsections 6.3, Table 6-1, zero (0) amenity space is required for the lands identified as QPC-XX on Schedule A-1.

7.14.XX.6 QPC-XX- Loading Requirements

In lieu of the provisions of Subsections 6.27(a), zero (0) loading spaces are required for the lands identified as QPC-XX on Schedule A-1.

7.14.XX.7 QPC-XX- Parking, Bicycle Parking

In lieu of the provisions of Subsection 6.41 Table 6-7, zero (0) bicycle parking

spaces shall be required for the lands identified as QPC-XX on Schedule 'A-1.'

7.14.XX.8 QPC-XX- Permitted Yard Projections and Encroachments

Subsection 6.44, Table 6-10 shall not apply on the lands identified as QPC-XX on Schedule 'A-1'. The existing structures and buildings on the lands shall continue to be permitted.

7.14.XX.9 QPC-XX- Residential Use in Non-Residential Building

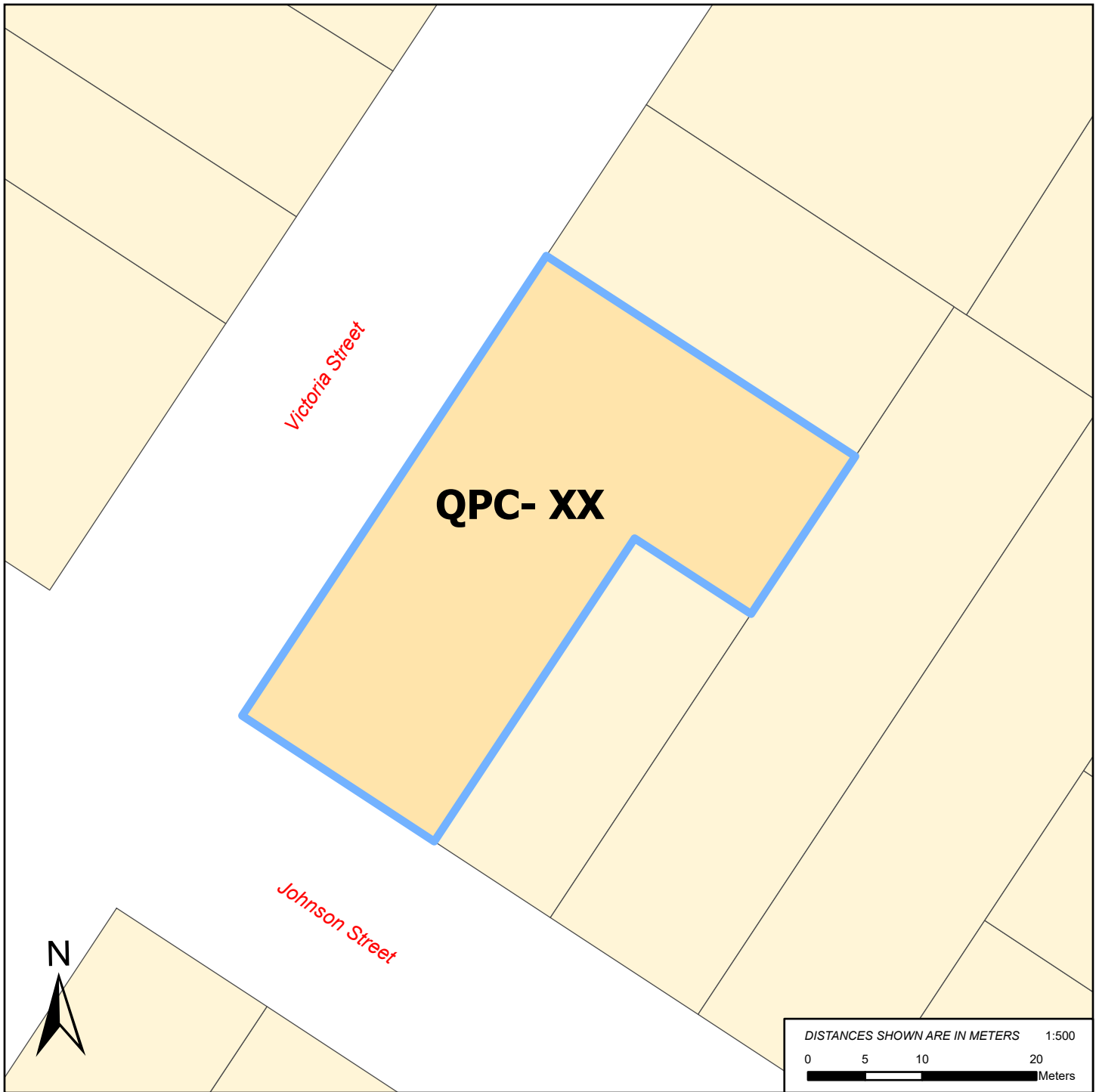
Subsection 6.48 shall not apply on the lands identified as QPC-XX on Schedule 'A-1'.

3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the subject lands.
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 XXth DAY OF XX 2026.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW XX-26, BEING AN AMENDMENT TO SCHEDULE 'A-1' OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS ____TH DAY OF _____ 2026.

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL