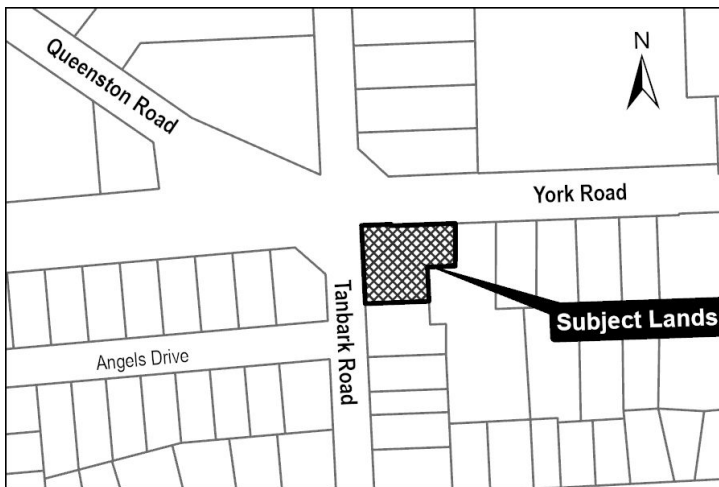




What:	Notice of Decision for an Official Plan Amendment and Zoning By-law Amendment (under Section 22 and Section 34, respectively, of the <i>Planning Act</i> , R.S.O. 1990, c. P.13, as amended).
When:	Refused at the July 21, 2026 Council Meeting
Regarding:	Official Plan Amendment No. 106 – By-law 2026-042 (File OPA-07-2025) Zoning By-law Amendment - By-law 4316GE-26 (File ZBA-15-2025) 1317 York Road, Niagara-on-the-Lake

What is this?



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

Official Plan Amendment 106

The Official Plan Amendment application proposed to redesignate the subject lands from “Low Density Residential” to “Medium Density Residential” with a site-specific exception to permit a maximum of five

(5) townhouse dwelling units and one (1) single detached dwelling unit with a maximum net residential density of 39 units per hectare.

Zoning By-law 4316GE-26

The Zoning By-law Amendment proposed to rezone a portion of the subject lands from “Residential (R1) Zone” to “Residential Multiple (RM1) - Site Specific Zone” to accommodate five (5) proposed on-street townhouse dwellings fronting Tanbark Road, and to “Residential (R1) - Site Specific Zone” to accommodate one (1) proposed single detached dwelling fronting York Road, with site-specific provisions to facilitate the uses.

Reasons for Refusal

Town Council refused the applications on the basis that, in its opinion, the proposed Official Plan Amendment and Zoning By-law Amendment are not consistent with the Provincial Planning Statement (2024), do not conform with the Town of Niagara-on-the-Lake Official Plan (2017) and the Niagara Official Plan (2022), and do not satisfy the applicable provisions and policy direction of the *Planning Act*.





The last date for filing a notice of appeal is August 12, 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, **July 23, 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