



# PLANNING JUSTIFICATION REPORT

Prepared For: Two Sisters Resorts Corp.

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**325 King Street  
Niagara-on-the-Lake, ON**

FEBRUARY 2023



# SGI



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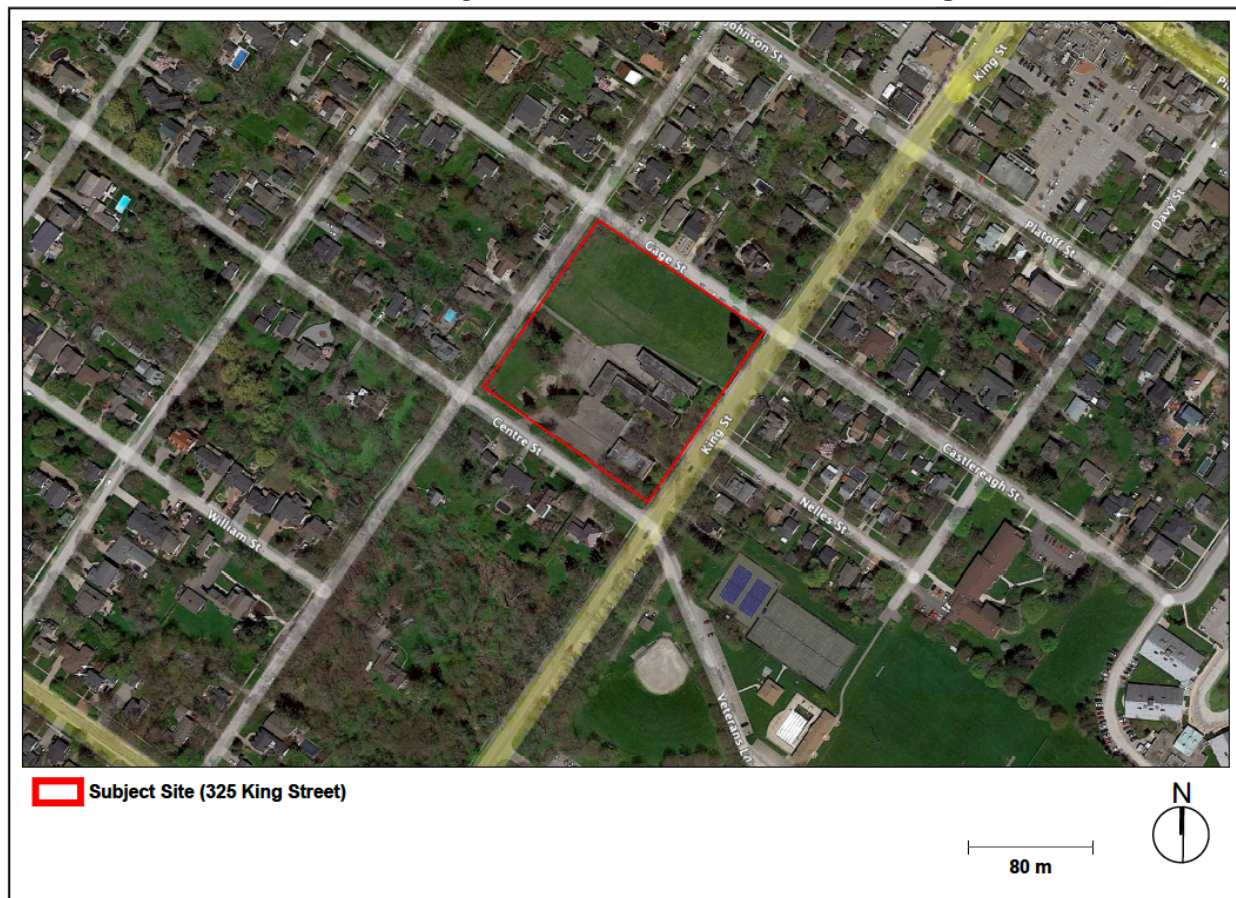


## 1.0 Introduction



### 1.1 Purpose

This Planning Justification Report has been prepared by SGL Planning & Design Inc. (SGL) in support of both the Official Plan and Zoning By-Law Amendment applications on behalf of Two Sisters Resorts Corp., for 325 King Street (the “subject site”), located approximately 300 metres south of the Queen Street and King Street intersection, in the Old Town settlement area of Niagara-on-the-Lake, as shown on **Figure 1**.



**Figure 1: Aerial Context**

The report is structured as follows:

**Section 1:** Introduces the purpose and structure of the report.

**Section 2:** Outlines the existing conditions of the subject site, and the surrounding area.



**Section 3:** Describes the proposed development, and provides details regarding the proposed Official Plan and Zoning By-law Amendment applications.

**Section 4:** Outlines the existing and evolving policy context.

**Section 5:** Provides a basis for the proposed development through summaries of the supporting studies.

**Section 6:** Assesses the consistency and conformity of the proposed development, as applicable, in relation to relevant Provincial, Regional and municipal policies.

**Section 7:** Concludes and summarizes the report.

## 2.0 Site and Surroundings



### 2.1 Subject Site

The subject site is a square-shaped lot bound by King Street, Gage Street, Regent Street, and Centre Street, representing a full Town block as shown on **Figure 1**. The subject site has an approximate frontage of 128 metres along King Street, with an approximate area of 1.64 hectares.

The subject site is legally described as:

- LOTS 149, 150, 191, 192 TP PLAN 86 NIAGARA, PART 1, PLAN 30R15804

The subject site contains the former Parliament Oak Public School, a one-storey brick building with a paved parking lot along Centre Street and open space at the rear along Regent Street and the side along Gage Street, as shown on **Photo 1**. The subject site is historically significant for being the location of the first meeting of the Parliament of Upper Canada under an Oak Tree. Though the Oak Tree that the meeting took place under has since been removed, there is an Oak Tree along the King Street frontage, as shown in **Photo 2**, which will be preserved, as will the majority of the trees on the site, which is discussed further in Section 5 of this report. There are also other historical features scattered on the site including two plaques (see **Photo 3** for an example), two obelisks ( see **Photo 4** for an example), and surveying stones (see **Photo 5** for an example), all of which will be preserved through the proposed redevelopment.

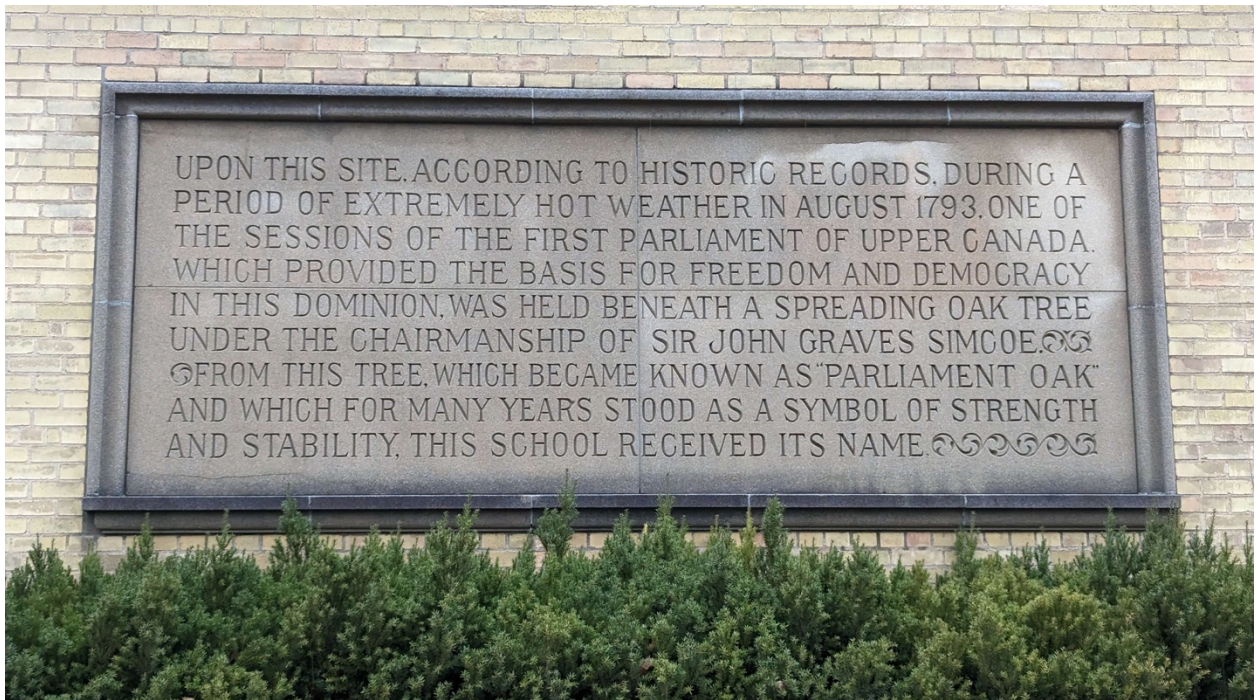


**Photo 1: Subject Site (looking west from King Street)**





**Photo 2: Oak Tree on King Street (looking west from King Street)**



**Photo 3: One of the Plaques on the Subject Site**





**Photo 4: One of the Obelisks on the Subject Site**



**Photo 5: One Surveying Stones**



## 2.2 Surrounding Area

The surrounding area is characterized by a low-rise residential neighbourhood, as well as recreation facilities such as the Niagara-on-the-lake Tennis Club, parks, and Bed and Breakfast establishments scattered throughout the neighbourhood. The majority of nearby commercial and retail uses are located close to and along Queen Street, which can be characterized as the Downtown of Old Town. The surrounding low-rise residential neighbourhood is predominately made up of 2-storey single detached dwellings on large lots in various colors and architectural styles.

Immediately adjacent land uses are described below. For simplicity of this report, King Street and Regent Street are identified as north-south streets, and streets such as Gage Street and Centre Street are identified as east-west streets.

### North

- Immediately north of the subject site are two single detached dwellings with frontages along Gage Street, one of which is a Bed and Breakfast, as shown in **Photo 6**. The other lots immediately north along this segment of Gage Street are corner lots with frontages on King Street and Regent Street, but with driveways along Gage Street (for example, the white carriage house/garage in **Photo 6**).



**Photo 6: Adjacent uses north along Gage Street looking north**

### East

- Immediately east of the subject site (across King Street) are two corner lots with single detached dwellings fronting King Street (refer to **Photo 7**).





**Photo 7: Adjacent uses east along King Street looking east**

### South

- Immediately south of the subject site are a mix of single detached dwellings ranging from 1 to 2 storeys in height, one of which faces internally as shown in **Photo 8**. The Lyons House Bed & Breakfast is also located at the corner of King Street and Centre Street, shown on **Photo 9**.



**Photo 8: Adjacent dwellings along Centre Street looking south**





**Photo 9: The Lyons House Bed & Breakfast looking south from Centre Street**

**West**

- Immediately west of the subject site is a mix of 1 to 2-storey dwellings with small front yard frontages, as shown on **Photo 10**.



**Photo 10: Adjacent dwellings on Regent Street looking west**



The broader area contains a mix of uses including a park and a recreation centre (Niagara-on-the-Lake Tennis Club and Veterans Memorial Park) southeast of the subject site. A few hundred metres north of the subject site is the Downtown of Old Town with numerous retail and commercial operations. The broader neighbourhood is predominately made up of large single detached dwellings including numerous Bed and Breakfast establishments, as shown on **Figure 2**. There are also larger hotels scattered throughout Old Town, with various heights up to 4-storeys, including Pillar and Post, **Photo 11**, Queen's Landing, **Photo 12**, and Oban Inn, **Photo 13**, to name a few.



Figure 2: Aerial Context of Surrounding Uses





**Photo 11: Pillar and Post**



**Photo 12: Queen's Landing**





Photo 13: Oban Inn

## 3.0 Proposal



### 3.1 Proposed Development

The proposed development on the subject site consists of a 4-storey hotel building. The building is proposed to be sited in the general vicinity of the footprint of the existing school building on the subject property, fronting onto King Street, as shown in the rendering on **Figure 3**. A large open space area, affiliated with the hotel, is proposed for the rear of the property. The proposed hotel's design is intended to complement the surrounding neighbourhood through similar materiality while contributing to the unique character and historical feel of the Town. To accommodate the proposed hotel, the existing school building will be demolished, and the proposed hotel will occupy a similar building footprint as the school, but centred along the King Street frontage, creating large setbacks on all sides. The proposed development will introduce 129 hotel rooms, conference rooms and banquet facilities, restaurants, a spa, as well as a large landscaped open space at the rear of the hotel that will be privately owned but publicly accessible, as shown on the site plan and rendering in **Figures 4** and **5**. The proposed development has a gross floor area of 11,194.63 m<sup>2</sup> and a proposed floor space index (FSI) of 0.68.



**Figure 3: Rendering of Proposed 4-Storey Hotel**





## **Access and Parking**

Two driveway entrances are proposed along the King Street frontage that lead to a two-way looped internal driveway, providing access to the entrance of the hotel with a covered canopy (porte cochere), and two small surface parking lots for temporary parking at the north and south screened by landscaping. Access to the underground parking garage is also provided from this driveway, as shown on **Figure 4**. The ramp leading to the underground parking is located at the south end of the property, tucked away from the public realm along King Street and screened with landscaping to minimize the impact on adjacent properties as shown on the Site Plan, **Figure 4**. Visitors to the hotel will be able to enter and exit the site from the proposed King Street driveway, travelling to the entrance, where a valet service will assist them at the entrance.

In addition to the main driveway along King Street, there are two separate driveways proposed along Centre Street and Gage Street, which are limited to occasional service and delivery vehicles. These entrances are proposed to be heavily screened by landscaping, and deliveries will be intermittent to minimize impact on neighbouring properties.

The proposed development includes 197 parking spaces distributed across 1 level of underground parking and two small surface parking lots for temporary parking outside the hotel (the number of parking spaces may be refined through the Site Plan Approval process). Bicycle parking is also proposed to be provided in accordance with the Zoning By-law.

## **Layout and Landscape**

The new hotel building is proposed to be situated between Gage Street and Centre Street, with side yard setbacks of approximately 24 and 23 metres from the north and south property lines respectively. The main hotel building is proposed to be setback approximately 26 metres from King Street protecting the numerous trees along the peripheries of the site and the existing Oak Tree along King Street. With respect to the rear of the site, the hotel is proposed to be setback approximately 50 metres from Regent Street, enabling the creation of a large landscape area that will be privately owned and publicly accessible, with a mix of paths and monuments that celebrate the site's history, as shown on the Site Plan in **Figure 4**. The central siting of the proposed hotel building, enables generous setbacks to adjacent properties while preserving a number of trees on the site as discussed in greater detail in Section 5 of this report.

The hotel is proposed to function as the central built-form feature on the property, housing the hotel, conference and other associated uses. It is important to note that the building is situated such that it is screened by existing vegetation on the property, which is complemented by additional soft landscaping to be provided around the periphery of the building. Hard surfaces are limited throughout the site, as shown on the site plan, with the proposed landscaped areas accounting for approximately 66% of the total site area.



The proposed hotel building will create a prominent presence along King Street in an architectural style that will complement the Town’s historic nature, while the large setbacks, private open space area and landscaping will further enhance the public realm and provide for appropriate separation from neighbouring land uses and streets.

### **Heritage Features**

As discussed in Section 2 of this report, the subject site contains various heritage elements in addition to the significance of holding the first meeting of the Parliament of Upper Canada under an oak tree. The siting of the hotel is generally in the centre of the site and the large front yard setback enables the preservation of the surveying stones (**Photo 5**) along King Street. The plaques located on the existing school (**Photo 3**), will be preserved during demolition and will be relocated within the surrounding landscape and open space area. Similarly, the obelisks will also be preserved and relocated within the surrounding landscaped areas of the site.

The proposed development’s site statistics are summarized below in **Table 1**.

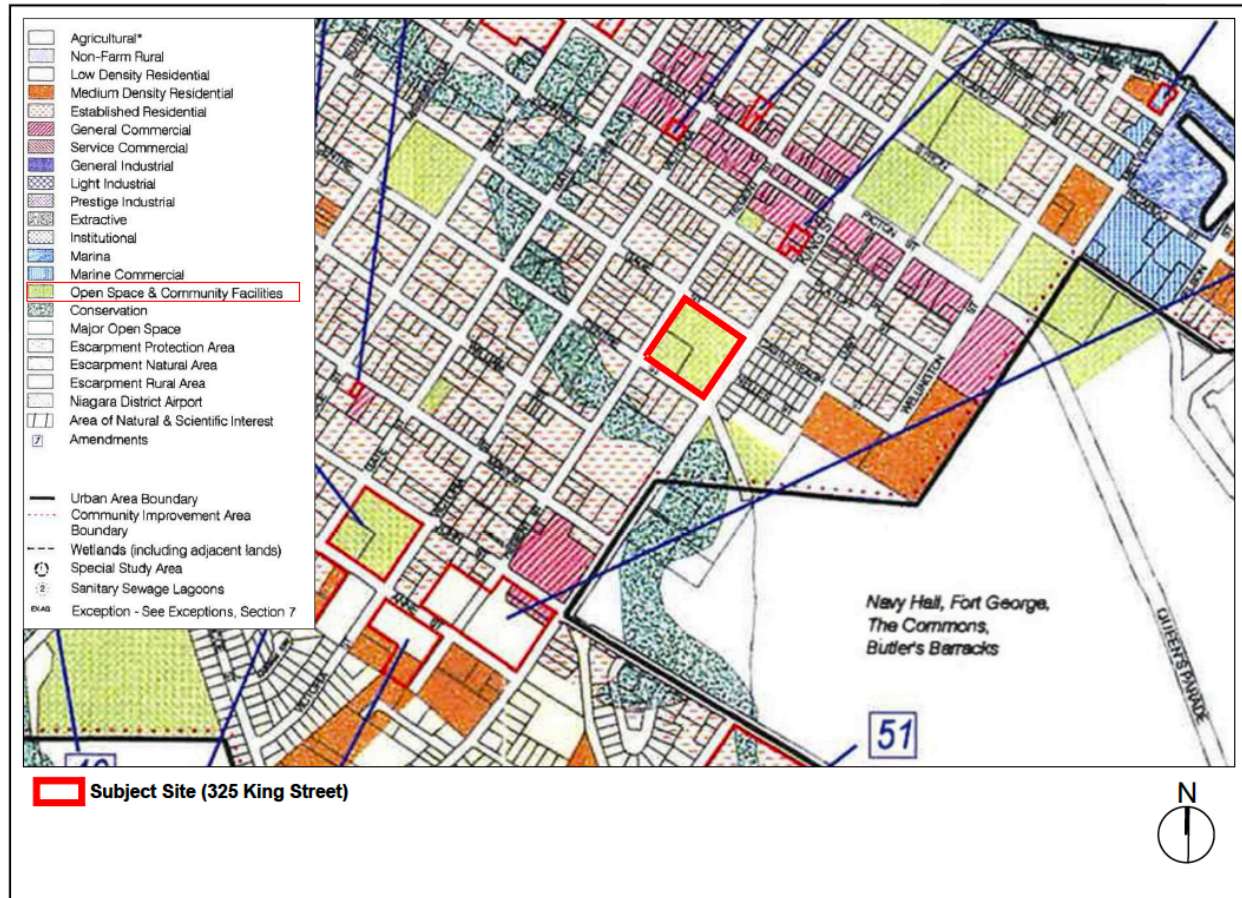
<b>Table 1: Key Proposed Development Statistics</b>		<b>Total</b>
Site Area (ha)		1.64
Lot Coverage		22%
Driveway / Asphalt Area		11.3%
Landscaped Area		66.7%
FSI		0.68
Storeys		4
Building Heights (m)		18.25
Hotel Gross Floor Area (m <sup>2</sup> )		11,194.63
Conference Rooms Gross Floor Area (m <sup>2</sup> )		578
Restaurant Gross Floor Area (m <sup>2</sup> )		775
Spa (m <sup>2</sup> )		251
Hotel Rooms		129
Parking		197*
At Grade Parking		8
Below Grade Parking		189

*\* Additional parking spaces beyond the proposed minimum parking requirement are proposed – the final number of parking spaces is subject to change through more detailed study as part of the future Site Plan Application process.*



### 3.2 Existing Official Plan

The subject site is currently designated Open Space & Community Facilities in the Land Use Schedule of the Official Plan, as shown on **Figure 6**.



**Figure 6: Niagara-on-the-Lake Official Plan Land Use Schedule**

An amendment to the Official Plan is required to redesignate the subject site from Open Space & Community Facilities to General Commercial with the following site-specific amendments outlined in **Table 2**, to implement the proposed development. A draft Official Plan Amendment is included in **Appendix A** of this report.



Table 2: Secondary Plan Requirements and Amendments		
	Permitted	Proposed
<b>Uses</b>	Retail Commercial Business Offices Accessory uses Service shops	Hotel; Spa; Banquet and Conference Facilities; Restaurant; Complimentary uses
<b>Building Location</b>	N/A	Oriented towards King Street
<b>Access</b>	N/A	Main Access provided from King Street; Loading Access Provided from Gage Street and Centre Street

### 3.4 Existing Zoning

The subject site is currently zoned Institutional (I) By Zoning By-law 4316-09 (refer to **Figure 7**), which permits a range of institutional uses from a school to a nursing home.

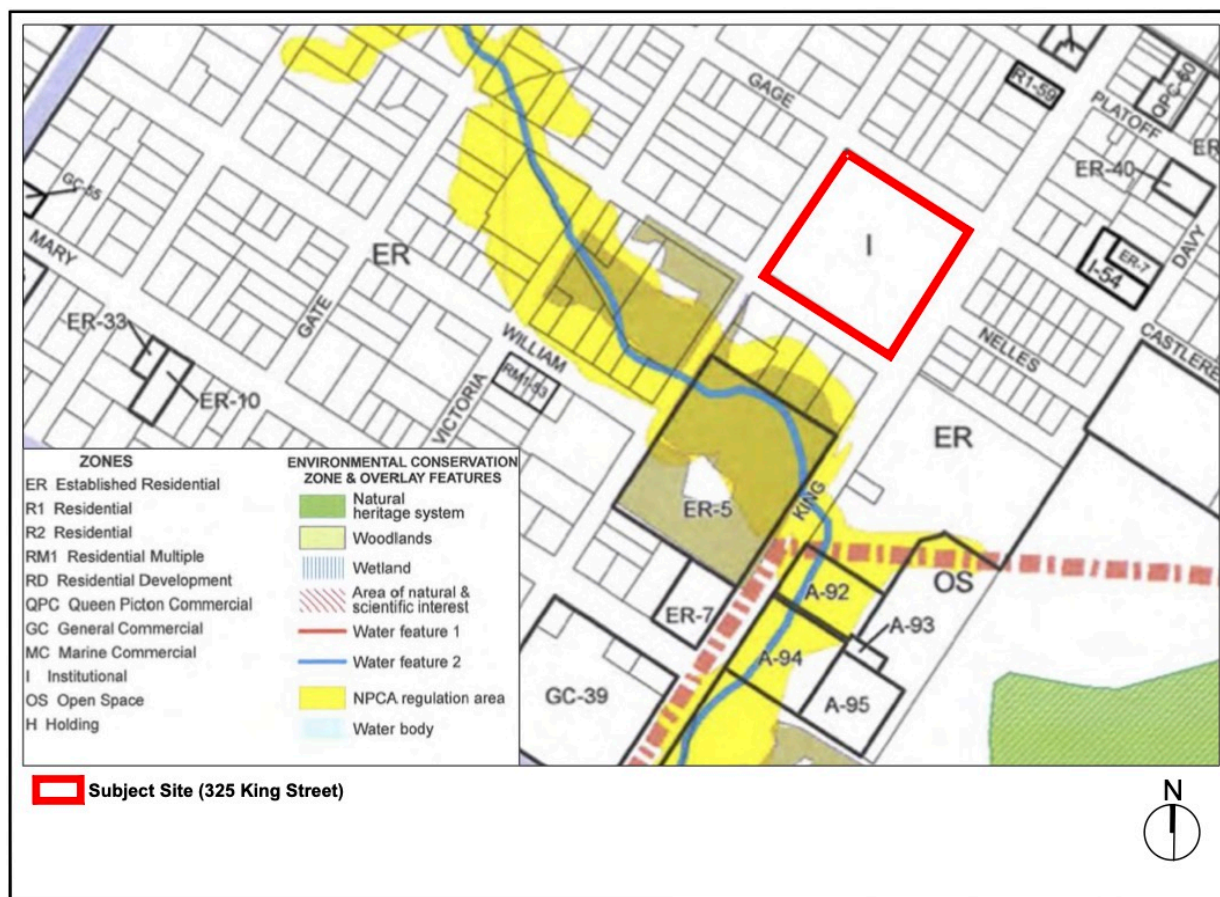


Figure 7: Zoning By-law 4316-09

A Zoning By-law Amendment is required to rezone the subject site to General Commercial Exception (GC-X) Zone, including but not limited to the following specific amendments, outlined in **Table 3**. A draft Zoning By-law Amendment is included in **Appendix B** of this report.

<b>Table 3: Zoning By-law 4316-09 Standards and Proposed Amendments</b>		
	<b>GC Permitted *1</b>	<b>Proposed</b>
<b>Permitted Uses</b>	Retail Service Establishment Restaurant Outdoor patio Theatre Business or professional office Hotel Private club Tavern Art, craft or photography studio Bake Shop Personal Service Shop	Hotel; Restaurant; Outdoor patio; Personal service establishment (secondary use); Conference Centre; Banquet facilities; Spa; Retail (secondary use)
<b>Min Lot Frontage</b>	15 metres	125 metres
<b>Min Lot Area</b>	464 m <sup>2</sup>	16,000 m <sup>2</sup>
<b>Max Lot Coverage</b>	50%	25%
<b>Min Landscape Area</b>	20%	60%
<b>Min Front Yard Setback</b>	4.5 metres	25 metres
<b>Min Exterior Side Yard Setbacks</b>	4.5 metres	20 metres
<b>Min Rear Yard Setback</b>	7.5 metres	45 metres



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<b>Max Building Height</b>	10.5 metres	19
<b>Notes</b> *1 – summary of permitted uses		

## 4.0 Current and Emerging Policy Framework



### 4.1 Regional Official Plan

The Region of Niagara undertook a Municipal Comprehensive Review (MCR) to bring the Regional Official Plan into conformity with the Growth Plan by July 1<sup>st</sup>, 2022. The New Regional Official Plan provides a 2051 planning horizon contained within Provincial policies. The Regional policies address key focus areas, including:

- Agriculture and rural systems;
- Climate change;
- Growth management;
- Housing;
- Major transit station areas;
- Provincial Greenbelt Plan;
- Settlement area boundary expansions;
- Transportation;
- Water resources; and
- Other supporting policies.

The Minister approved the Niagara Region Official Plan on November 4, 2022, with amendments, making it the in-effect Regional Official Plan. The Regional Official Plan identifies the subject site as being within the Delineated Built-Up Area of the Old Town Settlement Area within Niagara-on-the-Lake, as shown on **Figure 8**.



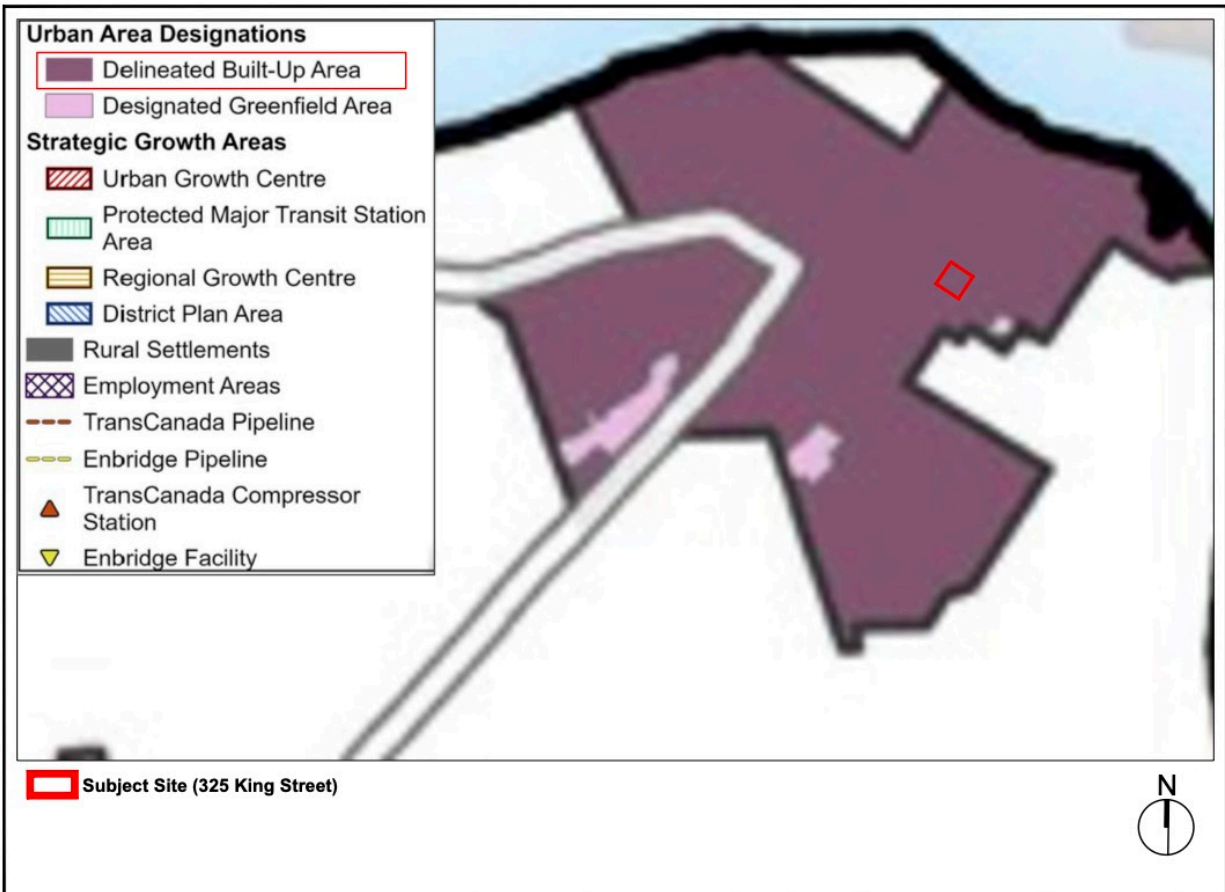


Figure 8: Regional Structure

## 4.2 Existing Official Plan Designation

Niagara-on-the-Lake's Official Plan (OP) was adopted by City Council in 1989 and has been amended to maintain its consistency and conformity with Provincial and Regional policies. The latest amendment to the Official Plan was in July 2017. The OP designates the subject site as Open Space & Community Facilities on the Land Use Schedule of the Official Plan, as shown on **Figure 9**, and identifies the site as being within the Built-up Area, refer to **Figure 10**.

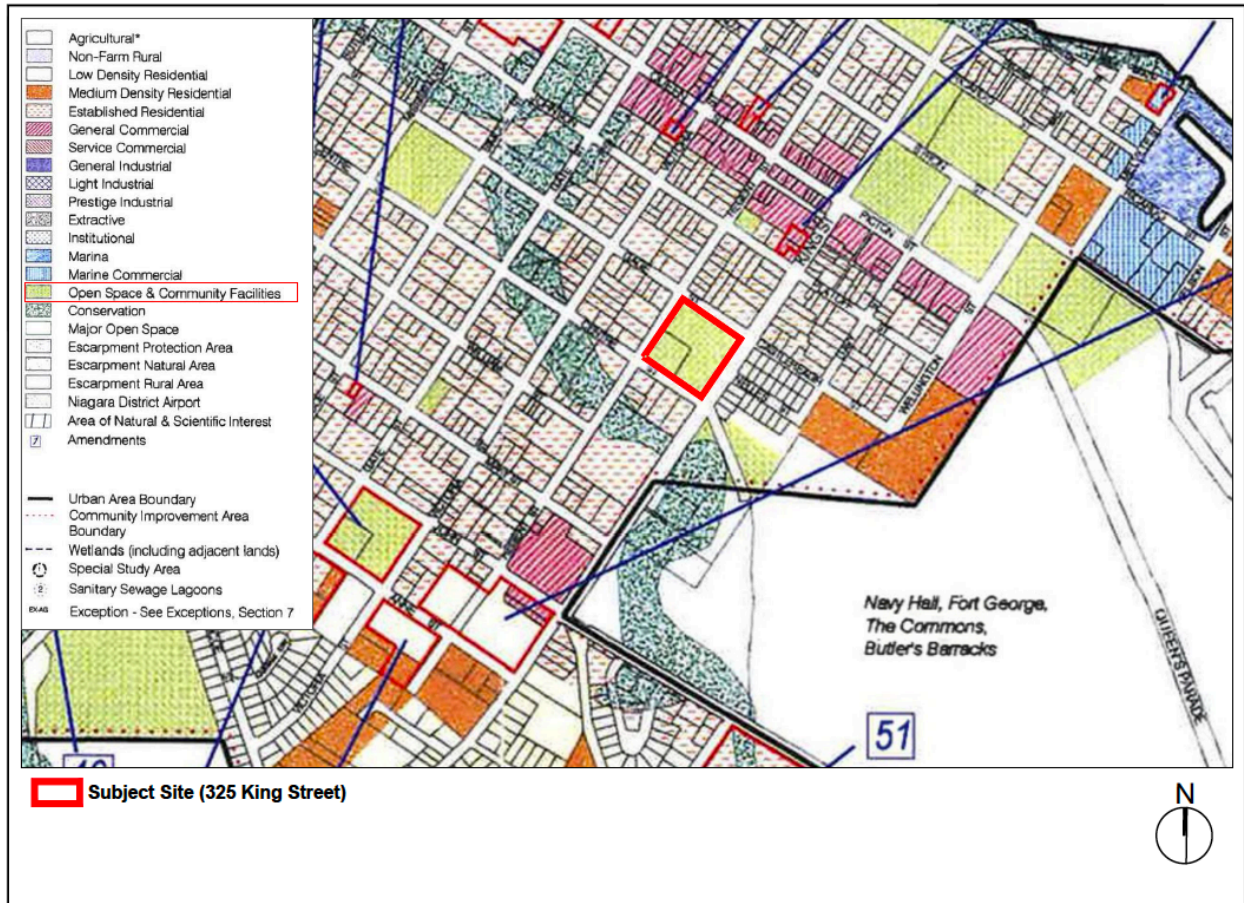


Figure 9: Niagara-on-the-Lake Official Plan Land Use Schedule





Figure 10: Niagara-on-the-Lake Official Plan Schedule I-1

### 4.3 Council Adopted Official Plan Designation

The Town has prepared a new Official Plan to conform to Provincial policies and Regional Official Plan. Town Council adopted the new Official Plan on October 22, 2019, however, the new Official Plan has not yet been approved by the Region, and is not in effect. It does, however, provide a general vision for the Town. The Council adopted Official Plan designates the subject site as Community Facilities, reflecting an evolved vision from the current Open Space & Community Facilities designation of the subject site to permit a broader range of uses, as shown on **Figure 11**.

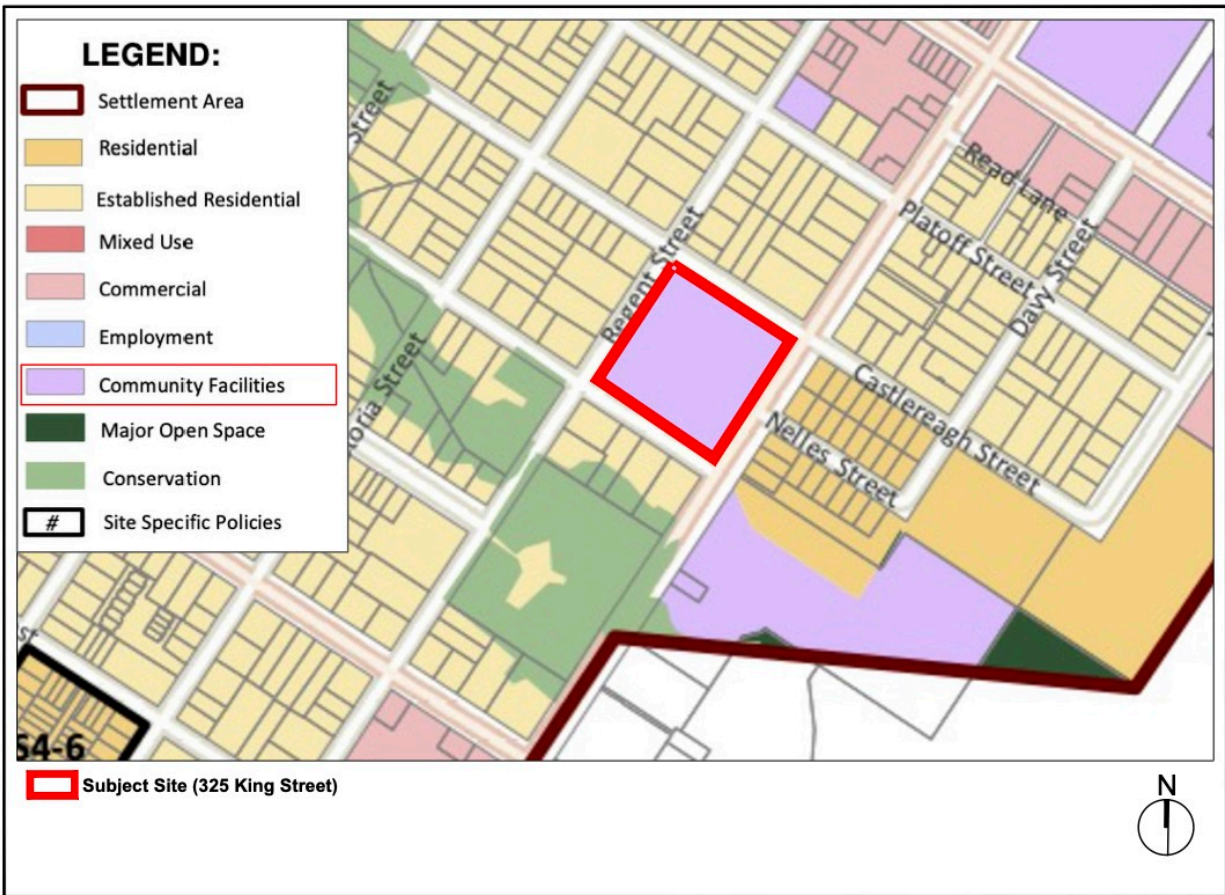


Figure 11: Niagara-on-the-Lake Council Adopted Official Plan Land Use Plan (Not In-Effect)



## 5.0 Development Rationale Basis / Supporting Studies



This section provides a summary of the supporting studies prepared in support of the application, identified as required to be submitted by the Town through the Town's pre-application consultation process. The summaries in this section of the report demonstrate that the proposal is consistent with and conforms to the policies identified above and is appropriate and compatible with the evolving neighbourhood surrounding the subject sites in relation to tree preservation, heritage, servicing and parking.

### **Arborist Report / Tree Inventory**

To better understand the impacts of the proposed development and how to mitigate any impacts on existing tree coverage, an Arborist and Tree Inventory Plan was prepared by Stantec and Buchanan Expert Tree Care Inc. dated February 2, 2023. The purpose of the report was to create an inventory of tree resources on the subject site. The report identified a total of 46 trees and 1 dead tree. The report also assessed the Red Oak tree, which will be preserved, noting it is likely over 300 years old, but the tree is in a state of decline due to its age and environmental factors, but will live slightly longer with some care.

### **Cultural Heritage Impact Assessment**

A Heritage Impact Assessment was prepared by Stantec, dated February 3, 2023, to assess the cultural heritage impact of the proposed development. The report noted the property contains cultural heritage value or interest based on Ontario Regulation 9/06.

As a result of proposed redevelopment, mitigation measures are required to conserve the heritage resources present on the subject site. Impacts are not anticipated with respect to shadows, obstruction of views, isolation of a heritage resources, or from the change in land use. The shadows from the proposed development will not alter the appearance of the identified heritage attributes of the area, and there were no significant views or contextual attributes identified in the surrounding area.

The following mitigation measures are recommended in the assessment:

- The preparation of design guidelines for the proposed development in connection to Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada:
  - This would provide additional direction regarding the design and materiality of the of the proposed development to ensure a compatible relationship between the proposed development and the surrounding area;
- The completion of documentation and salvage activities prior to the demolition of the building:

- The report notes some materials warrant salvage and reinstatement, such as the 2 bas-relief panels designed by John B. Shawe, the large format stone oak tree panel, the 1915 Parliament Oak stone tree-marker and the art installation to commemorate the underground railroad; and
- The preparation of a Commemoration Plan to commemorate the history of the subject site:
  - This would provide additional details for integrating the salvaged elements into the proposed development.

For additional details regarding the mitigation measures please refer to the full report.

### **Shadow Impact Study**

A shadow impact study was prepared by Peter J. Lesdow architect dated January 2023, to evaluate how the proposed development fits into the surrounding area and maintains sunlight on both the public realm and adjacent properties. When considering a taller building in the surrounding context, overshadowing is considered an important measure for offsite impacts and compatibility. In particular, the analysis included a sun and shadow test on June 21, and September 21, at various times throughout the day. Particular emphasis was placed on the equinox shadow condition since they represent average conditions.

The analysis found:

- The proposed shadows do not impact the public realm along King Street, Centre Street, Gage Street and Regent Street;
- The proposed shadows do not reach adjacent properties;
- The proposed POPS has a reasonable balance of sun and shade throughout the year; and
- The proposed development with its footprint in the center of the site helps contains its shadow within the subject site.

### **Servicing Brief**

A Site Servicing and Stormwater Management Brief was prepared by R.V. Anderson Associates Ltd., dated February 2023, to evaluate the appropriateness with respect to the existing municipal services and utilities. The Brief noted there is a 300mm watermain on King Street as well as a 150mm watermain on Centre Street, Gage Street, and Regent Street. Based on the estimated water demand created by the proposed development, the brief anticipates a new single 150mm water service will be required to connect to the 150mm along Gage Street. With respect to sanitary services, there is a 450mm sanitary sewer on King Street and Gage Street, as well as a 200mm sanitary sewer on Centre Street and Regent Street. Based on the estimated sanitary demand the Brief anticipates a new 150mm sanitary sewer connecting to the existing sanitary line on Gage Street. The site is able to be serviced and connected to the Town's existing water and wastewater services.



As a result of the large amounts of landscaping, no stormwater treatment is proposed for those areas, whereas the paved area will be supported by with a storm service with a 150 mm connection go the existing storm sewer along Gage Street (to be confirmed and detailed at the Site Plan stage of development).

### **Parking Memorandum**

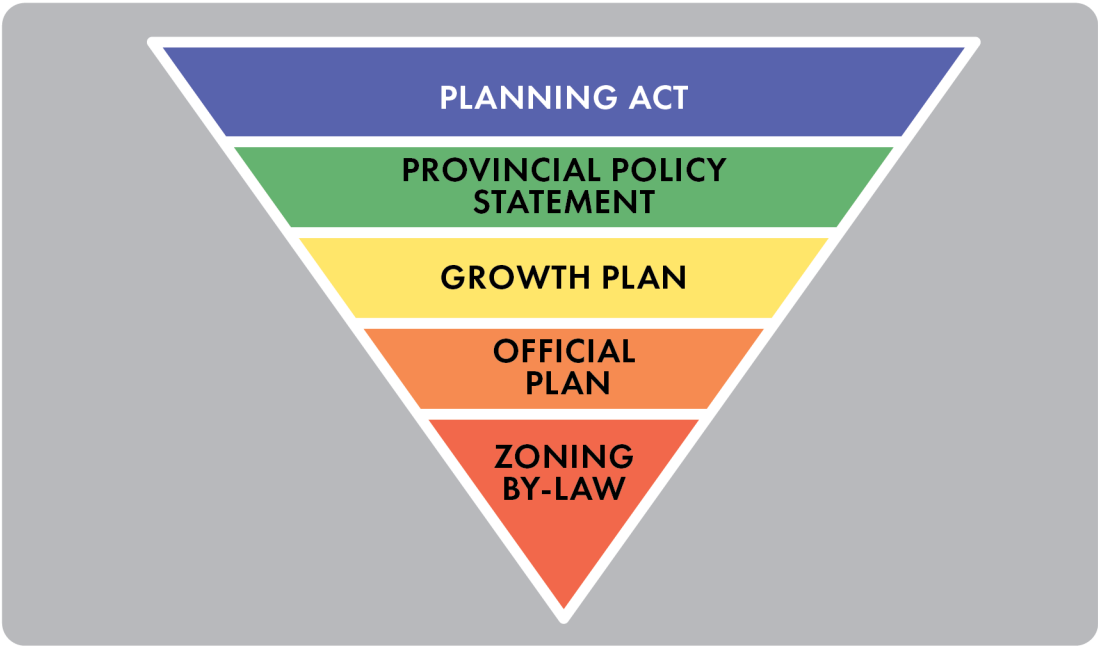
A Memorandum was prepared by R.V. Anderson Associates Ltd., dated February 2023, to evaluate the appropriateness of the proposed parking spaces for the proposed development. The Parking Brief identifies the number of parking spaces that would be required per the current Zoning By-law, which exceeds 260 spaces, whereas the proposed development contemplates 197 parking spaces (subject to refinement during the Site Plan Approval process). The Memorandum discusses that the parking standards contained in the Towns Zoning By-law are not reflective of current best practices. Other municipalities that have new Zoning By-laws contain lower parking standards, and the Memorandum describes that the proposed development and parking rate falls within an acceptable range as informed by these best practices. Based on this analysis, as well as the site's proximity to Downtown Old Town, the Memorandum concludes that the proposed number of parking spaces is appropriate, and that a minimum of 168 parking spaces would be justified. As such the proposed zoning by-law amendment proposes a minimum of 168 parking spaces.

## 7.0 Policy Analysis



This section of the report summarizes the current policy framework and assesses the appropriateness of the proposed development, including relevant planning policies at the Provincial, Regional and municipal levels.

Provincial policies generally provide a high-level direction related to land use with municipal planning documents providing the greatest level of detail related to land use (refer to **Figure 11**). This section specifically addresses the proposed development’s consistency with the Provincial Policy Statement 2020 (PPS) as well as conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020 (Growth Plan), the Region of Niagara Official Plan 2022 (ROP), as well as addressing how the proposal meets the intent of the in-effect Niagara-on-the-Lake Official Plan (OP) in the context of the proposed Official Plan Amendment to redesignate the lands to permit the proposed hotel use.



**Figure 12: Ontario Land Use Framework**

The Land Use Policy Framework that applies to the proposal is shown on **Figure 12** and set out below:

- The PPS sets out high-level policy direction for planning across Ontario, related to growth, protecting the environment and public health;



- The Growth Plan provides more detailed policies for the Greater Golden Horseshoe, which includes Niagara-on-the-Lake, related to land uses and managing growth;
- The ROP provides high-level policies directing population and employment growth in the Region's local municipalities, as well as providing growth allocations to the local municipalities;
  - The ROP identifies the subject site as being within the Delineated built-up Area, shown on **Figure 8**.
- The OP provides policy direction for land uses across the Town, as well as providing guidance for infrastructure;
  - The subject site is currently designated Open Space and Community Facilities, as shown on **Figure 9**, reflecting the nature of the subject site as it once existed when there was an operating school on the lands. The school has been closed for quite some time, and a new vision for the site is merited.
  - The subject site is within the Built-up Area of the Town, as shown on **Figure 10**.

The local OP policies are required to be consistent with the PPS and conform to the Growth Plan and the ROP. In this instance, the in-effect Niagara-on-the-Lake OP will not be consistent with and in conformity with the Provincial and Regional policies in their entirety, as the OP pre-dates the latest Provincial and Regional policy documents. The Town will be required to bring their Official Plan into conformity with the ROP and Provincial policies. However, the proposed development, which includes an amendment to the Town's Official Plan, has been evaluated in the context of being in conformity with and consistent with the intent of the Town's current Official Plan as well as the Town's adopted Official Plan, as well as conformity and consistency with Regional and Provincial policy documents. To minimize duplication of policy discussions amongst the four levels of policy, the policy analysis is assessed under the following themes:

- Town and Regional Structure;
- Complete Communities;
- Economic Competitiveness;
- Built Form Compatibility;
- Public Realm;
- Heritage and Cultural Heritage Resources;
- Climate Change and Sustainability; and
- Efficient Use of Infrastructure.

## 7.1 Town and Regional Structure

The ROP's Regional Structure, as shown on **Figure 8**, identifies the subject site as being within the Delineated Built-Up Area of the Old Town settlement area of Niagara-on-the-Lake. The ROP directs that most development will occur in urban areas supported by municipal water and wastewater, which includes Old Town (ROP 2.2).

With respect to managing growth, the ROP provides that growth in urban areas will be in a compact form, support a vibrant public realm, facilitate a mix of land uses including employment, encourage opportunities for infill including greyfield sites as well support the integration of gentle density that considers the surrounding character (2.2.1.1). The ROP also sets out a 2051 population and employment forecast for each Local Area municipality, with Niagara-on-the-Lake anticipated to accommodate 17,610 jobs by 2051, as shown on **Figure 13**.

<b>Municipality</b>	<b>Population</b>	<b>Employment</b>
Fort Erie	48,050	18,430
Grimsby	37,000	14,960
Lincoln	45,660	15,220
Niagara Falls	141,650	58,110
<b>Niagara-on-the-Lake</b>	<b>28,900</b>	<b>17,610</b>
Pelham	28,830	7,140
Port Colborne	23,230	7,550
St. Catharines	171,890	79,350
Thorold	39,690	12,510
Wainfleet	7,730	1,830
Welland	83,000	28,790
West Lincoln	38,370	10,480
<b>Niagara Region</b>	<b>694,000</b>	<b>272,000</b>

**Figure 13: Extract of Table 2-1 2051 Forecasts by Local Area Municipality From the ROP**

The Niagara-on-the-Lake OP (both the existing and adopted versions) also identifies the subject site as being within an Urban Area and Built-up Area, as shown on **Figures 9, 10 and 11**. The OP notes that development will be concentrated in the Urban Area with a mix of land uses and that growth within the built-up area will count towards the Town’s intensification target and forecasts (OP Section 2). Though the OP’s forecast reflects a 2031 planning horizon, the draft OP when approved will conform to the population forecasts contained in Table 2-1 of the ROP, **Figure 13**.

**Consistency / Conformity**

The subject site is located within the Town’s Old Town Urban Area and within the Built-up Area, which the ROP and OP recognize as areas intended to accommodate growth. Both the ROP and OP seek to encourage a mix of uses in these areas with a compact built form including infill of existing greyfield sites.

The subject site can be considered an existing greyfield site, an underutilized previously developed site within the Built-up Area, reinforcing that the subject site is earmarked for accommodating growth in the Town.



With the respect to built form, the proposed 4-storey hotel building represents a compact built form, with a small site coverage under 22% enabling a large portion of the lands to be landscaped and maintained as open space. While the site is proposed to be redesignated to the General Commercial designation, the intent of the Official Plan is maintained with respect to land use compatibility and design, and the provision of publicly accessible open spaces.

As outlined in the ROP growth projections (refer to **Figure 13**), Niagara-on-the-Lake is anticipated to accommodate 17,610 jobs by 2051. The proposed development will introduce new jobs within the Town through a form of gentle intensification, compatible with surrounding uses and built form, assisting the Town in reaching these targets. With the focus of Provincial, Regional and Town policies on accommodating growth in the urban areas, specifically within the built-up area supported by existing services, the proposed development meets the intent of the Regional and Town structure, while introducing a hotel use with supporting community benefits.

## 7.2 Complete Communities

Provincial policies set out a vision for complete communities with access to transit networks, supported by sustainable modes of travel, recreational opportunities, and access to daily needs. Both the PPS and Growth Plan provide policy direction for enhancing access to walkable employment opportunities, retail, park and services for residents to support a healthy lifestyle (PPS 1.1.1 and GP 1.1.3.6). In facilitating the creation of complete communities where residents can live, work, and play, the communities should include a mix of uses, including employment opportunities (GP 2.2.1.4, ROP 4.5.2.1).

Consistent with the Provincial policy direction, the ROP provides policy direction for promoting a mix of land uses in communities that can shorten commute times, as well as the introduction of open space to create healthy complete communities (ROP 3.5.3.1 a) ii.) and 5.3.1.1). The OP also directs growth in the Town to support the creation of complete communities through:

- Introducing a diverse mix of land uses;
  - A range of local employment opportunities and housing types;
  - High-quality public open spaces; and
  - Easy access to local stores and services via automobiles and active transportation.
- (OP 3.2)

### **Consistency / Conformity:**

The proposed development is consistent with and conforms to the complete community policies by proposing a hotel use supported by a large privately owned and publicly accessible open space, within a walkable area close to numerous Town amenities. A key component of creating a complete community

where residents can live, work, and play is the introduction of employment opportunities, especially those that are accessible by active transportation. As noted in Section 2 of this report, the subject site is located in close proximity to the Town's walkable Downtown, making the subject site and the proposed development centrally located in the Town. As such, the proposed hotel and supporting restaurant use will introduce new local employment opportunities within the heart of the Town, contributing to a mix of uses that are easily accessed by workers at the proposed hotel, as well as by tourists visiting the Town. In addition, the proposed development will contribute to the public realm by activating the King Street frontage through the positioning of the proposed building, as well as the introduction of large landscaped open space area at the rear of the site, providing for new passive recreational opportunities for the community.

### **7.3 Economic Competitiveness**

Section 4.5 of the ROP provides land use goals for supporting the economic prosperity of Niagara Region. The policies and goals of Section 4.5 of the ROP seek to support opportunities for attracting new employment investments that further diversify the Region's economic base, while providing the necessary infrastructure (ROP 4.5) to support business. Provincial policies also direct that land use planning and economic development should use strategies to further attract investment and employment (GGH 2.2.5.1d). Integrating and aligning land use planning and economic development will retain and attract investment and employment. Efficient development and land use patterns will also sustain the financial well-being of the area over the long-term minimizing land consumption and servicing (PPS 1.1.1.a).

The OP also encourages the introduction of hotel uses within the community that can serve the broader community and municipality in appropriate locations that support employment and tourism uses (OP 2.2 and 2.3 d)).

#### **Consistency and Conformity**

The proposed development which includes hotel, conference, restaurant and spa uses supports and is consistent with the policies promoting economic development and tourism within the Town and the Region, creating new economic investments in the Town and further diversifying the Region's economic base. The siting of the proposed hotel on the subject site also represents an efficient land use pattern while preserving the cultural heritage features on the subject site and providing a new publicly accessible landscaped open space area. Further, the Town's OP encourages the introduction of new hospitality and retail uses such as hotels and restaurants in appropriate locations. With the subject site's proximity to the Downtown, and being within a vibrant community with numerous businesses, including wineries, that attract tourists year-round, the proposed development is strategically located to further enhance the tourism economy. As discussed in greater detail in the Built Form compatibility sub-section of this report, the proposed



development has been designed to complement the existing neighbourhood through the articulation of the building and materiality as well as to minimize any adverse impacts to surrounding streets and properties through setbacks, separation distances and landscaping. With a policy focus in the OP of supporting a resilient economy and supporting hospitality uses in appropriate locations, the proposed Official Plan Amendment conforms with Regional, Provincial and Town policies, while also meeting the general vision of the Town's Adopted OP.

## 7.4 Built Form Compatibility

The OP contains a number of policies to guide the location, type and form of development within the Town. Section 6 of the OP contains general development policies applicable to various types of development on a Town-wide basis. According to Section 6.4, the Town's "low-rise character should be maintained". This policy applies across the Town and is not limited to Old Town.

### **Conformity:**

The Town's "low-rise character" will be maintained through this proposal. The hotel is proposed to be 4-storeys in height, located along the King Street frontage and centred on the lands (refer to **Figures 3 and 4**). Although the OP generally limits heights to 11 metres, there are instances in the town of 4-storey buildings such as the Queen's Landing hotel, as seen from the rear (**Photo 12**). Further, the proposed hotel has been positioned and sited on the subject site in a manner to reduce its impact, by providing generous rear, side and front yard setbacks, large amounts of landscaping and articulated façades.

As noted, the size of the property and the setbacks of the hotel from the property lines mitigate any potential impacts associated with the proposed height. The hotel is proposed to be situated in the centre of the subject property, with setbacks of approximately 23 metres and 24 metres from the south and north property lines respectively. The building is proposed to be located on a portion of the property with minimal mature vegetation, surrounded by mature vegetation and new landscaping to act as a visual buffer to neighbouring properties.

As indicated in the Shadow Study prepared by Peter J. Lesdow Architect, described earlier in this report, shadows cast by the proposed hotel building will not generate any adverse impacts on the surrounding residential properties. While the proposed building may be taller than other buildings in the immediate area, the context in which the building will be situated (generous setbacks and vegetated buffers) will mitigate the impacts of the additional height, and shadows will be contained on the site.

As described previously, the combination of the use of setbacks, the placement of the building, the presence of existing mature landscaping, and proposed new landscaping creates a compatible building with the surrounding neighbourhood.

## 7.5 Public Realm

A vital component of creating livable, vibrant complete communities is the design of buildings and how the buildings interact with the public realm. A key policy direction interwoven through Provincial, Regional, and municipal policies is the creation of high-quality compact built forms that are compatible with and interact with the pedestrian realm (PPS 1.1.3.6 and OP 1.2). The ROP also directs that buildings should be well designed, with high-quality streetscapes that fit well with established neighbourhood character and strengthen the community's identity and diversity (6.2.1.8. d)). A similar direction can be found in the OP that seeks to ensure infill enhances the character of Old Town (OP 1 Purpose of this Plan). Key policy directions related to the public realm for the development of non-residential uses contained in the OP include:

- Yards greater than the minimum;
- Planting strips, screening, and fences;
- Deflecting lighting; and
- Limiting parking (OP 6.7).

### **Consistency / Conformity:**

The proposed hotel has been oriented towards King Street with the porte cochere located approximately in line with the front walls of dwellings on adjacent neighbouring properties creating a consistent front yard setback along King Street. The King Street frontage has been designed at a pedestrian scale through a 4-storey building setback 26 metres from the front yard, which preserves the existing landscaping, and allows the introduction of additional soft landscaping creating a comfortable public realm, and minimizes the visual impact of the 4-storey height.

With respect to access, the primary driveway accesses are along the King Street frontage, which is identified as a Regional Road by the OP, away from the local streets and mitigating the traffic flows in the surrounding neighbourhood. Parking is provided underground, and allows for large amounts of landscaping and fewer paved areas at ground level. The two small surface parking lots for temporary parking, north and south of the porte cochere, are screened through landscaping, conforming to the direction of the OP. Similarly, servicing, loading and garbage collection is addressed at the interior of the site along Centre Street and Gage Street away from the main entrances along King Street, and are proposed to be screened with extensive landscaping.

Further, the building placement, orientation and height enable the rear portion of the site to be preserved as a publicly accessible private open space area, which the public and visitors can enjoy. This space is envisioned to be heavily landscaped with terraces at grade, monuments, paver stones, seating, and heritage features such as the plaques will be relocated here for the public to enjoy.



The combination of building orientation, setbacks, preservation of heritage features, landscaping, and open space create a pedestrian-friendly environment for walking and passive recreational opportunities. Further, the introduction of a restaurant with terraces at the grade overlooking the landscaped open space area will encourage spillover into the public realm, further animating the space and encouraging interactions between the public and private realms (refer to **Figure 5**).

From a design perspective, the proposal embodies a unique architectural design that respects and reinforces the character of Old Town and will be an attractive addition to the Town (refer to **Figure 3**). The proposed development will contribute to the economic growth of the Town while enhancing the King Street public realm and introducing a new open space for the community.

## 7.5 Heritage and Cultural Resources

Section 2.6 of the PPS contains policies on Cultural Heritage and Archaeology, requiring the conservation of built heritage resources and significant cultural heritage landscapes (Section 2.6.1). Further, the PPS restricts development on lands containing archaeological resources, unless those resources have been conserved (Section 2.6.2). The Growth Plan provides similar direction in Section 4.2 directing the protection of what is valuable, including cultural heritage resources. The ROP directs that significant cultural heritage resources shall be conserved in order to foster a sense of place and benefit communities (6.5.1.1). Development and site alteration of sites containing cultural heritage resources are permitted where an impact assessment has evaluated the proposal and demonstrated that the heritage attributes will be preserved (ROP 6.5.1.5).

Echoing Provincial and Regional direction, Section 2.6 of the Town's OP provides guidance for Preserving Cultural Heritage features, through strengthen the character of the village, and ensuring new development does not adversely impact the cultural heritage features (OP 18.2 (1) and (2))

### **Consistency:**

The Provincial direction for protecting archaeological resources has been appropriately addressed as demonstrated in the Ministry's clearance letter and Archaeological Assessment that was submitted as part of the previous application for residential uses on the subject site, which the Region approved.

A Cultural Heritage Impact Assessment prepared by Stantec was submitted in support of the application. According to the assessment, the proposed development is sensitive to the significant heritage resources on the property through the proposed preservations of the features including the plaques, obelisk, surveying stones and an oak tree. The assessment also describes the proposal in the context of the cultural heritage landscape, and the assessment concludes that the hotel building has been situated and designed in such a way to fit in with and complement the existing building styles of the neighbourhood. The

assessment also concludes that the cultural heritage landscape will be maintained since the oak tree along the King Street frontage (see **Photo 2**), will be preserved in recognition of the cultural heritage of the subject site. In addition, the assessment concludes that the proposal includes a good adaptive reuse of features such as the existing plaques within the open space and landscape areas, resulting in minimal impact and preserving the features appropriately. The assessment includes mitigation and conservation recommendations to ensure the appropriate preservation.

Therefore, the proposed development carefully responds to the existing cultural heritage features on the subject site by preserving the features on the lands and providing new publicly accessible open space that celebrates the land's historical significance.

## 7.6 Climate Change and Sustainability

Provincial policy has shifted its approach to climate change from simply mitigation to also preparing for the impacts of climate change (PPS 1.1.1 j) & 1.1.3.2 d)). A key direction in mitigating climate change is supporting a change in travel behaviour to sustainable modes of transportation such as cycling and transit that can reduce emissions (PPS 1.1.1). In facilitating changes in travel behaviour, the policy framework encourages employment opportunities in complete communities to reduce the need for long-distance commuting and decreasing transportation congestion (PPS 1.8.1 e), GP 2.2.1.2 c, ROP 5.1.2 & 5.1.4.3).

The Niagara-on-the-Lake OP provides a sustainable community structure, that promotes modest growth that supports opportunities for residents to live, work and shop in the village (OP, 6A.1, 6A.2.3, 9.1)

### **Consistency / Conformity:**

The subject site is located in close proximity to the Town's transit services and within a service area of the Town's Rideshare program, which supplements the transit service providing connections to local and Regional transit hubs as well as shopping destinations. The lands are also located in close proximity to parks, shopping and community services, thereby reducing dependence on the automobile. Further, the proposal will result in additional jobs within the Old Town community for local residents, again reducing dependence on the automobile in support of the Growth Plan's climate change policies. This in turn creates opportunities for shorter commutes which can reduce CO2 emissions. Tourists visiting the hotel will also be able to walk and/or cycle to many destinations within Town, without relying on the use of an automobile.

As discussed in Section 2 of this report, the subject site is in close proximity to Queen Street, the Town's Downtown, with a variety of retail, and commercial amenities including banks and grocery stores within a short walking distance.

The Town's Downtown is located approximately a 5-minute walk north, contributing to the 15-minute walkable community concept.

With the Town already functioning as a vibrant community, the proposed hotel will further contribute to the Town's growth in a manner that supports a complete community with the introduction of new jobs within walking distance, and a new option for the accommodation of tourists. With a focus on mitigating climate change impacts through reducing automobile dependence, the subject site remains one of the few remaining sites of this size within the Built-up Area that can be redeveloped to support new employment opportunities within a walkable area of the Town.

## 7.7 Efficient use of Infrastructure

A vital component interwoven throughout the policy framework is ensuring the necessary infrastructure is or will be available to meet growth (PPS 1.1.1, GP 1.2.1). This policy direction is supported by promoting the efficient use and optimization of existing infrastructure including sewer and water services (PPS 1.6.6, ROP 5.2, ROP 5.2.1.5). The Town's OP directs development to lands within the Built-up Area, such as the subject site, to utilize existing municipal services (OP 6.30). Infrastructure is also to be provided in a manner that promotes water conservation, is financially viability over the lifecycle of the infrastructure, protects human and environmental health, integration of services, and the use of existing infrastructure (PPS 1.6.6).

### **Consistency / Conformity:**

The subject site is located in fully serviced settlement areas per the Region's Master Servicing Plan and will utilize both existing local sewer and water services along King Street. The capacity, if upgrades are required, will be investigated as part of the Functional Servicing Report and Storm Water Management Report submitted at the Site Plan stage.

The availability of existing infrastructure along King Street promotes the use of infrastructure that is financially viable over the lifecycle of the infrastructure. Moreover, during the Site Plan application stage, opportunities will be investigated, as required, to incorporate stormwater management strategies to ensure there are no adverse impacts of the proposal on the infrastructure services in the area. Overall, the proposed hotel represents an efficient use of land as well as existing infrastructure.



## 8.0 Conclusion



For the reasons set out in this report, informed by the supporting plans, reports and studies, the proposed development is appropriate and represents good planning. The proposed development is consistent with the PPS and conforms to the Growth Plan, the ROP, the Town's Official Plan and the intent of the Town's Adopted Official Plan.

The proposed 4-storey hotel contributes to the provision of a mix of uses and supports the growth of a robust economy in the Town. While the proposed height is higher than currently permitted within the General Commercial Zone, the additional height is warranted as the subject site is located along a Regional Arterial along the periphery of a neighbourhood, and the proposed building is situated in a manner designed to minimize and mitigate any adverse impacts on adjacent properties. The proposed development is designed with generous side yard setbacks on all sides to the adjacent residential neighbourhood providing appropriate separation mitigation of any potential shadow impacts. In addition, the proposal can be accommodated within the existing and planned transportation and infrastructure systems. As such, the proposal is compatible with the adjacent area, promotes economic growth, supports the tourism sector, and provides new job opportunities within an emerging complete community while representing an optimization of infrastructure.

The proposed development is consistent with the Provincial and Regional policy framework that seeks to direct new economic growth in built-up urban areas while ensuring that built form of development is compatible with adjacent uses. The proposal represents good planning and is in the public interest.

## Appendix A Draft Official Plan Amendment



**DRAFT**  
**THE CORPORATION**  
**OF THE**  
**TOWN OF NIAGARA-ON-THE-LAKE**  
**NO. XX-23**  
**OFFICIAL PLAN AMENDMENT**  
**325 KING STREET**

The Council of the Corporation of the Town of Niagara-on-the-Lake, in accordance with the provisions of Section 17 of the Planning Act, hereby enacts as follows:

1. Amendment **No. XX** of the Town of Niagara-on-the-Lake Official Plan, consisting of the attached explanatory text is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
**LORD MAYOR**

\_\_\_\_\_  
**TOWN CLERK**

Certified that the above is a true copy of By-law **No. XX** as enacted and passed by the Council of the Town of Niagara-on-the-Lake.

\_\_\_\_\_  
**TOWN OF NIAGARA-ON-THE-LAKE**



PART A – THE PREAMBLE –

This part does not constitute part of this Amendment.

PART B – THE AMENDMENT –

This part consists of text and schedule, which constitutes Official Plan Amendment No. XX to the Town of Niagara-on-the-Lake Official Plan, approved on \_\_\_\_\_, 2023.

## PART A – THE PREAMBLE

The preamble does not constitute part of this Amendment.

### Purpose

The purpose of this Amendment is to re-designate approximately 1.65 ha (4.06 ac) of land bound by King Street, Centre Street, Regent Street, and Gage Street, in the Old Town Settlement Area, from Open Space & Community Facilities to General Commercial, subject to a site-specific exception. The lands to be re-designated form a full Town block, and are municipally addressed as 325 King Street (the “subject site”).

### Basis

The basis of this Amendment is as follows:

1. The Provincial Policy Statement sets the policy foundation for the development and use of land while protecting resources of provincial interest, public health and safety, as well as the natural and built environment.

The subject site is located within the Built-up Area of the Old Town settlement area within Niagara-on-the-Lake, an area already serviced. The subject site is also located along King Street, which is identified as a Regional Arterial at the periphery of a neighbourhood.

The proposal to develop the subject site with a four-storey hotel building represents a gentle form intensification that will result in an efficient use of land and existing services. The subject site is strategically located in an area with numerous amenities, retail and community services and will introduce new employment opportunities in the Town within a walkable area that will further strengthen the Town’s tourism economy.

2. The Growth Plan for the Greater Golden Horseshoe provides a policy framework for building strong prosperous communities. The Growth Plan sets out a long-term framework for how and where the Region of Niagara will grow with a growth horizon to the year 2051. The Growth Plan also provides policy guidance for supporting the development of complete communities, prioritizing growth in urban areas, and supporting a mix of uses.

The subject site is located within the Town’s Old Town Settlement Area and Built-up Area, where growth is to be directed. The proposed development of the subject site will further assist in the continued growth of a vibrant complete community within Niagara-on-the-Lake by providing

new employment and tourism opportunities in an area that is served by transit, and within walking distance of the Town's Downtown.

The proposed development represents gentle form of intensification of compact built form in a manner that minimizes impacts on adjacent properties.

3. The Niagara Region Official Plan, 2022, sets out high-level land uses, as well as direction with respect to agriculture and rural areas, climate change, growth management, housing, the Greenbelt, transportation, water resources, and other policies. The Niagara Region Official Plan, 2022, provides a planning horizon to the year 2051, with updated population and employment forecasts for the Town, as well as a new intensification target. The Niagara Region Official Plan, 2022, identifies the subject site as being within the Delineated Built-Up Area.

The proposed development consists of a 4-storey hotel with 129 rooms. The proposed hotel will introduce new employment opportunities within Town, assisting the Town in meeting the employment forecast.

4. The subject site is located along a Regional Arterial per the Official Plan, serviced by transit. The proposed development reflects the location benefits of being along an arterial at the periphery of a neighbourhood close to the Town's Downtown. The proposed General Commercial designation and proposed hotel development will introduce new employment opportunities and will further assist in the development of a vibrant community, support the growing tourism economy, and introduce a large new landscaped, privately-owned and publicly accessible open space.



## PART B – THE AMENDMENT

All of this part of the document entitled 'Part B – The Amendment' consisting of the following text and map changes constitutes Amendment No. XX to the Official Plan of the Town of Niagara-on-the-Lake.

### Details of the Amendment

1. That Schedule "B" Land Use Plan – Niagara / Old Town is amended by Schedule "1" attached hereto and forming part of this amendment, identifying the location of the lands to be redesignated from "Open Space & Community Facilities" to "General Commercial", and identified as being subject to Amendment No. **XX**.
2. That a new Section "10.3.9 General Commercial (Parliament Oak Inn)" be added to the Official Plan, as follows:

#### "10.3.9 General Commercial (Parliament Oak Inn)

1. In the General Commercial (Parliament Oak Inn) designation, the following land uses shall be permitted:

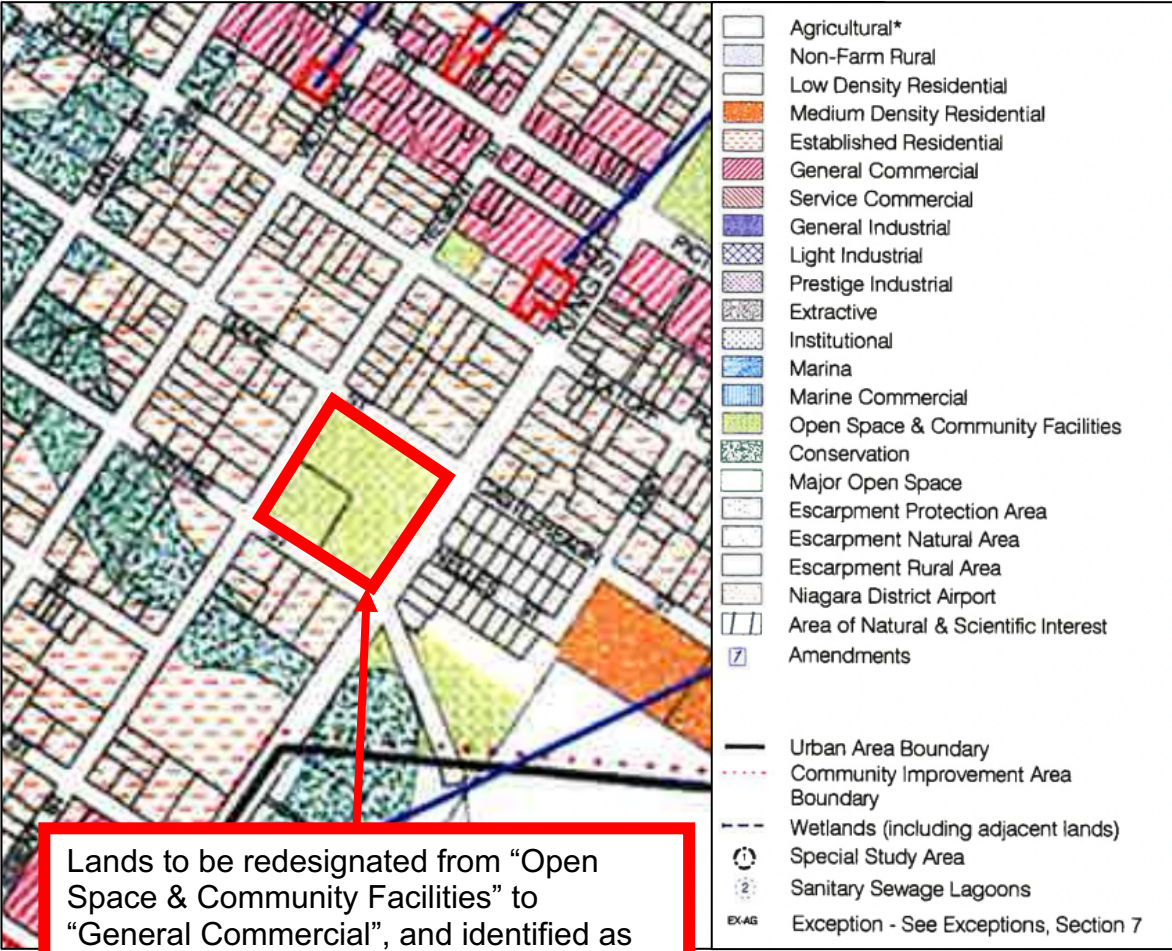
##### Main Uses:

- a) Hotel
- b) Spa
- c) Restaurant
- d) Banquet and Conference Facilities

##### Secondary Uses:

- a) Complimentary uses associated with the main Hotel use.
2. Retail uses that are not associated with the main Hotel use shall not be permitted.
  3. The main hotel building shall be sited and oriented towards King Street, and appropriate landscaping shall be provided around the property, to be detailed at Site Plan approval stage.
  4. Access to any driveway leading to a parking area shall be provided from King Street.
  5. Access to loading areas from Gage Street and Centre Street are permitted, and must be well screened and landscape to minimize visual impacts from the street.

6. Prior to Site Plan approval, a Cultural Heritage Impact Assessment shall be prepared to identify a plan for how cultural heritage elements of the site will be considered and incorporated into any redevelopment of the site.



Lands to be redesignated from "Open Space & Community Facilities" to "General Commercial", and identified as being subject to Amendment No. XX

**SCHEDULE 1 ATTACHED TO OFFICIAL PLAN AMENDMENT NO. XX BEING AN AMENDMENT TO SCHEDULE "B" OF THE OFFICIAL PLAN OF THE TOWN OF NIAGARA-ON-THE-LAKE**

\_\_\_\_\_  
LORD MAYOR

\_\_\_\_\_  
TOWN CLERK



## Appendix B Draft Zoning By-law Amendment



**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE  
BY-LAW NO. XX - 23**

325 KING STREET

A BY-LAW TO AMEND BY-LAW NO. 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;

**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. 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 "Institutional (I) Zone" to "General Commercial (GC-X) – Site Specific Zone".
2. That Subsection 7.14, Site Specific Exceptions is hereby further amended by adding the following:

**"7.14.XX 325 King Street – See Schedule 'A-1' (GC-X):**

7.14.XX.1 GC-X Permitted Uses:

In lieu of the corresponding provisions of Subsection 7.8.1, only the following uses shall be permitted on the lands identified as GC-X on Schedule "A-1":

- a) hotel;
- b) restaurant;
- c) outdoor patio restaurant, as a secondary use to an existing restaurant in accordance with Section 6.36, except that:
  - a. the maximum size of the patio shall be 280 sq. m.; and
  - b. provisions 6.36 (b), (d), (g), (h) and (k) shall not apply.
- d) personal service establishment, as a secondary use to a hotel;
- e) conference centre;
- f) banquet facilities;
- g) spa; and
- h) retail use, as a secondary use to a hotel.

#### 7.14.XX.2 GC-X Zone Requirements:

In lieu of the corresponding provisions of Subsection 7.8.2, the following provisions shall apply on the lands identified as GC-X on Schedule "A-1":

#### Zone Requirements:

(a)	Minimum lot frontage	125.0 m
(b)	Minimum lot area	16,000 sq. m.
(c)	Maximum lot coverage	25%
(d)	Minimum landscaped open space	60%
(e)	Minimum front yard setback (setback to King Street)	25.0 m
(f)	Minimum interior side yard setback	N/A
(g)	Minimum exterior side yard setback (setback to Gage and Centre Streets)	20.0 m
(h)	Minimum rear yard setback (setback to Regent Street)	45.0 m
(j)	Maximum building height	19.0 m



- 7.14.XX.3 No amplified music or public address system shall be utilized outdoors.
- 7.14.XX.4 Notwithstanding Section 6.27 Loading Space Requirements of By-law No. 4316-09 as amended, the following provisions shall apply:
  - a. a total of 2 loading spaces shall be required.
  - b. a loading space may be located 15.0 m from the street line, accessed from Gage Street and/or Centre Street.
- 7.14.XX.5 Notwithstanding the provisions of Section 6.39 Parking Space Requirements, and 6.40 Parking Space Requirements, Additional Provisions, of By-law No. 4316-09 as amended, a minimum of 168 parking spaces shall be required.
- 7.14.XX.6 Notwithstanding the provisions of Section 6.42 Parking, Accessible Space Requirements, of By-law No. 4316-09 as amended, a minimum of 7 accessible parking spaces shall be required.
- 7.14.XX.7 Provision 6.42 (f) of By-law No. 4316-09 as amended, with respect to minimum vertical clearance for accessible parking spaces, passenger loading zones, and along access routes, shall not apply.
- 7.14.XX.8 Notwithstanding the provisions of Section 6.44 Permitted Yard Projections and Encroachments, of By-law No. 4316-09 as amended, a Porte Cochere is permitted to encroach into the front yard up to a minimum setback of 12.0 metres from the lot line.

3. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
LORD MAYOR

\_\_\_\_\_  
TOWN CLERK

MAP A

