

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. ##### - 24**

Official Plan Amendment No. ##

Part Lot 14 RCP 692 Niagara, Parts 1 & 2 Plan 30R-16061, Niagara-on-the-Lake
(Northwest side of King Street, South of Cottage Street)

A BY-LAW PURSUANT TO SECTION 17 OF THE ONTARIO PLANNING ACT TO
AMEND THE TOWN OF NIAGARA-ON-THE-LAKE OFFICIAL PLAN.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 17 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 as follows:

1. Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake consisting of the attached explanatory text and schedule is hereby adopted.
2. Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake is exempt from the approval of the Regional Municipality of Niagara and will come into force and take effect on the day of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME THIS ## DAY OF _____,
2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

**Amendment No. ## to the Official Plan
for the Town of Niagara-on-the-Lake**

PART A – THE PREAMBLE

Part A does not constitute part of this amendment. Part A describes the purpose and basis for this amendment.

PART B – THE AMENDMENT

Part B constitutes Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake.

PART C – ADDITIONAL INFORMATION

Part C does not constitute part of this amendment but outlines additional information available upon request.

PART A - THE PREAMBLE

The preamble does not constitute part of this amendment.

PURPOSE

The purpose of this amendment is to redesignate lands from “Low Density Residential” to “Medium Density Residential” with a site-specific exception to permit an increased density of 53 units per hectare for the proposed apartment building. The exception also recognizes that parking will be permitted to the side and front of the building, that the main building entrance does not front onto the street and that the lot is located on a local street.

BASIS

The basis of the amendment is as follows:

1. The subject lands are located in the Urban Area of Old Town.
2. The Official Plan directs that medium density residential developments will generally not exceed 12 units per acre (30 units per hectare) unless accompanied by a detailed site and area analysis demonstrating that there will be minimal impact on surrounding neighbourhoods. The proposal would result in a net density of 53 units per hectare. Analysis provided with the requested amendment demonstrates that the proposed development is not anticipated to have a significant adverse impact on the surrounding area.
3. The proposed residential apartment building is compatible with existing and planned development in Old Town while not adversely impacting heritage resources or the character of the area in terms of scale, mass and height. The proposed development represents an appropriate and compatible form of intensification by making efficient use of land and existing services.
4. The proposal would provide more housing and a more diverse housing stock to address current housing needs.
5. The amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan (2020 Consolidation), the Niagara Official Plan (2022) and the general intent of the Town's Official Plan (2017 Consolidation, as amended).
6. Future applications for Site Plan Approval would be required to create the proposed residential apartment building.

PART B - THE AMENDMENT

Part B – The Amendment, consisting of the following text and Schedule, constitutes Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake.

DETAILS OF THE AMENDMENT

1. Schedule 'B' to the Official Plan be amended by redesignating the lands on 'Schedule A' attached hereto from "Low Density Residential" to "EX-RES-##".
2. Section 9.5 Exceptions of the Official Plan be further amended by adding the following:

EX-RES-## The lands shown as "EX-RES-##" on Schedule B of the Official Plan are Subject to all requirements of the "Medium Density Residential" designation and any other general requirements of this Plan, except the following shall apply:

In addition to the uses identified under Section 9.3.2 (1) of the Official Plan an apartment building being 3-storeys in height and consisting of 17 units with a density of 53 units per hectare shall be permitted.

Notwithstanding Policy 9.3.2.3 g) of the Official Plan, the lands are on a local street.

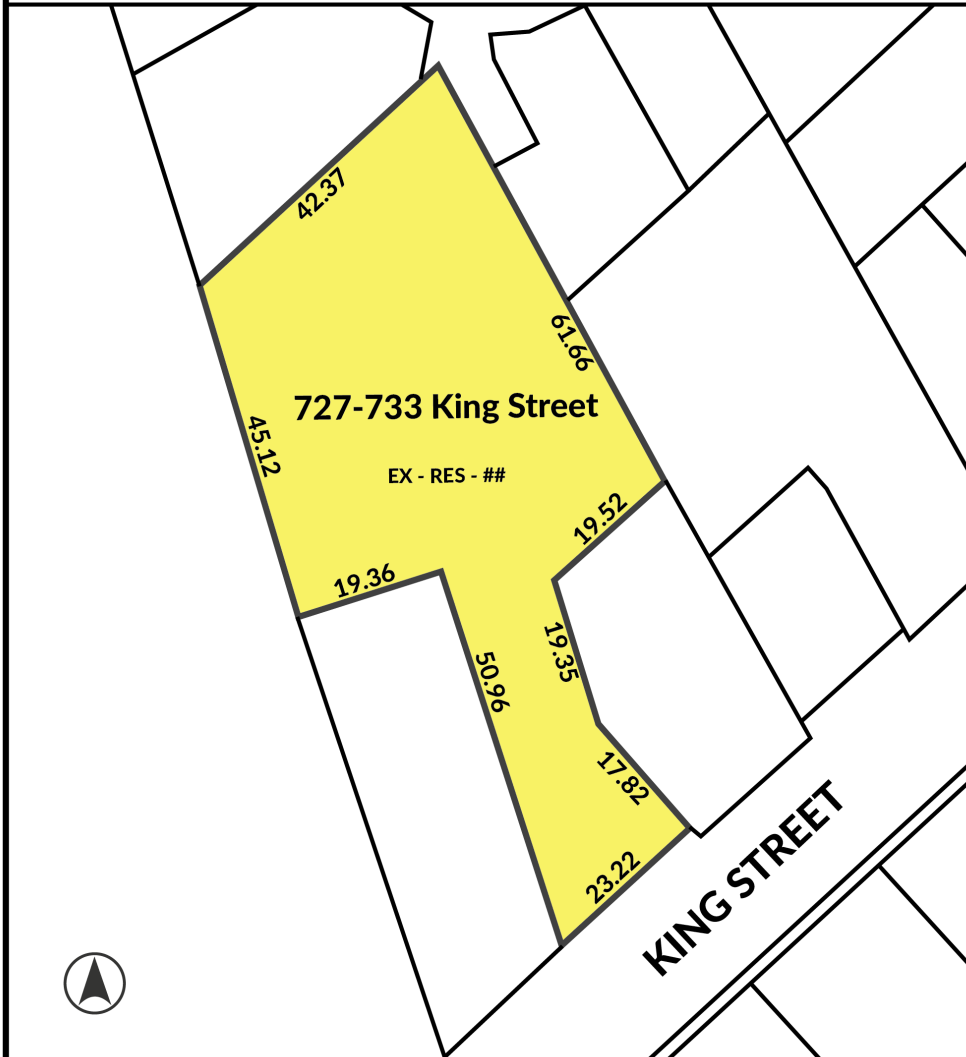
Notwithstanding Section 6A.4.4 f) (*Built-Up Area Intensification Policies*) and 6A.4.4 b) (*Urban Design*) of the Official Plan, parking for the apartment building is permitted to the side and front of the building, and the main entrance to the building is not required to front onto the street.


PART C – ADDITIONAL INFORMATION

The following additional information is available upon request:

1. Community and Development Services Report CDS-24-###
2. Council Meeting Minutes dated #####

SCHEDULE A TO OFFICIAL PLAN AMENDMENT



 EX - RES - ##

Explanation of the Purpose and Effect of By-law 4316## - 24

The subject lands are a parcel of land on the northwest side of King Street, South of Cottage Street, Niagara-on-the-Lake, more particularly described as Part Lot 14 RCP 692 Niagara, Parts 1 & 2 Plan 30R-16061; Town of Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone the property to facilitate the development of a three (3) storey apartment building with seventeen (17) dwelling units.

Effect

The effect of this By-law is to rezone the property to "Old Town Community Zoning District - Residential Multiple (RM1-##) - Site-Specific Zone" - Site-Specific Zone" with site-specific provisions pertaining to the following:

- rear yard setback;
- lot frontage;
- children's play area;
- fencing between a residential and agricultural interface.

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316## - 24**

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;

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 No. 4316-09, as amended, is hereby further amended by changing the zoning of the subject lands shown on the schedule attached hereto and forming part of this By-law from "Old Town Community Zoning District – Residential (R1) Zone" to a "Old Town Community Zoning District - Residential Multiple (RM1-##) – Site-Specific Zone."
2. That Section 7.14 – Site Specific Exceptions, as amended, is hereby further amended by adding the following subsection:

"7.14.## Vacant Northwest Parcel Between 727 and 733 King Street – See Schedule "A-1" (RM1-##)"

In lieu of the corresponding provisions of Subsection 7.5.2.3 Zone Requirements – An Apartment Building, the following provisions shall apply on the Subject Lands identified as "Residential Multiple (RM1-##) – Site-Specific Zone":

7.14.##.1 RM1-## Zone Requirements

(a)	Minimum Lot Frontage	19 metres
(b)	Minimum Rear Yard Setback	9.5 metres

7.14.##.2 Section 6.3 (b) of the Zoning By-law regarding the provision of an equipped children's play area does not apply.

7.14.##.3 Section 6.46 of the Zoning By-law regarding the required residential and agricultural interface permit an ornamental iron fence.

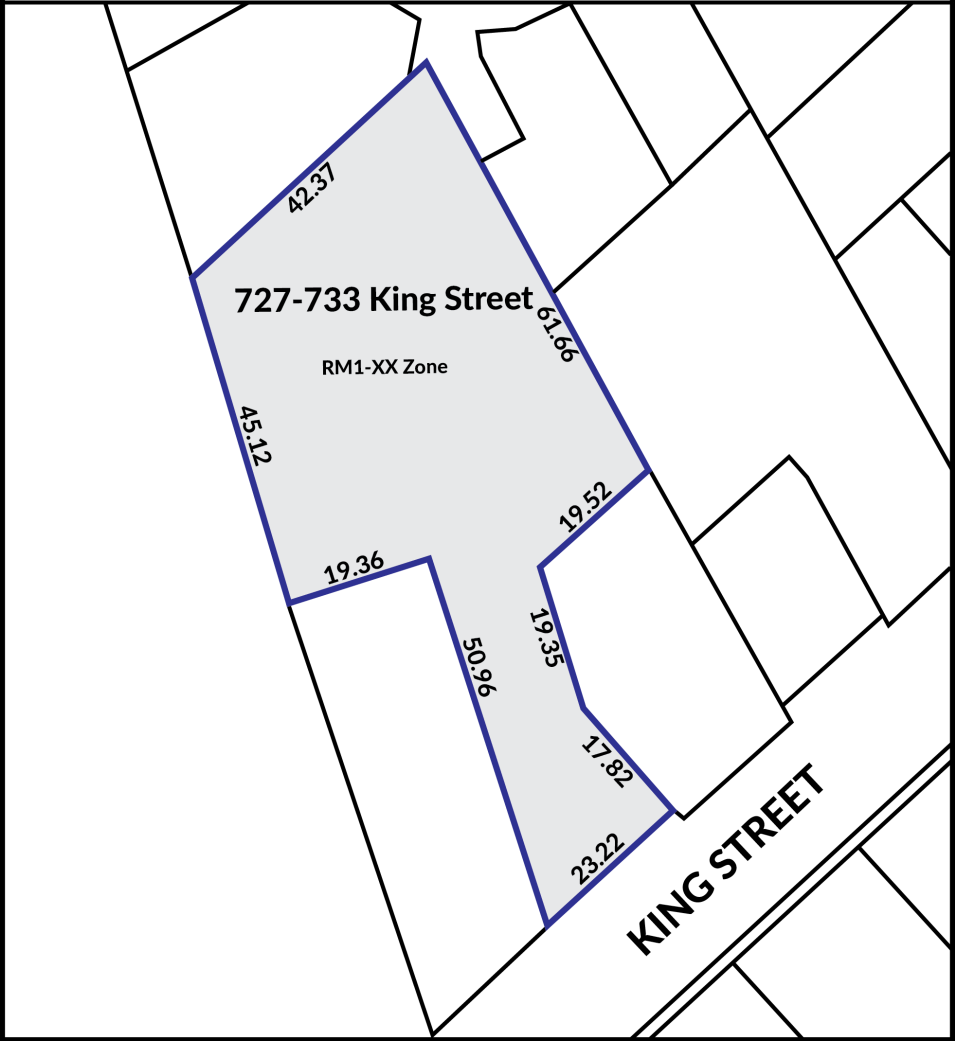
3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the lands shown on the attached Schedule.

READ A FIRST, SECOND AND THIRD TIME THIS ## DAY OF _____,
2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

**SCHEDULE A TO ZONING
BY-LAW AMENDMENT ##**



 Site Specific - RM-XX Zone