

Explanation of the Purpose and Effect of
By-law 500XX-XX

The Subject Lands are described as 263 Concession Road 6, Niagara-on-the-Lake, particularly as Part of Lot 135 Niagara Part 1 30R512; Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

Purpose

The purpose of this By-law is to rezone the Subject Lands to (i) protect the identified woodlot, (ii) permit additional agricultural-related uses on the Subject Lands, (iii) amend the minimum lot areas for the proposed severance of the Subject Lands, (iv) establish a holding provision until such time that private servicing details are provided to the satisfaction of the Chief Building Official.

The proposed additional permitted agricultural-related uses are as follows:

- Agricultural farm equipment storage
- Agricultural market

Effect

The effect of this By-law is to provide site-specific provisions to the Subject Lands to facilitate the proposal, pertaining to:

- Environmental Protection
- Minimum Lot Area
- Maximum Lot Coverage
- Establishing private servicing requirements, which prohibit large subsurface sewage disposal systems
- Permitting additional agricultural-related uses including Agricultural Farm Equipment Storage and an Agricultural Market

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. XXX XX-26**

263 Concession Road 6
Roll #: 262702001903705

A BY-LAW TO AMEND BY-LAW NO. 500A-74, 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 "B" of By-law 500A-74, as amended, is further amended by exception **XXX** of the zoning of the subject lands identified on Map 'A' attached to and forming part of this By-law

2. In addition to the permitted uses in the "Rural (A) Zone", the following uses shall be permitted on those lands shown as "Rural (A) – Site Specific Zone - XXX":

The following uses are permitted for the Subject Lands:

- Agricultural Equipment Storage
- Agricultural Market

3. Notwithstanding the additional permitted uses in Section 2 of By-law No. XXX-XX-26, a dwelling unit is not a permitted use.
4. Notwithstanding Section 2 of By-law 500A-74, as amended, is further amended by adding the definitions as follows:

Agricultural Equipment Storage: means premises where new or used farm machinery/equipment are stored or displayed for the purposes of sale or hire and shall include the storage and sale of farm machinery/equipment and accessories

Agricultural Market: shall mean a building/structure and land used only for the retail sale of fresh fruit and vegetables, processed fruit and vegetables, including frozen fruit, nuts, honey, maple syrup products, flowers, plants and bedding plants from local farm operations. The retail sale of dairy products, hand-crafted products and baked goods baked on the premises is permitted provided the same are accessory to the products described above. The sale of the following products is not permitted: clothing, meat, frozen foods, paper products, coffee, housewares, breakfast cereals, tobacco products, magazines, newspapers, soap, detergents, pharmaceutical products, lottery tickets and similar items.

Farm Produce Storage Building: shall mean a building/structure for the storage (including temperature controlled storage) of fresh fruit and vegetables, processed fruit and vegetables, including frozen fruit, nuts, honey, maple syrup products, flowers, plants and bedding plants from local farm operations.

Large Subsurface Sewage Disposal System: means an individual subsurface sewage disposal system with total daily design sanitary sewage flows greater than 10,000 L/D.

Small Subsurface Sewage Disposal System: means an individual subsurface sewage disposal system with total daily design sanitary sewage flows of less than 10,000 L/D, located wholly within the boundaries of the lot or parcel of land on which are located the residence(s), building(s) or facility/ies which they serve, and are subject to the requirements of Part 8 of Division B (O.Reg. 350/06) of the Building Code under the *Building Code Act, 1992*.

5. Notwithstanding, 3.15 (d) of Zoning By-law 500A-74, a loading bay may be located within 80 feet (24.35 m) of a street line if the loading bay is wholly located within a building.
6. Notwithstanding, 3.19 (a) of Zoning By-law 500A-74 the minimum parking rates shall apply on those lands shown as “Rural (A) – Site Specific Zone – XXX”:

TYPE OF USE	MINIMUM PARKING RATE
Farm Produce Storage Building	1 per 185 m ²
Agricultural Market	1 per 18.5 m ²
Agricultural Equipment Storage	1 per 130 m ²

7. Notwithstanding the zoning provisions in Schedule F “Rural (A) Zone”, the following zoning standards shall apply on those lands shown as “Rural (A) – Site Specific Zone - XXX”:

LOT REQUIREMENTS	
<i>Maximum Lot Coverage</i>	5%

8. Notwithstanding the zoning provisions in Schedule F “Rural (A) Zone” and Section 7 of **By-law No. XXX XX-26**, the following zoning standards shall apply

on those lands shown as “Rural (A) – Site Specific Zone - XXX”, for an agricultural-related use:

MAXIMUM GROSS FLOOR AREA	
<i>Agricultural Equipment Storage</i>	1,950 m2
<i>Agricultural Market</i>	186 m2
<i>Farm Produce Storage Building</i>	1,860 m2

9. Notwithstanding the zoning provisions of Zoning By-law 500A-74, the lands shown as “Rural (A) – Site Specific Zone - XXX” shall prohibit a **large subsurface sewage disposal system**, and only permit a **small subsurface sewage disposal system**, as defined in **By-law No. XXX XX-26**.
10. Notwithstanding Section 9 above, the lands shown as “Rural (A) – Site Specific Zone - XXX” shall be subject to a holding provision, until such time as the Chief Building Official is satisfied with the proposed design of the small subsurface sewage disposal system.
11. All other provisions of Zoning By-law 500A-74, as amended, shall continue to apply to the subject lands.
12. 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


CONCESSION 6 ROAD

OPEN SPACE
(OS)

RURAL (A) -
SITE SPECIFIC - (H)

YORK ROAD

 RURAL (A) - SITE SPECIFIC - (H)

 OPEN SPACE (OS)

 RURAL (A)

1:5000

