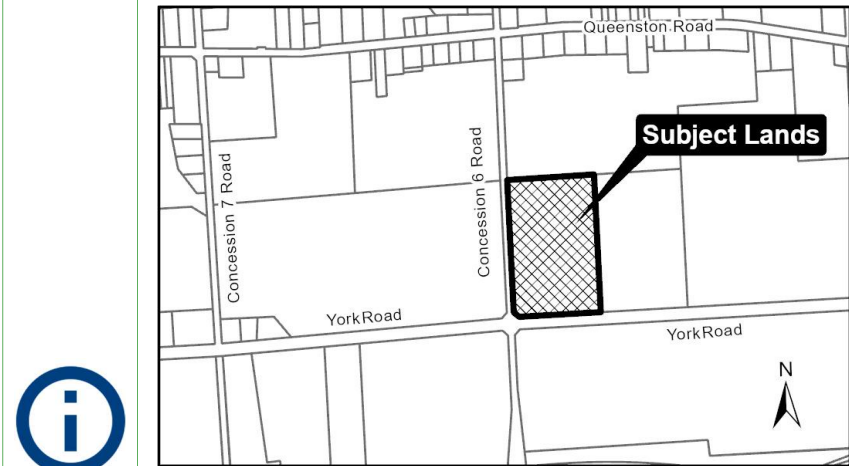
	What:	Notice of Decision for a Zoning By-law Amendment (under Section 34 of the <i>Planning Act, R.S.O. 1990, c. P.13</i> , as amended).
	When:	Refused at the April 28, 2026 Council Meeting
	Regarding:	Zoning By-law Amendment - By-law 500YU-26 (File ZBA-18-2024) 263 Concession 6 Road, Niagara-on-the-Lake

What is this?



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

The By-law requested to provide a “Rural (A) Holding (H) - Site Specific Zone” on the southerly portion of the lands to permit the development of agricultural-related uses related to local farm operations including Agricultural Equipment Storage, Agricultural Market and Farm Produce

Storage Building uses. The “Holding (H)” would have prohibited any development and/or site alteration from occurring within the lands zoned “Rural (A) Holding (H) - Site Specific Zone”, until such time Niagara Region and Town staff approved of any proposed private sewage system. The By-law also would have rezoned the northerly portion of the subject lands from “Rural (A) Zone” to “Open-Space (OS) - Site Specific Zone” to provide environmental protection for the existing woodlot feature on the subject lands.

Reasons for Refusal:

Town Council's refusal is on the basis which includes but is not limited to that, in Council's opinion: the proposal does not conform with the Town Official Plan (2017); the Greenbelt Plan (2017); and the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Publication 851: Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas Guidelines

The last date for filing a notice of appeal is **May 19, 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 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 Zoning By-law Amendment and the decision is 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, **April 29, 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

