

Explanation of the Purpose and Effect of By-law X

The subject lands are comprised of Parts of land known municipally as 1895 Concession 4 Road in Niagara-on-the-Lake. The property is on the east side of Concession 4 Road.

Purpose

The Provincial Planning Statement requires that remnant agricultural lands created through a surplus farm dwelling severance are either merged with abutting lands under common ownership or rezoned to preclude residential uses in perpetuity. As the applicant does not own abutting agricultural lands, merger is not possible, and a Zoning By-law Amendment is required to satisfy this provincial policy requirement.

The proposed rezoning of the remnant lands to a Site-Specific Agricultural Purposes Only (APO) zone will ensure that residential uses are prohibited in perpetuity.

The Zoning By-law Amendment also provides an opportunity to address site-specific zoning deficiencies arising from the creation of the new lot

Effect

The effect of this By-law is to rezone the remnant lands with APO zoning to facilitate the severance of a dwelling surplus to a farm operation, while addressing the deficiencies of the subject site.

Site specific provisions for an increased lot coverage are proposed.

Applicant:	X
File Number:	X

Report Number:	X
Assessment Role Number:	X

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO.4316-09**

1895 Concession 4 Road

A BY-LAW TO AMEND SECTION 34 OF THE ONTARIO PLANNING ACT TO AMEND ZONING BY-LAW 500A-74 SCHEDULE A, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION, AND USE OF BUILDINGS AND STRUCTURES THEREON.

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" of By-law 500A-47, as amended, is further amended by changing the zoning of the lands identified on Schedule A (attached to and forming part of this By-law) from "Agricultural zone" to "Site-specific Agricultural Purposes Only (APO-XX) zone" and "Site-specific Agricultural (A-XX) Zone.
2. That Map A (attached to and forming part of this By-law) be included and form part of the Town of Niagara-on-the-Lake Zoning By-law 500A-74 as "Figure X: Concession 4 Road"
3. That Subsection 21.A – Special Exceptions – is hereby further amended by adding the following:

Site Specific Agricultural (21.A.XX)

Permitted Uses

The uses permitted in the Agricultural (A) zone.

Zone Requirements for b) Residential (lots created by consent) Uses

- a) The zone requirements for residential (lots created by consent) uses within the A zone, save and except for:

Accessory Building Yards 0.75 m

Site Specific Agricultural Purposes Only (APO) (21.A.XX)

Permitted Uses

- a) Rural
- b) Residential (lots created by consent)

Zone Requirements for Rural Uses

- a) The zone requirements for Agricultural Purposes Only zone, save and except for:

Minimum Lot Area 2.7ha

- 4. 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 __, 2025.

LORD MAYOR

TOWN CLERK