

Explanation of the Purpose and Effect of
By-law 500XH(1)-23

The subject lands are a parcel of land described as 911 Lakeshore Road and the Rear of 931 Lakeshore Road, Niagara-on-the-Lake, more particularly described as Plan M1 Lot 67, Lot 117 and Lot 118.

Purpose

The purpose of this By-law is to remove the Holding (“H”) Symbol on the property to allow an Estate Winery and associated secondary uses, previously approved through By-law 500XH-18.

Effect

The effect of this By-law is to remove the Holding (“H”) Symbol on the existing By-law applying to the lands municipally known as 911 Lakeshore Road.

<i>Owner:</i>	John Neufeld Farms Limited
<i>File Number:</i>	ZBA-08-2023
<i>Report Number:</i>	CDS-23-161
<i>Assessment Roll Number:</i>	262702001007500 & 262702001007504

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 500XH(1) - 23**

Palatine Hills Estate Winery – 911 Lakeshore Road
Roll # 262702001007500 & 262702001007504

A BY-LAW TO AMEND BY-LAW NO. 500XH-18, BEING A BY-LAW TO AMEND BY-LAW 500A-74, 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 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended;

AND WHEREAS the Town of Niagara-on-the-Lake Council did approve By-law No. 500XH-18 on September 17, 2018, which included a Holding (“H”) Symbol in accordance with Section 36(1) of the *Planning Act* that prevents the use of an Estate Winery and associated secondary uses until the Holding (“H”) Symbol is removed;

AND WHEREAS the Owner of the lands has now met the requirements for removal of the Holding (“H”) Symbol from the lands;

AND WHEREAS Section 36(4) of the *Planning Act* provides that a Holding (“H”) Symbol may be removed by passing a By-law applying to the lands subject to the Holding (“H”) Symbol.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Section 1 of By-law 500XH-18 is amended to delete the term “Rural (A-H) – Site Specific-Holding Zone” and replace it with “Rural (A) – Site-Specific Zone.”
2. Section 2(4) of By-law 500XH-18 is deleted in its entirety.
3. Map “A” attached to and forming part of By-law 500XH-18 is deleted and replaced with Map “A” attached to and forming part of this By-law.
4. That this By-law comes into force and takes effect immediately upon the passing thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 18th DAY OF JULY, 2023.

LORD MAYOR GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG