

Explanation of the Purpose and Effect of
By-law 500YK-24

The subject lands are located on the north side of Hunter Road, east of Four Mile Creek Road, and west of Concession 4 Road, and are described as Firstly: 216 Hunter Road, Town of Niagara-on-the-Lake, more particularly described as Parcel 60-1 Section M11; Lot 60 in Plan M11, on 30BA179, Niagara-on-the-Lake, Secondly: 224 Hunter Road, Niagara-on-the-Lake, more particularly described as Parcel 59-1 Section M11; Lots 59 & 61 in Plan M11, on 30BA179, Thirdly: Parcel 118-2 Section M11, on 30BA179, Niagara-on-the-Lake, Except Part 1 on Reference Plan 30R-5768, Niagara-on-the-Lake, and Fourthly: Parcel 119-1 Section M11; Lot 119 in Plan M11, on 30BA179, Niagara-on-the-Lake, Except Part 1 on Reference Plan 30R-13601, Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to facilitate a lot boundary adjustment and the severance of a residence surplus to a farming operation as a result of a farm consolidation.

Effect

The effect of this By-law is to rezone the agricultural portion of the subject lands to “Agricultural Purposes Only (APO) Zone” to prohibit a new residential dwelling in perpetuity with provisions for lot frontage, area and depth; to rezone the rural residential portion of the subject lands at 216 Hunter to “Rural (A) Site-Specific Zone” with provisions for reduced lot frontage, accessory building setbacks, and front yard setback; and to rezone the rural residential portion of the lands at 224 Hunter Road to “Rural (A) Site-Specific Zone” with provisions for lot frontage, accessory building height, and accessory building setbacks.

<p><i>Applicant:</i> 1174724 Ontario Inc. (Lepp Farms) <i>File Number:</i> ZBA-10-2024 <i>Report Number:</i> CDS-24-133 <i>Assessment Roll Numbers:</i> 262702000905400, 262702000905300, 262702000905350 & 262702000905600</p>

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 500YK-24**

216 Hunter Road - Roll 262702000905300, 224 Hunter Road - Roll 262702000905400,
Roll 262702000905350, and Roll 262702000905600

A BY-LAW PURSUANT TO SECTION 34 OF THE PLANNING ACT TO
AMEND BY-LAW NO. 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 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-74, as amended, is further amended by changing the zoning of the subject lands identified on Map 'A' (attached to and forming part of this By-law) from "Rural (A) Zone" to "Rural (A) Zone - Site Specific" and "Agricultural Purposes Only (APO) Zone – Site Specific."
2. That Section 2 of Zoning By-law Amendment 500VM-10 be deleted in its entirety and Section 3 be renumbered to Section 2.
3. That Subsection 21.A, Special Exceptions of By-law 500A-74, as amended, is hereby further amended by adding the following:

Rural (A) Zone Site-Specific – Part 1

In lieu of the corresponding provisions of Schedule F, the following provisions shall apply to the lands zoned "Rural (A) Zone - Site Specific" shown on Map 'A' attached hereto:

- Minimum Lot Frontage: 37.1 metres
- Minimum Interior Side Yard Setback (East) for the Existing Accessory Building (Frame Shed): 0.9 metres
- Minimum Interior Side Yard Setback (East) for the Existing Accessory Building (Wood Shed): 0.19 metres
- Maximum Accessory Building Height for the Existing Accessory Building (Metal Clad Building): 5.4 metres

Rural (A) Zone Site-Specific – Part 2

In lieu of the corresponding provisions of Schedule F, the following provisions shall apply to the lands zoned “Rural (A) Zone - Site Specific” shown on Map ‘A’ attached hereto:

- Minimum Front Yard Setback for the Existing Dwelling: 8.9 metres
- Minimum Interior Side Yard Setback (East) for the Existing Accessory Building (Solar Panel): 0.3 metres
- Minimum Lot Frontage: 42.4 metres

Agricultural Purposes Only (APO) Zone Site-Specific

In lieu of the corresponding provisions of Schedule F, the following provisions shall apply to the lands zoned “Agricultural Purposes Only - Site Specific” shown on Map ‘A’ attached hereto:

- Minimum Frontage: 6.0 metres
- Minimum Lot Area: 6.5 hectares
- Minimum Lot Depth: 441.6 metres

4. All other provisions of Zoning By-law 500A-74, as amended, shall continue to apply to the subject lands.

5. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 24TH DAY OF SEPTEMBER 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL