

Explanation of the Purpose and Effect of
By-law 500YN-25

The subject lands are a parcel of land described as 280, 282 & 298 Niven Road, Niagara-on-the-Lake, more particularly described as PCL 162-3 SEC M11; LT 162 PL M11 EXCEPT PT 1 LR83, AS CONFIRMED BY PL 30BA179, PL M11 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT, and PCL 164-3 SEC M11 NIAGARA; LT 164 PL M11 EXCEPT PT 1 30R1777 & PT 1 30R7791; AS CONFIRMED BY PL 30BA179; T/W A RIGHT OF WAY IN, OVER, ALONG & UPON LT 163A PL M11, PL M11 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT; Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone the remnant agricultural lands (Parts 3 and 4) to prohibit the construction of a new dwelling in perpetuity and identify minimum lot frontage. The By-law is also to rezone the surplus farm dwelling on Part 2 to recognize a deficient lot frontage and rear yard setback.

Effect

The effect of this By-law is to rezone Parts 3 and 4 of the property to “Agricultural Purpose Only (APO) Zone – Site-Specific” with provisions pertaining to lot frontage and permitting the use of existing farm help houses. The By-law is also to rezone Part 2 as “Rural (A) Zone – Site-Specific” with provisions for lot frontage and a rear yard setback.

<i>Applicant:</i>	David Froese, Shirley Froese, Craig Froese
<i>File Number:</i>	ZBA-14-2024
<i>Report Number:</i>	CDS-25-011
<i>Assessment Roll Number:</i>	262702000902700

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 500YN - 25**

280, 282 & 298 Niven Road
Roll 262702000902700

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO PLANNING ACT 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 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 Subsection 21.A, Special Exceptions of By-law 500A-74, as amended, is hereby further amended by adding the following:

282 Niven Road – APO Site-Specific

In lieu of the corresponding provisions of Schedule F and the lot frontage provision of Section 4.B.2 of Zoning By-law 500A-74, as amended, the following provisions shall apply to the lands zoned “Agricultural Purposes Only (APO) Zone – Site Specific” shown on Map ‘A’ attached hereto:

- Minimum lot frontage on Niven Road: 13 metres

298 Niven Road – Rural (A) Site-Specific

In lieu of the corresponding provisions of Schedule F of Zoning By-law 500A-74, as amended, the following provisions shall apply to the lands zoned “Rural (A) Zone – Site Specific” shown on Map ‘A’ attached hereto:

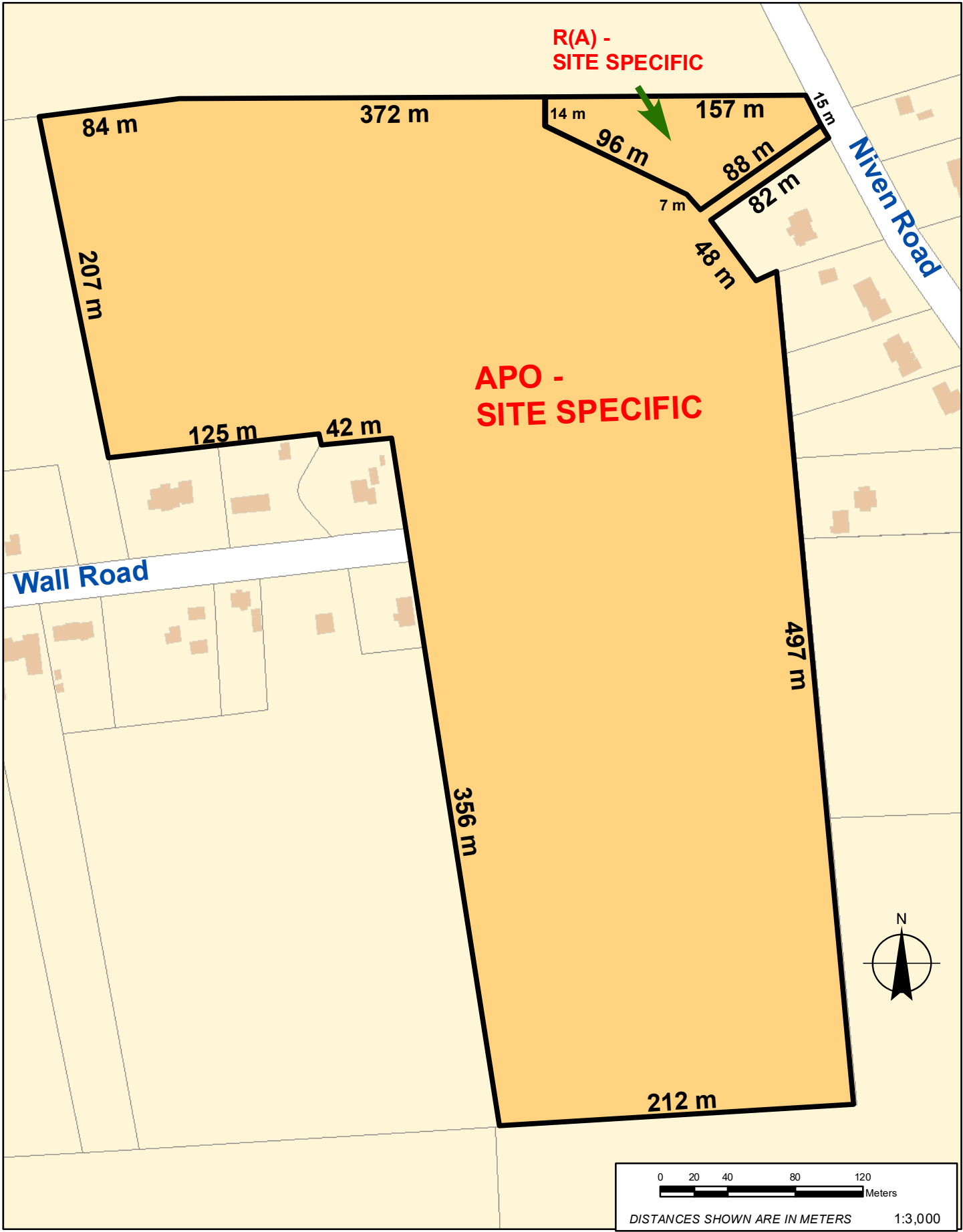
- Minimum lot frontage: 15 metres
- Minimum rear yard setback: 10 metres

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

READ A FIRST, SECOND AND THIRD TIME THIS 25TH DAY OF MARCH, 2025.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW 500YN-25 BEING AN AMENDMENT TO SCHEDULE "A" OF ZONING BY-LAW 500A-74, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 25th DAY OF MARCH, 2025.

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL