

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

The subject lands are municipally known as 1594 Concession 6 Road, Niagara-on-the-Lake, and legally described as “PART TOWNSHIP LOT 159 NIAGARA AS IN RO687150”, Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

Purpose

The purpose of this By-law is to rezone a portion of the subject lands municipally known as 1594 Concession 6 Road to expand the existing site-specific uses permitted through By-law No. 500JK-95 to add permission for a Respite Care Facility and Adult Day Program and to seek relief from the standard Rural (A) provisions for lot area, lot frontage, interior side yard setback, and front yard setback, in addition to setting out site-specific parking requirements. The By-law also rezones a portion of the subject lands to “Open Space (OS-SS) Site Specific Zone” to protect the existing natural environment features and associated buffer lands by prohibiting any type of development on these lands.

Effect

The effect of this By-law is to rezone a portion of the subject lands to amend the existing “Rural (A) – Site Specific Zone” by expanding the permitted uses to include a “Respite Care Facility” and “Adult Day Program” and to implement site-specific provisions for lot area, lot frontage, interior side yard setback, front yard setback, and parking requirements, and to rezone a portion of the subject lands from “Rural (A) Site Specific Zone” to “Open Space (OS-SS) Site Specific Zone”.

<i>Applicant:</i>	Red Roof Retreat (Steffanie Bjorgan)
<i>File Number:</i>	ZBA-15-2024
<i>Report Number:</i>	CDS-020-2025
<i>Assessment Roll Number:</i>	262702001501800

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

Red Roof Retreat - 1594 Concession 6 Road  
Roll 262702001501800

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. That 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) – Site Specific Zone” to “Open Space (OS-SS) – Site Specific Zone.”
2. That Subsection 21.A.61.1, Special Exceptions of By-law 500A-74, as amended, is hereby further amended by adding the following permitted uses:
  - Respite Care Facility
  - Adult Day Program
3. That Subsection 21.A.61.2, Special Exceptions of By-law 500A-74, as amended, is hereby removed in its entirety.
4. That Subsection 21.A.61 of By-law 500A-74, as amended, is hereby further amended by adding the following sections:

21.A.61.2            Rural (A) Site-Specific Zone Requirements

In lieu of the corresponding provisions set out in Schedule F, and in addition to such provisions, the following provisions shall apply on lands identified as

“Rural (A) Site Specific Zone” on Map ‘A’, attached to and forming part of this By-law:

- Minimum Lot Frontage: 27.0 metres
- Minimum Front Yard: 3.5 metres
- Minimum Lot Area: 4.0 hectares
- Minimum Interior Side Yard: 2.0 metres
- Maximum *Ground Floor Area* for *Main Building*: 310 square metres, excluding a covered verandah

#### 21.A.61.3 Rural (A) Site Specific Parking Requirements

A minimum of ten (10) parking spaces shall be required for the Respite Care Facility and Adult Day Program, and such parking spaces shall conform to the parking space requirements set out in By-law 500A-74, as amended.

#### 21.A.61.4 Rural (A) Site Specific Definitions

The following definitions shall apply on lands identified as “Rural (A) Site Specific Zone” on Map ‘A’, attached to and forming part of this By-law:

- a) **Respite Care Facility** shall mean premises used for the provision of short-term non-emergency supervised care for individuals of any age who require medical, physical, or cognitive support, intended to provide relief to their caregivers. A Respite Care Facility may offer services, such as:
  - i. preventive medicine;
  - ii. counselling and emotional support;
  - iii. social, recreational or educational programs, particularly for individuals with complex or special needs; or
  - iv. day or overnight care.
- b) **Adult Day Program** shall mean supervised programming in a group setting for dependent adults, such as the frail elderly, individuals with Alzheimer's, or individuals with disabilities. Services may include leisure activities, meals and personal care.

5. That in lieu of the corresponding provisions of Section 18.1, only the following uses will be permitted on lands identified as “Open Space – Site Specific (OS-SS) Zone” on Map ‘A’, attached to and forming part of this By-law:

- a) a conservation area including flood control and other hazard area uses
- b) existing passive recreational uses

- c) passive recreational uses, subject to approval from the Niagara Peninsula Conservation Authority
- d) existing accessory uses, buildings and structures.

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

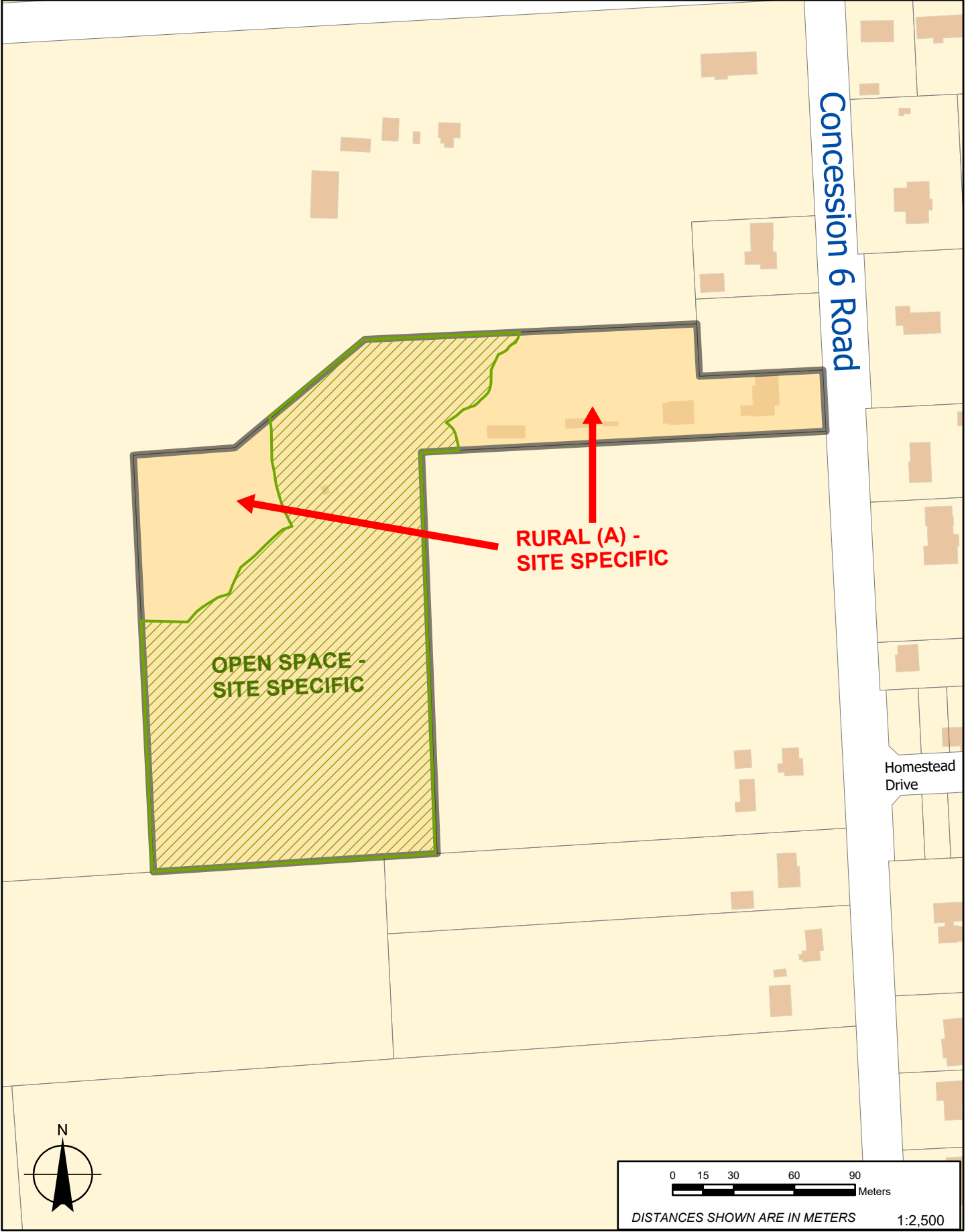
READ A FIRST, SECOND AND THIRD TIME THIS 25<sup>th</sup> DAY OF MARCH 2025.

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LORD MAYOR GARY ZALEPA

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TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW 500YP-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