

Explanation of the Purpose and Effect of
By-law 500XR-20

The subject lands are a parcel of land described as 244-246 Niven Road, Niagara-on-the-Lake, more particularly described as Part of Lots 5 and 6 on Niagara Township Plan 164, as in RO735209, except Part 2 on Plan 30R-10052, now in the Town of Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone the residential portion (Part 1) of the subject lands with site specific provisions pertaining to a reduced lot frontage and an increased height of an existing accessory building, and rezone the agricultural portion (Part 2) of the subject lands to prohibit the construction of a new residential dwelling in perpetuity. This By-law also repeals an existing site-specific Zoning By-law that is no longer applicable on the subject lands. This By-law is required to fulfil a condition of consent to sever a residence surplus to a farming operation as a result of farm consolidation (Consent Application B-21/18 REVISED).

Effect

The effect of this By-law is to rezone Part 1 of the subject lands to “Rural (A)” with site specific provisions pertaining to reduced lot frontage and increased height of an accessory building, and rezone Part 2 of the subject lands to “Agricultural Purposes Only (APO).”

<i>Applicant:</i>	Ronald Rempel
<i>File Number:</i>	ZBA-04-2020
<i>Report Number:</i>	CDS-20-021
<i>Assessment Roll Number:</i>	262702000902800

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 500XR-20**

244-246 Niven Road
Roll 262702000902800

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 – Site Specific” to “Rural (A) Zone – Site Specific” and “Agricultural Purposes Only (APO) Zone.”
2. That Zoning By-law Amendment 500OB-00 is hereby repealed in its entirety.
3. That Subsection 21.A, Special Exceptions of By-law 500A-74, as amended, is hereby further amended by adding the following:

244-246 Niven Road

In lieu of the corresponding provisions of Schedule F to 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:

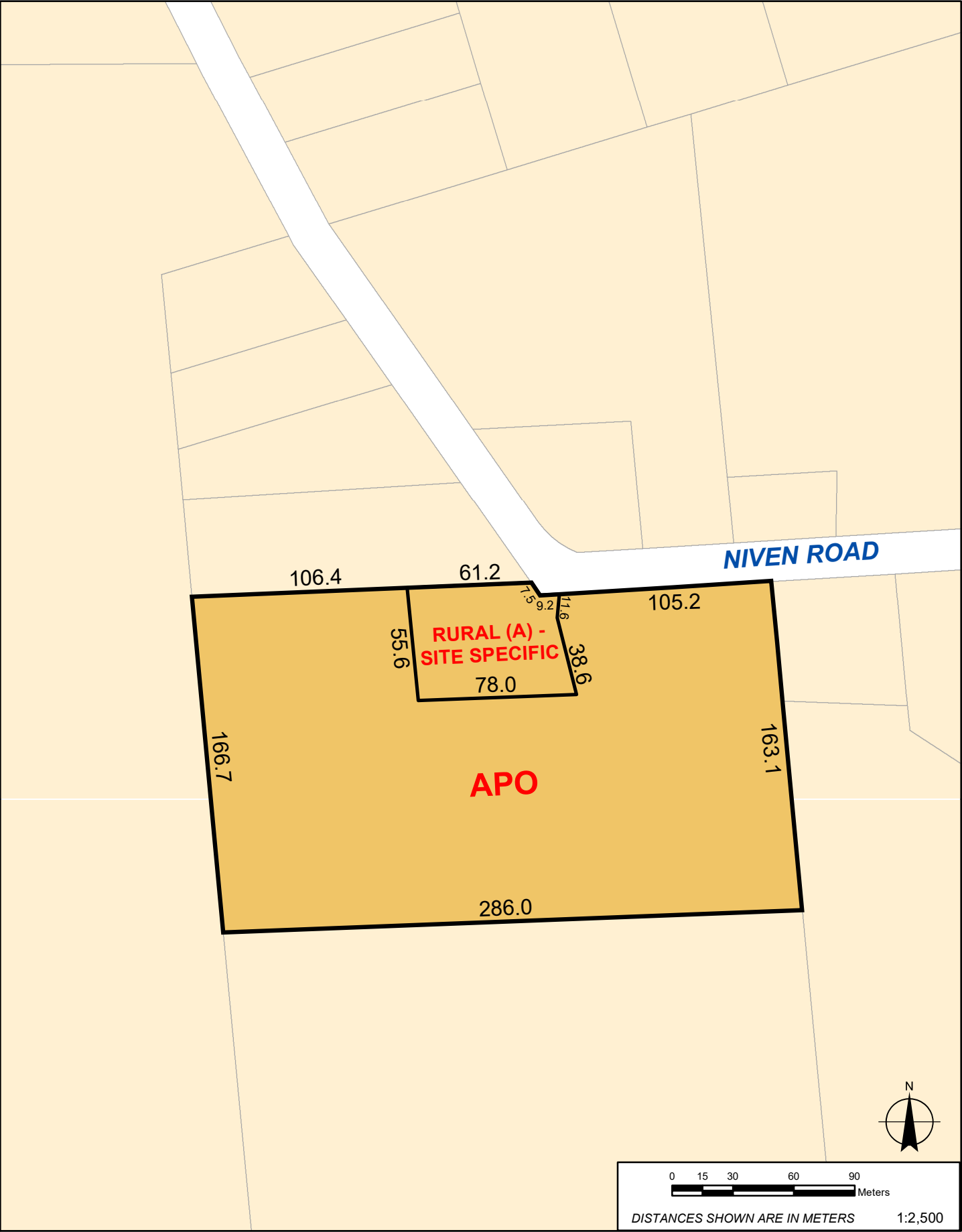
- minimum lot frontage of 16.5 metres (*54.13 feet*)
- maximum accessory building (existing barn as of the date of this by-law) height of 6.0 metres (*19.69 feet*)

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 24th DAY OF AUGUST, 2020.

LORD MAYOR BETTY DISERO

TOWN CLERK PETER TODD



MAP 'A' ATTACHED TO BY-LAW 500XR-20 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 24th DAY OF AUGUST, 2020.

LORD MAYOR
BETTY DISERO

TOWN CLERK
PETER TODD