

Explanation of the Purpose and Effect of
By-law 500##-19

The subject lands are a parcel of land described as 963 Queenston Road, Niagara-on-the-Lake, more particularly described as Part Township Lot 134, Niagara.

Purpose

The purpose of this By-law is to rezone the property to permit the development of an estate winery including secondary uses.

Effect

The effect of this By-law is to rezone the property to “Rural (A-H) - Site-Specific Zone” with site-specific provisions permitting an estate winery as a use on the property with limited secondary use space.

Site-specific provisions are proposed pertaining to:

- lot area
- lot frontage
- minimum winery production areas
- maximum floor areas of secondary uses

<i>Applicant:</i>	1314102 Ontario Inc.
<i>File Number:</i>	ZBA-17-2018
<i>Report Number:</i>	CDS-19-024
<i>Assessment Roll Number:</i>	2627 020 019 03950

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 500## - 19**

Queenston Mile Winery – 963 Queenston Road
Roll 2627 020 019 03950

A BY-LAW PURSUANT TO SECTION 34 AND SECTION 36 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 and Section 36 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) to “Rural (A-H) - Site Specific Zone”.
- 2. That Subsection 21A - Special Exceptions, is hereby further amended by adding the following:

“963 QUEENSTON ROAD – QUEENSTON MILE WINERY

- 1. In addition to the permitted uses of “Section 4.1 - Rural (A) Zone”, the following uses shall apply on the subject lands:
 - a) *Estate Winery*
 - b) Secondary uses to an *Estate Winery* as follows:
 - i. Retail Sale of Wine
 - ii. Hospitality Area
 - iii. Agricultural Market
 - iv. Kitchen (including commercial cooking equipment)

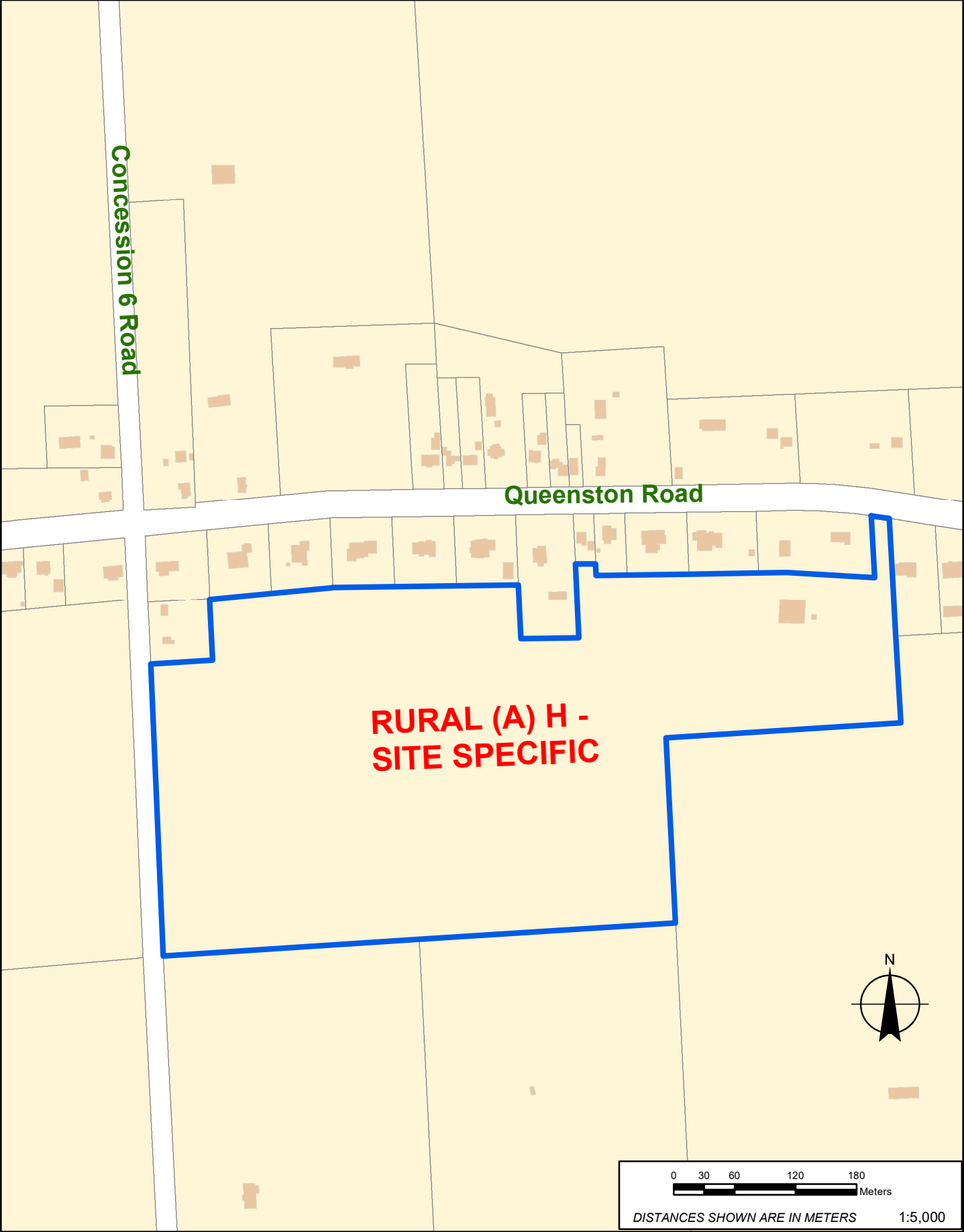
2. Despite the corresponding provisions of Section 3.33 to the contrary, the following provisions shall apply to the subject lands for an *Estate Winery*:
 - a) Minimum Lot Area: 20.5 hectares (50.6 acres)
 - c) Minimum Lot Frontage: 17 metres (55.7 feet)
 - g) Minimum Exclusive Winery Production Area: 70 m² (753 sq. ft.)
 - h) Minimum Flex-Space Winery Production Area: 130 m² (1399 sq. ft.)
(35% of main floor hospitality area - indoor/outdoor)
3. Despite the corresponding provisions of Section 3.33 to the contrary, the following provisions shall apply to the subject lands for Secondary Uses to an *Estate Winery*:
 - b) Hospitality Area
 - d) Maximum total floor area for all secondary uses: 430 m² (4628 sq. ft.)
 - f) Maximum floor area for hospitality area, retail sale of wine and agricultural market: 380 m² (4090 sq. ft.)
 - g) Maximum floor area for a kitchen: 50 m² (538 sq. ft.)
4. For the subject lands identified on Map 'A' (attached to and forming part of this by-law), the following definition shall apply:

Hospitality Area shall mean part of a building such as indoor and outdoor areas (balcony and covered patio) where wine and food from the Estate Winery is served. The use of commercial cooking equipment on site in the preparation of food is permitted in the designated kitchen. Such uses shall remain ancillary to the main Estate Winery use.
5. For the subject lands identified on Map 'A' (attached to and forming part of this by-law), outdoor special events shall not be permitted.
6. The uses identified in this amending By-law shall only be permitted upon removal of the Holding ("H") symbol. The Holding ("H") symbol shall be removed upon approval of a Site Plan Agreement to the satisfaction of the Corporation of the Town of Niagara-on-the-Lake, upon application by the owner, and the approval by the Council of the Corporation of the Town of Niagara-on-the-Lake of an amendment to this Zoning By-law."
7. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS XXth DAY OF MONTH, 2019.

LORD MAYOR BETTY DISERO

TOWN CLERK PETER TODD



MAP 'A' ATTACHED TO BY-LAW 500##-19 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 xxth DAY OF MONTH, 2019.

LORD MAYOR
BETTY DISERO

TOWN CLERK
PETER TODD