

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2022-XX

A BY-LAW TO PROVIDE FOR THE ADOPTION OF
AMENDMENT XX TO THE OFFICIAL PLAN FOR
THE NIAGARA PLANNING AREA

WHEREAS in accordance with Sections 17 and 26 of the *Planning Act*, R.S.O. 1990, as amended, Council may adopt an Official Plan or amendments thereto;

AND WHEREAS, it is deemed appropriate to further amend the Official Plan as adopted by Niagara Region for the Niagara Planning Area,

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the text attached hereto as Schedule "A" is hereby adopted as Amendment No. XX to the Official Plan for the Niagara Planning Area.
2. That the Regional Clerk is hereby authorized and directed to give notice of Council's adoption in accordance with Section 17(23) of the *Planning Act*.
3. That this by-law shall come into force and effect on the day upon which it is approved.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: [DATE]

AMENDMENT NO. XX
TO THE OFFICIAL PLAN
FOR THE NIAGARA PLANNING AREA

PART "A" – THE PREAMBLE

The preamble provides an explanation of the Amendment including the purpose, location, background, and basis of the policies and implementation, but does not form part of this Amendment. The Preamble includes:

- Title and Components
- Purpose of the Amendment
- Location of the Amendment
- Background
- Basis for the Amendment
- Implementation

PART "B" – THE AMENDMENT

The Amendment describes the additions and/or modifications to the Official Plan for the Niagara Planning Area, which constitutes Official Plan Amendment No. XX.

Text Change

PART "C" – THE APPENDICES

The Appendices provide information regarding public participation and agency comments relevant to the Amendment but do not form part of this Amendment.

PART "A" - THE PREAMBLE

TITLE AND COMPONENTS:

This document, when approved in accordance with Section 17 of the *Planning Act, 1990*, shall be known as Amendment No. XX to the Official Plan of the Niagara Planning Area. Part "A" - The Preamble, contains background information and does not constitute part of this Amendment. Part "B" - The Amendment, consisting of a text change, constitutes Amendment No. XX to the Official Plan of the Niagara Planning Area. Part "C" - The Appendices do not constitute part of the Amendment. These Appendices contain information related to public involvement and agency comments associated with the Amendment.

PURPOSE OF THE AMENDMENT:

The purpose of this amendment is to add policy to the Niagara Region Official Plan to permit a new private sanitary connection to serve a winery (including the winery, production area, restaurant, wine tasting and sales components) located on lands legally known as Lots 43 and 44 and Part of Lots 46 and 47, Plan M-11 in the Town of Niagara-on-the-Lake.

LOCATION OF THE AMENDMENT:

This amendment applies to the properties known as Lots 43 and 44 and Part of Lots 46 and 47, Plan M-11, Town of Niagara-on-the-Lake. These lands are located at the northwest corner of Niven Road and Niagara Stone Road, with frontage on Niven Road, Hunter Road and Niagara Stone Road within the Town of Niagara-on-the-Lake.

BACKGROUND:

A privately initiated application to amend the Regional Official Plan was received from Stone Eagle Property Corp./2775696 Ontario Inc. on December 22, 2022. The application requests an amendment to the Regional Official Plan to allow a new sanitary sewer connection to the Old Town Urban Area Sewer system. This connection would provide service to a proposed winery, which is located adjacent to the Urban Area Boundary on Niven Road and Niagara Stone Road in the Town of Niagara-on-the-Lake.

This application was submitted since Policy 5.C.5 of the Regional Official Plan requires that development outside of the urban area boundary depend on private sewage disposal systems and states that development will not be provided with municipal sewer services.

BASIS FOR THE AMENDMENT:

- a) This Amendment establishes permissions for the subject lands that are located outside of the Urban Area Boundary to connect to municipal sanitary services.

- b) Rationale (to be added following formal review and collection of comments)
- c) The Amendment was the subject of a Public Meeting held under the *Planning Act, 1990*, on _____. Public and agency comments were addressed as part of the preparation of this Amendment.

IMPLEMENTATION:

Section 14, the Implementation Section of the Official Plan for the Niagara Planning Area, shall apply where applicable.

PART "B" – THE AMENDMENT

Amendment No. XX

To the Official Plan for the Niagara Planning Area

The Official Plan for the Niagara Planning Area is amended as follows:

Map Changes (attached)

A location map will be added to Chapter 13 to reference the proposed new policy.

Text Changes

The Official Plan for the Niagara Planning Area is amended as follows:

Part I – Modifications to Existing Policies

None

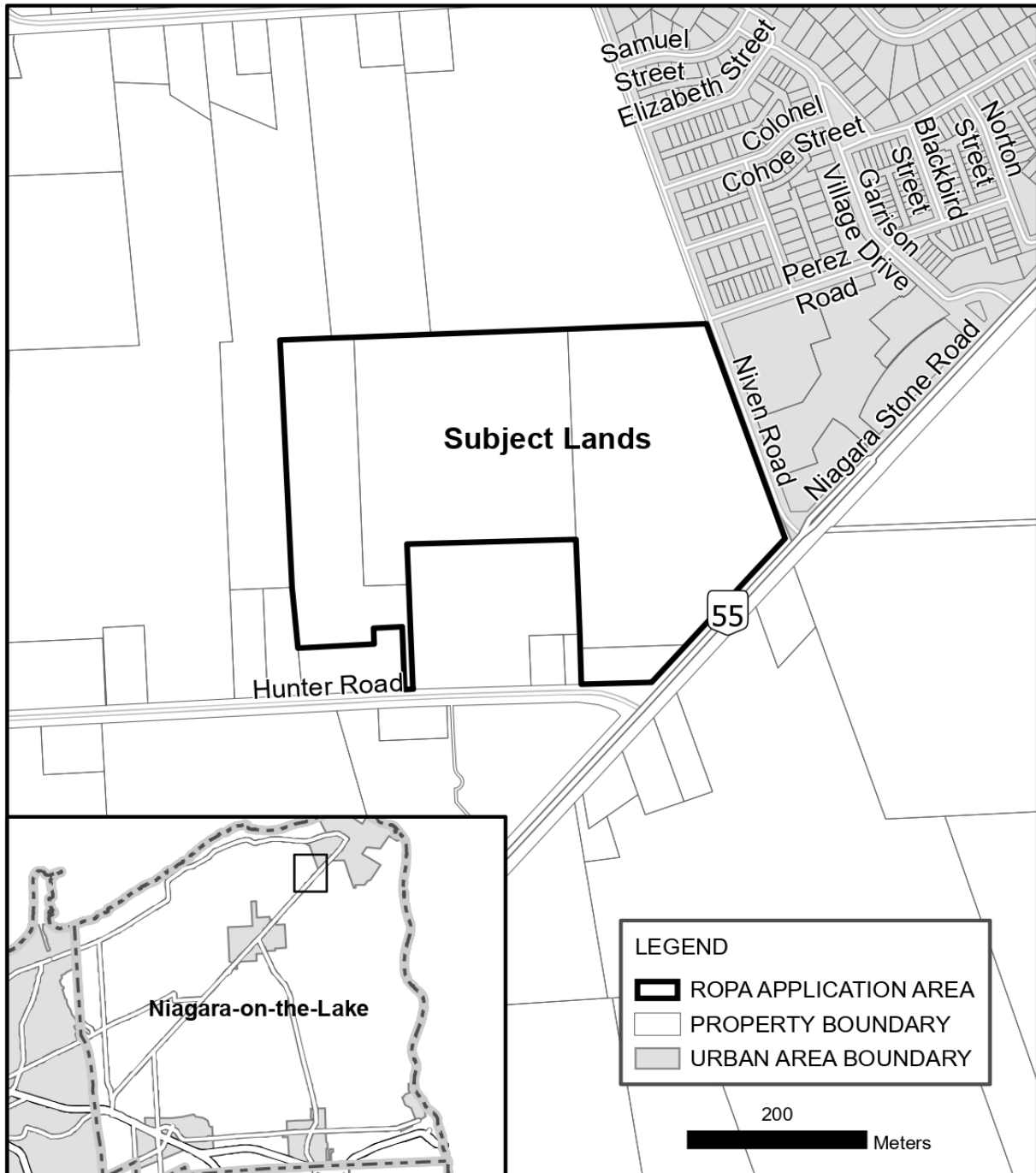
Part II – New Policies

1. Add Policy "13.E.22" to Chapter 13.

"13.E.22

Notwithstanding Regional Official Plan Policy 5.C.5, a new private sanitary connection is permitted to serve the proposed winery located at property known as Lots 43 and 44 and Part of Lots 46 and 47, Plan M-11 and 470 Hunter Road in the Town of Niagara-on-the-Lake."

Regional Official Plan Amendment: Location Map



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PART "C" - THE APPENDICES

To be attached once all comments are received.

DRAFT