

CITY OF NIAGARA FALLS

By-law No. 2025-XXX

A by-law to amend By-law No. 395-1966, to permit the use of the lands for on-farm diversified use, being an event venue with an interior floor space of 230m² (AM-2023-035).

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:

1. The Lands that are the subject of and affected by the provisions of this by-law are described in Schedule “A” of this by-law and shall be referred to in this by-law as the “Lands”. Schedule “A” is a part of this by-law.
2. The purpose of this by-law is to amend the provisions of By-law No. 395-1966, to permit the use of the Lands in a manner that would otherwise be prohibited by that by-law. In the case of any conflict between a specific provision of this by-law and any existing provision of By-law No. 395-1966, the provisions of this by-law are to prevail.
3. Notwithstanding any provision of By-law No. 395-1966, to the contrary, the following uses and regulations shall be the permitted uses and regulations governing the permitted uses on and of the Lands.
4. The Lands shall be rezoned from the Rural zone to Rural zone with site-specific provisions. In addition to the permitted uses and regulations of the Rural zone, lands zoned “Rural Exception 2025-XXX” may also be used for an event venue as an on-farm diversified use.
5. For the purpose of this by-law, on-farm diversified use is defined as uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses included, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that provide value added agricultural products. All combined on-farm diversified uses shall be limited in size to 2% of the property area to a maximum of 1 hectare. Should the principal use of the property change to something non-agricultural, the on-farm diversified uses shall no longer be permitted.
6. The regulations governing the permitted uses shall be:
 - (a) Maximum indoor space 230 metres squared
 - (b) Maximum total on-farm diversified use area 2% of property (881.23m²)
 - (c) The balance of regulations specified for Rural use

7. All other applicable regulations set out in By-law No. 395-1966 shall continue to apply to govern the permitted uses on the Lands, with all necessary changes in detail.
8. No person shall use the Lands for a use that is not a permitted use.
9. No person shall use the Lands in a manner that is contrary to the regulations.
10. The provisions of this by-law shall be shown on the **Schedule** of By-law No. 395-1966 as amended by By-law 82-160 and 85-129 by rezoning the Lands from Rural to **Rural 2025-XXX**.
11. Section VI of By-law No. 395-1966 is amended by adding thereto:
 (20) Rural Exception **(By-law 2025-XXX)**
 - a) The permitted uses shall be the uses permitted in a Rural zone and an event venue as on-farm diversified use.
 - b) The regulations governing the permitted uses shall be:
 - (i) Maximum indoor space 230m²
 - (ii) Maximum total on-farm diversified use area 2% of property (881.23m²)
 - (iii) The balance of regulations specified for Rural use.

For the purpose of **By-law 2025-XXX**, on-farm diversified use is defined as uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses included, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that provide value added agricultural products. All combined on-farm diversified uses shall be limited in size to 2% of the property area to a maximum of 1 hectare. Should the principal use of the property change to something non-agricultural, the on-farm diversified uses shall no longer be permitted.

Read a First, Second and Third time; passed, signed and sealed in open Council this **31th day of February, 2024.**

.....
 WILLIAM G. MATSON, CITY CLERK

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 JAMES M. DIODATI, MAYOR

Schedule “A”

Rural zone with site-specific exceptions (Rural-XXX)

None of the provisions of Section VI of By-law 395-1966 shall apply to prevent the use of the land north of Marshall Road and east of Sodom Road, zoned Rural-Exception 2025-XXX on the Schedule of By-law No. 395-1966 as amended by By-law 82-160 and 85-129, as amended, as an event venue as an on-farm diversified use, provided that the minimum and maximums shall not be less or greater than the following:

- (a) Maximum interior floor space 230m²
- (b) Maximum total on-farm diversified use area 2% of property (881.23m²)
- (c) The balance of regulations specified for Rural use.

SCHEDULE "A"

CITY OF NIAGARA FALLS
Schedule "A"
By-law 2025-xxx

