



Department of Community & Development Services
 1593 Four Mile Creek Road
 P.O. Box 100, Virgil, ON L0S 1T0
 905-468-3266 • Fax: 905-468-0301

www.notl.org

File No:	Date of Receipt:
Town Fee (\$):	Regional Fee (\$):
NPCA Fee (\$):	Operations Fee (\$):
Other Fee (\$):	Other Fee (\$):

(Office Use Only)

Application for an Official Plan Amendment and/or Zoning By-law Amendment Under the *Planning Act, R.S.O. 1990 c. P.13, as amended*

A pre-consultation meeting with Community & Development Services Staff is required prior to applying for an Official Plan Amendment and/or a Zoning By-law Amendment.

Please complete all applicable sections of this application. All measurements are to be provided in metric units. The information requested on this application is required to review the proposal. An incomplete application will be returned to the Registered Owner/Authorized Agent. If you have questions regarding the information requested on this application, please contact the Community & Development Services Department.

All information requested on this form is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. The requested information on this application and all accompanying plans, reports, and information is required in order to process this application and will form part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information. Questions about the collection of information can be made to the Town Clerk.

1. Type of Application			
<input type="checkbox"/> Official Plan Amendment		<input checked="" type="checkbox"/> Zoning By-law Amendment	
<input type="checkbox"/> Removal of Holding Symbol		<input type="checkbox"/> Temporary Use By-law	
(Complete Sections 2-4 only)			
2. Details of the Subject Lands			
Municipal Address 933 Niagara Stone Rd.		Assessment Roll Number 262702001512700	
Legal Description PT TWP LOT 170 NIAGARA AS IN R0317470 EXCEPT LANDS IN MIC. PL 1102, S/TNTP15297; NIAGARA-ON-THE-LAKE			
Date the subject lands were acquired: 2022/07/15	Lot Area (metric): 50,471.61 m ²	Lot Frontage (metric): ~184.04 m / ~182.64 m	Lot Depth (metric): ~221.76 m/~344.57 m
Description of easements, rights-of-way, or restrictive covenants applicable to the subject lands (if applicable): The Bell Telephone Company of Canada transfer easement filed in 1952/11/19			
3. Registered Owner (as shown on the deed and title of the property)			
Name Robert & Milissa Achal		Company Name 2679569 Ontario Corporation	Municipality N.O.T.L
Mailing Address 933 Niagara Stone Rd.		Unit Number	Postal Code L0S 1J0
Province ON	Email Robert.achal@neob.co	Telephone 905-356-3025	
4. Authorized Agent (if one has been authorized)			
Name Stephen Bedford		Company Name LANDx Developments Ltd.	Municipality St. Catharines
Mailing Address c/o 122 Glenwood Ave		Unit Number	Postal Code L2R 4C7
Province ON	Email stephenbedford@landxdevelopments.com	Telephone 905-688-2610	
Contact for all future correspondence (select one): <input type="checkbox"/> Registered Owner <input checked="" type="checkbox"/> Authorized Agent			
5. Mortgages, Charges, and Other Encumbrances (if applicable)			
Name		Company Name	Municipality
Mailing Address		Unit Number	Postal Code
Province	Email	Telephone	

6. Access (select all that apply)				
Identify how the subject lands will be accessed:				
<input checked="" type="checkbox"/> Public road maintained all year		<input type="checkbox"/> Niagara River Parkway		<input type="checkbox"/> Provincial highway
<input type="checkbox"/> Public road maintained seasonally		<input type="checkbox"/> Private easement/Right-of-way		<input type="checkbox"/> Waterway
If the subject lands will be accessed by a waterway only, identify the parking and docking facilities to be used and the approximate distance of these facilities from the subject lands to the nearest public road:				
7. Servicing (select all that apply)				
Identify how the subject lands will be serviced:				
Water		Sewage Disposal		Storm Drainage
<input type="checkbox"/> Publicly owned and operated piped water system		<input type="checkbox"/> Publicly owned and operated sanitary sewage system		<input type="checkbox"/> Sewers
<input checked="" type="checkbox"/> Privately owned and operated individual well		<input checked="" type="checkbox"/> Privately owned and operated individual septic system		<input checked="" type="checkbox"/> Ditches/swales
<input type="checkbox"/> Privately owned and operated communal well		<input type="checkbox"/> Privately owned and operated communal septic system		<input type="checkbox"/> Other:
<input type="checkbox"/> Lake or other water body		<input type="checkbox"/> Privy		
<input type="checkbox"/> Other:		<input type="checkbox"/> Other:		
8. Existing Buildings, Structures, and Uses				
Identify the existing use(s) of the subject lands and the length of time the existing use(s) have continued:				
Currently being used for agricultural operations for the production of lavender and garlic				
Type of Building or Structure	Renovated Garage			
Construction Date	2023			
Existing Use(s)	Produce Stand			
Time the Existing Use(s) have continued	1 year			
Front Yard Setback (m)	18.3			
Rear Yard Setback (m)	198.5			
Side Yard Setback (m)	16.9			
Side Yard Setback (m)	n/a			
Height (m)	3.2			
Gross Floor Area (sq m)	56.1			
Lot coverage (%)	0.11			
9. Proposed Buildings, Structures, and Uses (if applicable)				
Identify the proposed use(s) of the subject lands:				
A Farm storage building, Agricultural Market/retail space , Produce Stand , and a farm help trailer for the sale of goods grown and produced on their farmlands alongside other small-scale commercial goods. A farm residence is proposed.				
Type of Building or Structure	Building 1 - Proposed	Building 3 - Farm Stor _g	Building 4 - Farm Help _g	Building 5 - Farm Dwe _g
Construction Date	TBD	TBD	TBD	TBD
Proposed Use(s)	Agricultural Market	Agriculture	Agriculture	Detached Dwelling
Front Yard Setback (m)	27.7	N/A	N/A	15.24
Rear Yard Setback (m)	188.8	136.8	121.9	160.4
Side Yard Setback (m)	118	12	12	3.05
Side Yard Setback (m)	n/a	n/a	n/a	n/a
Height (m)	6.4	7.9	3.4	6.5
Gross Floor Area (sq m)	262.08	375	72	186
Lot coverage (%)	0.52	0.74	0.14	0.36
10. Provincial Policy				
Is this application consistent with policy statements issues under Section 3(1) of the <i>Planning Act</i> , R.S.O. 1990, c. P.13, as amended? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Is any portion of the subject lands within the Specialty Crop (Niagara Tender Fruit and Grape) Area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Is any portion of the subject lands within the Niagara Escarpment Plan Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If yes to any, explain how this application conforms to Provincial policy statements and applicable Provincial plan(s): The application conforms to the PPS (2020) as it is an on-farm diversified operation by contributing to the agri-tourism market of Ontario while adding economic value to their existing farm operations. The operation has been diligent in protecting the land for long-term agricultural uses and enhances the surrounding rural character of the area.				

11. Official Plan Information	
Existing Niagara Regional Official Plan designation(s) of the subject lands: Speciality Crop Area	
Does this application conform to the Niagara Regional Official Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, explain how this application conforms to the Niagara Regional Official Plan: The application conforms to the Niagara OP as the farm is appropriate for the area and the proposed agricultural market is small - scale and will not hinder existing agricultural operations. The Agricultural Market is located on the property where its products will be grown and will not interfere with the operation. The Market will support economic diversification of their existing farm operation and the agricultural economy in Niagara Region.	
Existing Town of Niagara-on-the-Lake Official Plan designation(s) of the subject lands: Agricultural	
Does this application conform to the Town of Niagara-on-the-Lake Official Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, explain how this application conforms to the Town of Niagara-on-the-Lake Official Plan: The Agricultural Market conforms to the NOTL OP and the OP supports Agricultural Market as an example of a "On-Farm Diversified Use" that is small scale in nature ensuring the agricultural use of the property is not interfered with. The diversified use will support the longevity of the farming operation ensuring future contributions to the economy of NOTL while being appropriate for its rural setting.	
Does this application propose to change or replace a designation in the Official Plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, what is the Official Plan designation that the amendment is proposing to change or replace?	
Does the proposed amendment change, replace, or delete a policy in the Official Plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, which Official Plan policy is to be changed, replaced, or deleted?	
Does the proposed amendment add a policy to the Official Plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, what is the nature and extent of the Official Plan policy that the amendment is proposing to add?	
Do the subject lands have a pre-determined requirement for maximum height or density? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Does this application propose to alter the boundaries of an existing settlement area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Does this application propose to remove any lands from an existing employment area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes to any of the above questions, provide details of the Official Plan policies that deal with the matter(s): The NOTL Zoning By-Law 500A-74 lists the maximum height of the building as 10.67 m.	
Explain the purpose for the proposed Town of Niagara-on-the-Lake Official Plan amendment (if applicable):	
12. Zoning Information	
Existing Town of Niagara-on-the-Lake Zoning of the subject lands: Rural (A)	
Explain the nature and extent of the proposed Zoning By-law Amendment: A site-specific Zoning By-Law amendment is being proposed to add the "Agricultural Market" use as a permitted land use for the subject lands. The proposed site zoning change will be from "Rural (A)" to "Rural (A-XX)". The proposed zoning will be "SPECIAL EXCEPTION XY - 2679569 ONTARIO CORPORATION (21.A.XY) ZONE"	
Explain the reason for the proposed Zoning By-law Amendment: Currently, "Agricultural Market" is not listed as a permitted use for the subject lands under the current zoning by-law. The amendment seeks to add the "Agricultural Market" land use designation to the subject property to allow for the operation of a lavender farm and retail operation.	
13. Surrounding Land Uses	
North	Detached rural dwellings & farm operations
South	Detached rural dwellings & farm operations
East	Detached rural dwellings & farm operations
West	Detached rural dwellings & farm operations

14. Previous Applications (if applicable)		
Have the subject lands ever been the subject of an application under the <i>Planning Act, R.S.O. 1990, c. P.13, as amended</i> for approval of a plan of subdivision or condominium, a consent, a minor variance, a site plan, an official plan amendment, a zoning by-law amendment, or a Minister's zoning order? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown 		
Are any lands within 120 metre of the subject lands the subject of an application made by the Registered Owner under the <i>Planning Act, R.S.O. 1990, c. P.13, as amended</i> for approval of a plan of subdivision or condominium, a consent, a minor variance, a site plan, an official plan amendment, a zoning by-law amendment, or Minister's zoning order? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown 		
If yes to either, provide the information requested below:		
Application Type	File Number	Status of the Application
15. Concurrent Applications (if applicable)		
Application Type	File Number	Status of the Application
Site Plan Application	TBD	TBD
16. Checklist of Requirements for a Complete Application (all boxes must be checked)		
The following plans, reports, and information must accompany this application: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> One (1) signed copy of the Pre-Consultation Agreement; <input checked="" type="checkbox"/> All applicable application fees (payable by cash, cheque, or debit); <input checked="" type="checkbox"/> Property Index Map(s) of the subject lands from the Land Registry Office, dated within one (1) month of receipt of this application; <input checked="" type="checkbox"/> Parcel Register(s) (including all PIN printouts and Legal Instruments) of the subject lands from the Land Registry Office, dated within one (1) month of receipt of this application; <input checked="" type="checkbox"/> Two (2) folded hardcopies of the Reference Plan(s) included in the legal description of the subject lands, to scale (unfolded copies will not be accepted); <input checked="" type="checkbox"/> Two (2) hardcopies of a draft by-law for each separate document being amended; <input checked="" type="checkbox"/> Two (2) hardcopies of a schedule accompanying each draft by-law, if applicable; <input checked="" type="checkbox"/> Two (2) hardcopies of all required plans, reports, and information identified on the Pre-Consultation Agreement; <input checked="" type="checkbox"/> For all large-format plans, two (2) sets of reduced plans on 11' X 17' paper; and <input checked="" type="checkbox"/> One (1) digital copy, in PDF format, of all required materials. <p><i>This application will be circulated to various agencies for review and comment. Where the scope or nature of the application requires input from a large number of agencies, additional copies of this application and accompanying plans, reports, and information may be required.</i></p>		
17. Checklist of Drawing Requirements (all applicable boxes must be checked)		
Plans and drawings accompanying this application must show the following information, in metric units: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> North arrow; <input checked="" type="checkbox"/> Metric scale; <input checked="" type="checkbox"/> The boundaries and dimensions of the subject lands; <input checked="" type="checkbox"/> The location, size, type, and setbacks of all existing and proposed buildings and structures on the subject lands; <input checked="" type="checkbox"/> Natural and artificial features located within or adjacent to the subject lands, such as buildings, railways, roads/highways, pipelines, watercourses, drainage ditches, top of banks, wetlands, wooded areas, wells, septic tanks, and parking and docking facilities (if access to the subject lands is by waterway only), or any other features that may affect this application in the opinion of the Registered Owner/Authorized Agent; <input checked="" type="checkbox"/> The existing use(s) of adjacent lands (for example, residential, agricultural, or commercial); <input checked="" type="checkbox"/> The location, width and name any road/highway within or abutting the subject lands, and indicating whether it is an unopened road allowance, a public road, a private road, or a right-of-way; and <input checked="" type="checkbox"/> The location and nature of any easement affecting the subject lands (if applicable). <p><i>Community & Development Services Staff may request that additional information be provided in the plans and drawings that accompany this application, based on the scope and nature of the proposal.</i></p>		

18. Plans, Reports, and Information Submitted with this Application

Identify all plans, reports, and information submitted with this application:

No.	Title	Date	Author
1	Site Plan & Building Elevations	August 2024	A. Hellwig - AAH Design Inc.
2	Planning Justification Report	August 2024	S. Bedford - LANDx Developments Ltd.
3	PIN Map & Parcel Register	Dec 2023	Queen's Printer for Ontario
4	Site Survey	May 2023	R. Kirkup - J.D. Barnes Ltd.
5	Draft Zoning By-Law Text & Schedule	August 2024	S. Bedford - LANDx Developments Ltd.
6	Functional Servicing Brief	July 2024	J. Slovak - Urban & Environmental Man
7	Stormwater Management Brief	July 2024	M. Molek - Urban & Environmental Man
8	Site Lighting Photometric	July 2024	R.I. El-Khoury, Direct Engineering Ltd.
9	Grading & Erosion & Sediment Control Pla	July 2024	M. Molek - Urban & Environmental Man
10	Pre-Consultation Agreement	March 2023	City Staff - Niagara-On-The-Lake
11	Septic Design Approval Permit	Feb 2024	R. Achal -NEOB & City Staff - NOTL
12	Landscape Plan & Cost Estimate	July 2024	K. Tong - HKLA Landscape Architects

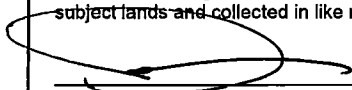
19. Acknowledgement and Agreement of Registered Owner

I, Robert Achal of 2679569 Ontario Corporation AM THE REGISTERED OWNER OF THE SUBJECT LANDS AND
 (Name of Registered Owner/Company)

I ACKNOWLEDGE AND AGREE that all information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

I ACKNOWLEDGE AND AGREE that the Town of Niagara-on-the-Lake, its employees and agents may enter onto my property to view, photograph and survey my property as necessary for this application.

I ACKNOWLEDGE AND AGREE that all costs of processing this application shall be paid for by the Registered Owner. The Registered Owner shall reimburse the Town of Niagara-on-the-Lake, upon demand, for all costs incurred by the Town of Niagara-on-the-Lake in respect of this application. Without limiting the foregoing, the Registered Owner acknowledges and agrees to pay such expenses regardless of whether or not this application is approved or proceeded with and are not refundable. If costs are not paid by the due date imposed by the Town of Niagara-on-the-Lake, the Registered Owner understands and acknowledges that the costs will be added to the tax bill of the subject lands and collected in like manner as property taxes.

X  _____ 08-08-24 _____
 (Signature of Registered Owner) (Date)

20. Authorization of Registered Owner

If this application is being submitted by an Authorized Agent, the Registered Owner of the subject lands must complete this section. If there is more than one Registered Owner, a separate authorization from each individual or corporation is required. An additional copy of this page must be attached for each Registered Owner.

I, Robert Achal of 2679569 Ontario Corporation AM THE REGISTERED OWNER OF THE SUBJECT LANDS
 (Name of Registered Owner/Company)

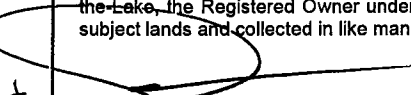
AND HEREBY AUTHORIZE Stephen Bedford of LANDx Developments Ltd.
 (Name of Authorized Agent/Company)

TO SUBMIT THIS APPLICATION to the Town of Niagara-on-the-Lake, appear on my behalf at any hearing(s) of this application, and provide any information or material required by the Town of Niagara-on-the-Lake relevant to this application.

I UNDERSTAND that all information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

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X  _____ 08-08-24 _____
 (Signature of Registered Owner) (Date)

21. Sworn Declaration

I, Stephen Bedford of LANDx Developments Ltd. **OF THE** City of St. Catharines
(Name of Registered Owner/Company or Authorized Agent/Company) *(Name of City, Town, Township, etc.)*
IN THE Regional Municipality of Niagara
(Name of Regional Municipality or Province)

DO SOLEMNLY DECLARE that the information contained in this application and that the information contained in the documents that accompany this application is true and complete.

Declared before me in the Town of Niagara-On-The-Lake in the Regional Municipality of Niagara
(Name of City, Town, Township, etc.) *(Name of Regional Municipality or Province)*

on this 8 day of August, 2024
(Month) *(Year)*


(Signature of Registered Owner/Authorized Agent)



(Signature of Commissioner of Oath)
Natalie Elora Thomson, a Commissioner, etc.,
Province of Ontario, for the Corporation of the
Town of Niagara-on-the-Lake.
Expires April 25, 2027.

THIS APPLICATION MUST BE SUBMITTED TO:

Town of Niagara-on-the-Lake
Community & Development Services
1593 Four Mile Creek Road
PO Box 100
Virgil, ON L0S 1T0

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