

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

- Official Plan Amendment     
  Zoning By-law Amendment     
  Removal of Holding Symbol (Complete Sections 2-4 only)     
  Temporary Use By-law

### 2. Details of the Subject Lands

Municipal Address 795 & 747 East and West Line		Assessment Roll Number 2627 020 013 064 00 & 2627 020 013 0	
Legal Description PT TOWNSHIP LOT 115; PT BLOCK 13 TP PLAN 85 NIAGARA, PT 1, PL 30R14619 & PT TWP LT 115 NIAGARA PT 2			
Date the subject lands were acquired: June 29, 2023 [747 E/W Line]	Lot Area (metric): 30,208 m <sup>2</sup>	Lot Frontage (metric): 36.4m [Concession 4 Rd]	Lot Depth (metric): approx 307.47m
Description of easements, rights-of-way, or restrictive covenants applicable to the subject lands (if applicable):			

### 3. Registered Owner (as shown on the deed and title of the property)

Name Nadia R Kobylka	Company Name Vineland Growers Co-operative Limited	Municipality Niagara-on-the-Lake
Mailing Address	Unit Number	Postal Code
Province ON	Email nkobylka@vinelandgrowers.ca	Telephone

### 4. Authorized Agent (if one has been authorized)

Name Aaron Butler	Company Name NPG Planning Solutions Inc.	Municipality Niagara Falls
Mailing Address 4999 Victoria Avenue	Unit Number	Postal Code
Province ON	Email abutler@npgsolutions.ca	Telephone

Contact for all future correspondence (select one):     Registered Owner     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:

- Public road maintained all year     
  Niagara River Parkway     
  Provincial highway  
 Public road maintained seasonally     
  Private easement/Right-of-way     
  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**

- Publicly owned and operated piped water system  
 Privately owned and operated individual well  
 Privately owned and operated communal well  
 Lake or other water body  
 Other: \_\_\_\_\_

**Sewage Disposal**

- Publicly owned and operated sanitary sewage system  
 Privately owned and operated individual septic system  
 Privately owned and operated communal septic system  
 Privy  
 Other: \_\_\_\_\_

**Storm Drainage**

- Sewers  
 Ditches/swales  
 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:

Type of Building or Structure	Farm Produce Storage	Single Detached Dwell		
Construction Date	approx. 1965	Unknown, pre-2000		
Existing Use(s)	Farm produce storage	Residential		
Time the Existing Use(s) have continued	over 50 years	over 20 years		
Front Yard Setback (m)	37.4m	24.8m (after road allo		
Rear Yard Setback (m)	146.8m	68.1m		
Side Yard Setback (m)	12.42m (south)	32.6m (west)		
Side Yard Setback (m)	8.9m (north) [before ro			
Height (m)	10.6m [35ft]			
Gross Floor Area (sq m)	4,991.51m <sup>2</sup>			
Lot coverage (%)	21.29%			

**9. Proposed Buildings, Structures, and Uses** (if applicable)

Identify the proposed use(s) of the subject lands:

A farm produce storage and crop input facility, the proposal is an expansion.

Type of Building or Structure	Farm produce storage			
Construction Date				
Proposed Use(s)	Agriculture related use			
Front Yard Setback (m)	37.45m			
Rear Yard Setback (m)	74.51m			
Side Yard Setback (m)	12.42m (south)			
Side Yard Setback (m)	8.9m (north)			
Height (m)	10.6m [35 ft]			
Gross Floor Area (sq m)	2817.69m <sup>2</sup> [expansion			
Lot coverage (%)	25.2%			

**10. Provincial Policy**

Is this application consistent with policy statements issues under Section 3(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended?

- Yes     No

Is any portion of the subject lands within the Specialty Crop (Niagara Tender Fruit and Grape) Area?

- Yes     No

Is any portion of the subject lands within the Niagara Escarpment Plan Area?

- Yes     No

If yes to any, explain how this application conforms to Provincial policy statements and applicable Provincial plan(s):

Please refer to the attached Planning Justification Report ('PJR').

**11. Official Plan Information**

Existing Niagara Regional Official Plan designation(s) of the subject lands:  
[Prime Agricultural Area/ Specialty Crop Area](#)

Does this application conform to the Niagara Regional Official Plan?  Yes  No  
 If yes, explain how this application conforms to the Niagara Regional Official Plan:  
[Please refer to the attached Planning Justification Report \('PJR'\).](#)

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?  Yes  No  
 If yes, explain how this application conforms to the Town of Niagara-on-the-Lake Official Plan:  
[Please refer to the attached Planning Justification Report \('PJR'\).](#)

Does this application propose to change or replace a designation in the Official Plan?  Yes  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?  Yes  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?  Yes  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?  Yes  No  
 Does this application propose to alter the boundaries of an existing settlement area?  Yes  No  
 Does this application propose to remove any lands from an existing employment area?  Yes  No  
 If yes to any of the above questions, provide details of the Official Plan policies that deal with the matter(s):

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 \(A\) Site Specific Zone \[By-law No. 500WW-15\], and Rural Residential \(RR\) Zone.](#)

Explain the nature and extent of the proposed Zoning By-law Amendment:  
[Please refer to the attached PJR.](#)

Explain the reason for the proposed Zoning By-law Amendment:  
[Please refer to the attached PJR.](#)

**13. Surrounding Land Uses**

North	<a href="#">Residential and Agricultural</a>
South	<a href="#">Agricultural (Winery)</a>
East	<a href="#">Residential and Agricultural</a>
West	<a href="#">Residential and Agricultural</a>

**14. Previous Applications** (if applicable)

Have the subject lands ever been the subject of an application under the *Planning Act, R.S.O. 1990, c. P.13, as amended* 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?  Yes  
 No  
 Unknown

Are any lands within 120 metre of the subject lands the subject of an application made by the Registered Owner under the *Planning Act, R.S.O. 1990, c. P.13, as amended* 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?  Yes  
 No  
 Unknown

If yes to either, provide the information requested below:

Application Type	File Number	Status of the Application
Zoning By-law Amendment	CDS-15-060 (staff report #)	Approved

**15. Concurrent Applications** (if applicable)

Application Type	File Number	Status of the Application

**16. Checklist of Requirements for a Complete Application** (all boxes must be checked)

The following plans, reports, and information must accompany this application:

- One (1) signed copy of the Pre-Consultation Agreement;
- All applicable application fees (payable by cash, cheque, or debit);
- Property Index Map(s) of the subject lands from the Land Registry Office, dated within one (1) month of receipt of this application;
- 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;
- 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);
- Two (2) hardcopies of a draft by-law for each separate document being amended;
- Two (2) hardcopies of a schedule accompanying each draft by-law, if applicable;
- Two (2) hardcopies of all required plans, reports, and information identified on the Pre-Consultation Agreement;
- For all large-format plans, two (2) sets of reduced plans on 11' X 17' paper; and
- One (1) digital copy, in PDF format, of all required materials.

*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.*

**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:

- North arrow;
- Metric scale;
- The boundaries and dimensions of the subject lands;
- The location, size, type, and setbacks of all existing and proposed buildings and structures on the subject lands;
- 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;
- The existing use(s) of adjacent lands (for example, residential, agricultural, or commercial);
- 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
- The location and nature of any easement affecting the subject lands (if applicable).

*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.*

**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, Floor Plans	December 11, 2024	Brouwer Architects
2	Landscape Plan	November 29, 2024	James McWilliam
3	Reference Plan/Registered Plan	November 13, 2024	J.D. Barnes
4	Detailed Sewage System Design		Chris Attema
5	Draft Zoning By-law Amendment		NPG Planning Solutions Inc.
6	PIN Maps & Parcel Registers	December 18, 2024	
7	Planning Justification Report		NPG Planning Solutions Inc.
8	Stage 1-2 Archaeological Assessment	July 10, 2024	Detritus Consulting Ltd.
9	Functional Servicing Design Brief	December 17, 2024	Hallex Engineering Ltd.
10			
11			
12			

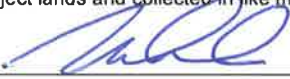
**19. Acknowledgement and Agreement of Registered Owner**

I, 1000575883 Ontario Inc. 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.

  
 (Signature of Registered Owner)

Dec 23/24  
 (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, 1000575883 Ontario Inc. AM THE REGISTERED OWNER OF THE SUBJECT LANDS  
 (Name of Registered Owner/Company)

**AND HEREBY AUTHORIZE** Aaron Butler on Behalf of NPG Planning Solutions Inc.  
 (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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(Name of Registered Owner/Company)

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(Signature of Registered Owner)

Dec 23/24  
(Date)

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(Signature of Registered Owner)

Dec 23/24  
(Date)

**21. Sworn Declaration**

I, Aaron Butler OF THE City of Niagara Falls  
(Name of Registered Owner/Company or Authorized Agent/Company) (Name of City, Town, Township, etc.)

IN THE Region 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 City of Hamilton in the Province of Ontario  
(Name of City, Town, Township, etc.) (Name of Regional Municipality or Province)

on this 19<sup>th</sup> day of December, 2024.  
(Month) (Year)

AButler

(Signature of Registered Owner/Authorized Agent)

X Fiedler

(Signature of Commissioner of Oath)

**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

Phone: (905) 468-3266  
Fax: (905) 468-0301  
Website: [www.nottl.org](http://www.nottl.org)

**Robert Scott Fiedler,  
a Commissioner, etc.,  
Province of Ontario,  
for NPG Planning Solutions Inc.  
Expires February 19, 2025.**