



Planning Justification Report

Zoning By-law Amendment

747 & 795 East and West Line

For: Vineland Growers Co-operative Limited

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Table of Contents

1.0	Introduction	4
2.0	Description of Subject Lands and Surrounding Area	4
3.0	Proposed Development	11
3.2	Pre-Consultation	11
4.0	Supporting Studies Review	12
4.1	Archaeological Assessment	12
4.2	Functional Servicing Report & Stormwater Management Report.....	12
5.0	Planning Policies.....	13
5.1	Planning Act.....	13
5.2	Provincial Planning Statement (2024).....	16
5.2.1	Agricultural Policies.....	16
5.2.2	Sewage, Water and Stormwater	17
5.2.3	Cultural Heritage and Archaeology	18
5.3	Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas (Publication 851) 18	
5.4	Greenbelt Plan (2017).....	21
5.4.1	Goals of the Protected Countryside	21
5.4.2	Specialty Crop Area Policies.....	22
5.4.3	Stormwater Management and Resilient Infrastructure Policies.....	22
5.5	Niagara Official Plan (2022) (NOP).....	23
5.5.1	The Agricultural System	24
5.5.3	Infrastructure	26
5.5.4	Archaeology	27
5.6	Town of Niagara-on-the-Lake Official Plan	27
5.6.1	Relevant Servicing Policies.....	28
5.6.2	Relevant Agriculture Objectives and Policies.....	29
5.6.3	Archaeology.....	31
6.0	Proposed Zoning By-law Amendment.....	31
7.0	Summary and Conclusion	35
8.0	Appendices	36
	Appendix A – Site Plan	36

Appendix B – Greenbelt Plan.....	37
Appendix C – Regional Official Plan Schedules.....	38
Appendix D – Town of Niagara-on-the-Lake Official Plan Schedules	43
Appendix E – Town of Niagara-on-the-Lake Zoning By-law	46
Appendix F – Draft Zoning By-law Amendment	47

1.0 Introduction

NPG Planning Solutions Inc. (“NPG”) are planning consultants to Vineland Growers Co-operative Limited (“Vineland Growers”), “Owner” of two (2) parcels of land totaling approximately 3.02 hectares in the Town of Niagara-on-the-Lake, municipally known as 747 & 795 East and West Line (“Subject Lands”).

Vineland Growers is the longest continually run agricultural co-operative in Canada since 1913, operating as a farm produce storage facility and crop input dealer at 795 East and West Line. The co-operative – an agriculture related use - is now proposing to expand their existing building onto recently acquired lands to the west at 747 East and West Line. While 747 East and West Line will be used to accommodate the relocation of truck and trailer parking to support the expanded crop input dealer operation, there will be no new trailers added.

NPG has been retained to provide professional planning advice on the application for Zoning By-law Amendment (“ZBA”) required to facilitate the proposed development. The proposed ZBA will expand the existing site-specific zoning for 795 East and West Line to include the newly acquired property (747 East and West Line) and to eliminate the site-specific zoning requirement for a 30-metre wide strip of land, referred to as Part 1 on ‘Map B’ of the site-specific by-law to be maintained as landscaped open space.

This PJR evaluates the appropriateness of the proposed development when assessed against the land use planning framework provided in the *Planning Act*, Provincial Planning Statement (“PPS”), Greenbelt Plan, Niagara Official Plan (“NOP”), the Town of Niagara-on-the-Lake Official Plan (“Town OP”), and the Town of Niagara-on-the-Lake Zoning By-law (“ZBL”) No. 500A-74, as amended.

Sections 5.1, 5.2, 5.3, 5.4 and 5.5 of this PJR assess the proposed Zoning By-law Amendment against provincial and regional planning policies. Section 5.6 of this report establishes that the proposal conforms to the Town OP, while Section 6.0 provides planning justification for the proposed ZBA.

In our opinion, the proposed ZBA constitutes good land use planning, is in the public interest, and should be approved.

2.0 Description of Subject Lands and Surrounding Area

The Subject Lands are located outside of Virgil along the southside of East and West Line where it intersects with Concession 4 Road. Niagara Stone Road is approximately 350 metres to the east. The Subject Lands are 3.02 hectares in size and irregularly shaped with approximately 302 metres of frontage along East and West Line and 36.4 metres of frontage along Concession 4 Road. A road widening measuring approximately 3 metres has been provided along the East and West Line frontage - all measurements provided in this PJR are provided in the post-road widening condition.

As noted, the Subject Lands are comprised of two (2) properties: 795 East and West Line and 747 East and West Line. Vineland Growers' existing facilities and operations are currently located on 795 East and West Line, which has a lot area of approximately 2.34 hectares, a lot frontage of 36.4 metres along Concession 4 Road, and a lot frontage of 241.88 metres along East and West Line. 747 East and West Line is an abutting residential property to the west with an existing single storey dwelling, a lot area of 0.67 hectares, and lot frontage of 60.96 metres. The dwelling at 747 East and West Line will be demolished as part of the proposed development.

The Subject Lands are designated Agricultural in the Town's Official Plan. Zoning By-law No. 500WS-15 zones 795 East and West Line as Rural (A) Site Specific Zone, whereas 747 East and West Line is zone Rural Residential (RR) Zone. The Subject Lands are surrounded by existing Agricultural and Rural Residential uses (see Figure 1 – Aerial Context).

Vineland Growers Co-operative was established in 1913. The co-op is an agriculture-related use, supporting agriculture and local farmers by providing them with a safe and convenient space to store their products/produce prior to distribution, as well as a location to purchase crop input supplies (containers, crop protection, field supplies, etc.). Site-specific zoning for 795 East and West Line to facilitate a previous expansion of the existing farm produce storage use was approved by the Town of Niagara-on-the-Lake in September of 2015.



Figure 1 – Aerial Context

- North:** Residential (Single-detached dwellings) and Agricultural
- East:** Residential (Single-detached dwellings) and Agricultural
- South:** Agricultural (Winery)
- West:** Residential (Single-detached dwellings) and Agricultural

Image 1 – Existing truck entrance, looking northwest



Image 2 – View looking south along the lot line abutting the residential use to the east



Image 3 – View looking east along the southern lot line of the Subject Lands



Image 4 – View of existing SWM pond from the Subject Lands frontage, looking south



Image 5 – View along the western interior side lot line, looking south



Image 6 – View along the frontage of the Subject Lands, looking east



Image 7 – View along the frontage of the Subject Lands, looking west



Image 8 – View of existing Single Detached Dwelling (to be removed), looking south



Image 9 – View of existing building on the Subject Lands, looking southeast



Image 10 – View of exiting private on-site septic system



3.0 Proposed Development

Vineland Growers are proposing to add 2,629 m² of floor area to their existing farm produce building at 795 East and West Line, which is 4,991 m². The height of the proposed expansion will match with the existing building.

As shown on the Site Plan (**Appendix A**), the expansion will extend the existing use onto 747 East and West Line, which is currently a residential property with a single-detached dwelling. Specifically, the proposed building expansion will require existing parking for trucks and trailers and a stormwater retention pond to be relocated westward onto the 747 East and West Line portion of the combined properties, i.e. the Subject Lands.

Truck access is currently provided via a driveway along East and West Line. This access will be relocated westward and provide access to the new truck and trailer parking as well as to existing and proposed loading docks associated with the farm produce storage building. Other driveway access points are located on the northeastern portion of 795 East and West Line, with entrances off East and West Line and Concession 4 Road.

The Subject Lands are serviced by municipal water and a private on-site septic system located on the southeast corner of 795 East and West Line behind the easternmost part of the existing building shown on the Site Plan (**Appendix A**). The current septic system on-site has a capacity just under 10,000L/day and is operating at an average volume of 4,750L/day. As detailed in the Functional Servicing Report (“FSR”), the proposed development will increase sanitary flows to 9,400L/day and will require modifications to the existing septic system. A preliminary septic system design to accommodate the proposed development was prepared by Chris Attema, a qualified septic designer, provided to Niagara Region staff for review, and submitted as part of this application.

The proposed ZBA will delete provision 3(i) of the site-specific Zoning By-law 500WS-15 speaking to maintaining the rear yard, shown as Part 1 on ‘Map B’ as landscaped open space for a distance of 30 metres. The remaining site-specific provisions of By-law 500WS-15 will continue to apply.

3.2 Pre-Consultation

The Pre-Consultation Agreement dated April 4, 2024, identified the requirement for a road widening measuring approximately 3 metres to be conveyed across the entire East and West Line frontage. The following requirements have also been identified for a complete application submission:

1. Planning Justification Report
2. Archaeological Assessment
3. Functional Servicing and SWM Brief
4. Site Plan, Floor Plan, Building Elevations
5. Conceptual Landscape Plan and Planting Plan
6. Reference Plan/Registered Plan
7. Detailed Sewage System Design & Inspection
8. Draft Zoning By-law Amendment
9. Property Index Map and Parcel Registers

4.0 Supporting Studies Review

4.1 Archaeological Assessment

A Stage 1-2 Archaeological Assessment of the Subject Lands was conducted by Detritus Consulting Ltd. and resulted in no archaeological resources being identified or documented. On this basis, Detritus Consulting Ltd. recommends no further archaeological assessment of the Subject Lands is necessary.

The compliance letter issued by Ministry of Tourism, Culture and Sport's will be submitted to the relevant reviewing agencies when available.

4.2 Functional Servicing Report & Stormwater Management Report

Halex Engineering Ltd. has prepared a Functional Servicing Design Brief (the "FSR"), dated December 17, 2024. The FSR assesses the functional sizing of the proposed storm and water services, as well as post development flows from the site to determine the impact on existing municipal infrastructure.

The FSR provides the following:

Existing Water, Wastewater, and Stormwater Servicing

- There is an existing stormwater management pond that will be removed and relocated. Stormwater will be redirected based on pre-2015 site drainage which will flow through a roadside ditch along East & West Line into a 600mm CSP culvert.
- The existing septic systems will be decommissioned and replaced with a new septic system (to be designed by others) to accommodate additional wastewater flows.¹
- The existing Vineland Growers' Co-operative Ltd. building is serviced with a 38mm water services, and the existing single-family dwelling at 747 East and West Line is serviced with a 16mm. Both connect to the existing 200mm municipal watermain on East and West Line.

Storm Drainage System

- Stormwater detention will be necessary. A dry pond will capture runoff limiting discharge to pre-development rates.
- A Hydroguard HG8 will be installed to remove 75% of total suspended solids before discharge, exceeding the Ministry of Environment's required 70% for 'Normal' water quality treatment.

Water Distribution System

¹ Design flow calculation and proposed septic system design for the proposed development have been prepared by Chris Attema, a qualified Septic Designer, and to be reviewed and approved by Niagara Region. The septic design includes a replacement of the existing disposal bed on 795 East and West Line.

- The current 38mm service line is deemed sufficient for the expansion. As such, the project will reuse the existing 38mm water connection to the 200mm municipal watermain along East & West Line
- Fire flow requirements are estimated at 17,000L/min. Three municipal hydrants are in proximity to the site, consistent with standard fire protection needs.

5.0 Planning Policies

This PJR provides an analysis of the proposal and evaluates the appropriateness of the proposed Zoning By-law Amendment in the context of the Planning Act, the Provincial Planning Statement (PPS), the Greenbelt Plan, the NOP, and the Town OP.

5.1 Planning Act

Section 2 of the *Planning Act* (“the Act”) outlines the matters of provincial interest that the council of a municipality, a planning board and the Ontario Land Tribunal shall have regard for in carrying out their responsibilities under the Act. The following table provides a summary of the provincial interests, along with an analysis as it relates to the Proposed Zoning By-law Amendment Application.

Table 1: Analysis of Provincial Interest – Section 2 of Ontario Planning Act

SECTION	PROVINCIAL INTEREST	ANALYSIS
a)	<i>the protection of ecological systems, including natural areas, features and functions</i>	The Subject Lands are located outside of ecological systems and natural areas.
b)	<i>the protection of the agricultural resources of the Province</i>	The proposed development will expand the existing agriculture-related use on 795 East and West Line to the acquired parcel at 747 East and West Line (an abutting small, rural residential property). Adjacent farming operations will not be negatively impacted. The existing use being expanded provides services vital to agricultural operations in the local area.
c)	<i>the conservation and management of natural resources and the mineral resource base</i>	The proposed development is not anticipated to impact the conservation and management of natural resources and the mineral resource base.

SECTION	PROVINCIAL INTEREST	ANALYSIS
d)	<i>the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest</i>	An Archaeological Assessment dated July 10, 2024, was completed by Detritus Consulting Ltd. and identified no archaeological resources.
e)	<i>the supply, efficient use and conservation of energy and water</i>	This is not applicable.
f)	<i>the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems</i>	The FSR completed by Hallex Engineering concluded that the proposed development could be serviced via a connection to existing municipal water service on East and West Line and proposed private septic system.
g)	<i>the minimization of waste</i>	This is not applicable.
h)	<i>the orderly development of safe and healthy communities</i>	The proposed development is an expansion of an existing agriculture-related use.
h.1)	<i>the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies</i>	The proposed development will comply with all requirements.
i)	<i>the adequate provision and distribution of educational, health, social, cultural and recreational facilities</i>	A wide range of these facilities are available in the Town Niagara-on-the-Lake.
j)	<i>the adequate provision of a full range of</i>	This is not applicable.

SECTION	PROVINCIAL INTEREST	ANALYSIS
	<i>housing, including affordable housing</i>	
k)	<i>the adequate provision of employment opportunities</i>	The farm produce storage building will employ up to 18 employees at peak season after build-out.
l)	<i>the protection of the financial and economic well-being of the Province and its municipalities</i>	The proposed development will contribute to the long-term prosperity of agricultural operations in the local area and will not require the uneconomic expansion of existing services or infrastructure.
m)	<i>the co-ordination of planning activities of public bodies</i>	This will be addressed through the circulation of the planning applications to applicable public bodies identified in the pre-consultation agreement.
n)	<i>the resolution of planning conflicts involving public and private interests</i>	The proposed development requires approval of a Zoning By-law Amendment. The application approval process provides an opportunity to resolve planning conflicts that may arise involving public and private interests.
o)	<i>the protection of public health and safety</i>	The proposed development is not impacted by natural or human hazards and will be serviced municipal water and a private septic system. Appropriate access for vehicles will be provided via entrances along East and West Line and Concession 4 Road.
p)	<i>the appropriate location of growth and development</i>	The proposed development will expand an existing agriculture-related use that provides vital services to agricultural operations in the local area.
q)	<i>the promotion of development that is designed to be sustainable, to support public transit and to be</i>	The proposed development is located outside the urban area where rural service levels do not include provision of scheduled public transit or sidewalks.

SECTION	PROVINCIAL INTEREST	ANALYSIS
	<i>oriented to pedestrians</i>	
r)	the promotion of built form that: i.) is well-designed ii.) encourages a sense of place iii.) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant	The proposed development will be well-designed and support tender fruit production in the local area, an important contributor to sense of place in Niagara-on-the-Lake. This will be achieved by providing a space for the storage of produce as well as the supply of crop input supplies to tender fruit growers.
s)	the mitigation of greenhouse gas emissions and adaptation to a changing climate	The proposed development consolidates farm produce storage currently provided at several off-site locations, which is anticipated to reduce greenhouse gas emissions.

ANALYSIS

In summary, it is our opinion that the proposed Zoning By-law Amendment Application has regard for matters of public interest in Section 2 of the Planning Act.

5.2 Provincial Planning Statement (2024)

The Provincial Planning Statement (2024), hereinafter referred to as PPS, is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents. The PPS came into effect October 20, 2024.

This PJR discusses the proposed development's consistency with this planning statement.

5.2.1 Agricultural Policies

The Subject Lands are within a Prime Agricultural Area, and more specifically, a Specialty Crop Area based on the policies and definitions in the PPS.

The PPS provides the following policy regarding Prime Agricultural Areas:

POLICY

4.3.1.1 *As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.*

4.3.2.1 *In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance.*

Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

4.3.6.1 *Planning authorities are encouraged to support local food, facilitate near-urban and urban agriculture, and foster a robust agri-food network.*

ANALYSIS

The Subject Lands are within a Prime Agricultural Area, and more specifically, a Specialty Crop Area according to the PPS. The proposed development is for the expansion of an existing farm produce storage building, an agriculture-related use, that directly benefits the farmers and agri-food network of Niagara-on-the-Lake – this is consistent with policies 4.3.2.1, and 4.3.6.1.

5.2.2 Sewage, Water and Stormwater

Section 3.6 of the PPS provide policy direction relating to site servicing. The following policies apply to the Subject Lands:

POLICY

3.6.4 *Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual onsite sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.*

At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3.

3.6.8 *Planning for stormwater management shall:*

b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;

- e) *maximize the extent and function of vegetative and pervious surfaces;*
- f) *promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and*

ANALYSIS

The Subject Lands have connections to existing municipal water and feature private on-site septic systems. The septic system on 795 East and West Line will service the proposed development with modifications—decommissioning and replacing the disposal bed—to accommodate the proposed expansion of the existing agriculture-related use. A detailed septic system design has been prepared by a qualified septic designer for review and approval by Niagara Region.

The FSR prepared by Hallex Engineering confirms the proposed development can be adequately serviced with the existing connection to municipal water. The FSR also assesses post-development site flows and provides a storm drainage system and stormwater management design for to accommodate the increased stormwater flows that will result from the proposed development. As such, the proposed development is consistent with Section 3.6 of the PPS.

5.2.3 Cultural Heritage and Archaeology

The Subject Lands are within an Area of Archaeological Potential, per Schedule K of the Niagara Official Plan. Section 4.6 of the PPS provides the following policy direction regarding archaeology:

POLICY

- 4.6.2 *Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.*

ANALYSIS

A Stage 1-2 Archaeological Assessment prepared by Detritus Consulting Ltd. did not identify and/or recover archaeological resources on the Subject Lands and recommends no further archaeological assessment be undertaken. The proposed development is consistent with PPS policy 4.6.2.

CONCLUSION

Based on the foregoing, the proposed Zoning By-law Amendment Application is consistent with the PPS.

5.3 Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (Publication 851)

The Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) Publication 851: Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas is provided to assist

in the interpretation of PPS policies and ensure they are implemented in a consistent, appropriate manner.

The following are identified by the OMAFRA Guidelines as high-level objectives of the PPS policies for Prime Agricultural Areas:

1. Maintaining the land base for agriculture; and
2. Supporting a thriving agricultural industry and rural economy.

The OMAFRA Guidelines provide supplementary direction on how to achieve the appropriate balance between these objectives and ensure development proposals align with all relevant criteria for permitted uses in Prime Agricultural Areas.

The PPS identifies the following as permitted uses and activities in Prime Agricultural Areas:

- **Agricultural Uses** – means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.
- **Agriculture-Related Uses** – means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity; and,
- **On-Farm Diversified Uses** – means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.

The OMAFRA Guidelines seeks to clarify, including through examples, how to classify existing and proposed uses based on the above definitions. Vineland Growers Co-operative provides farm produce storage, marketing/retailing, and logistics/distribution services to farm operations in the Niagara area. Those uses and activities, particularly the existing uses on the Subject Lands (farm produce storage, packaging, and distribution), closely correspond to examples of Agriculture-Related Uses provided in the OMAFRA Guidelines. On this basis, the proposed building expansion to increase farm produce storage capacity could be considered an expansion of an existing Agriculture-Related Use on the Subject Lands.

Subsection 2.2.1 of the OMAFRA Guidelines provide a list of criteria that must be met for a use to be considered Agriculture-Related. The below table provides the analysis of how the proposed agriculture-related use meets these criteria.

Table 2 Analysis of OMAFRA Guidelines pertaining to Agriculture-related uses

Criteria	Analysis
Be a farm-related commercial or industrial use	The agriculture-related use on the Subject Lands is a commercial use (Co-op farm produce storage and crop input supplier for farmers in the area) that is directly related to the agricultural operations taking place in the local area.
Be compatible with, and not hinder, surrounding agricultural operations	The newly acquired parcel (747 East and West Line) contains a residential dwelling that will be demolished as part of the proposed expansion. The existing agriculture-related use has been in operation for over 50 years and has not negatively impacted or hindered surrounding agricultural operations.
Be directly related to farm operations in the area	The existing agriculture-related use stores produce grown in the area by local farmers for subsequent distribution and provides a location for farmers to purchase crop input supplies
Support Agriculture	The existing and proposed agriculture-related buildings support agriculture by providing a space for local farmers to store their produce prior to distribution and purchase needed crop inputs. This supports the overall financial sustainability of local farming operations by improving the supply chain.
Provide direct products and/or services to farm operations as a primary activity.	The proposed development will store and distribute produce from local farm operations and provide crop input supplies to farmers as its primary activities
Benefit from being in close proximity to farm operations	The existing agriculture-related use and its proposed expansion benefits from being in close proximity to farm operations as it minimizes the cost of transporting produce to the farm produce storage facility and provides a convenient, close location for farmers to purchase much needed crop input supplies.

CONCLUSION

Based on the preceding analysis, the proposed agriculture-related use is consistent with the recommendations and criteria provided by the OMAFRA Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas.

5.4 Greenbelt Plan (2017)

The Greenbelt Plan addresses the significance of Southern Ontario's farmland and introduces guiding principles to protect agriculture in the region. The policies of the Greenbelt Plan encourage diversity within the agriculture sector to enhance economic opportunities. The Subject Lands are within the Protected Countryside – Niagara Tender Fruit and Grape Area on Schedule 2 of the Greenbelt Plan (see **Appendix B**). The Niagara Peninsula Tender Fruit and Grape Area is a Specialty Crop Area.

5.4.1 Goals of the Protected Countryside

Section 1.2.2 of the Greenbelt Plan includes the vision and goals associated with improving both urban and rural areas, as well as enhancing the overall quality of life within the Protected Countryside. The following goals are relevant to this application:

GOALS

- a) *Protection of the specialty crop area land base while allowing agriculture-supportive infrastructure and value-based uses necessary for sustainable agricultural uses and activities;*
- b) *Support for the unique nature of specialty crop areas as our vital fruit and vegetable growing regions, which include:*
 - i. *The Niagara Peninsula specialty crop area, a destination for and centre of agriculture focused on the agri-food sector and agri-tourism related to grape and tender fruit production; and*
- c) *Protection of prime agricultural areas by preventing further fragmentation and loss of the agricultural land base caused by lot creation and the redesignation of prime agricultural areas;*
- d) *Provision of the appropriate flexibility to allow for agricultural, agriculture-related and on-farm diversified uses, normal farm practices and an evolving agricultural and rural economy;*
- e) *Increasing certainty for the agricultural sector to foster long-term investment in the agri-food network and improvement to and management of the agricultural land base; and*

ANALYSIS

The proposed Zoning By-law Amendment meets the goals set out in the Greenbelt Plan for the Protected Countryside, principally to protect the specialty crop area land base

while allowing an agriculture-related use that supports the unique nature of the Niagara Peninsula Tender Fruit and Grape Area.

795 East and West Line has site-specific zoning permitting the existing agriculture-related use on these lands. Vineland Growers is a co-op owned and operated by local farmers that supports the local agricultural system by providing storage, crop input supplies, and distribution for locally grown produce.

The proposed expansion of the existing operation onto an abutting residential parcel to the west (747 East and West Line) will not require a severance or result in further fragmentation of agricultural land base and represents a long-term investment in the agri-food network.

5.4.2 Specialty Crop Area Policies

POLICY

3.1.2.1 All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected and a full range of agricultural uses, agriculture-related uses and on-farm diversified uses are permitted based on the provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations.

3.1.2.6 The geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network shall be maintained and enhanced.

ANALYSIS

The proposed development will expand an existing agriculture-related use – a farm produce storage building – that was established on the Subject Lands over 50 years ago. The proposed expansion is compatible with and will not hinder surrounding agricultural operations. The existing use on the Subject Lands supports and maintains the agri-food network by providing local farmers a location to store their produce prior to distribution, and purchase relevant crop input supplies

5.4.3 Stormwater Management and Resilient Infrastructure Policies

POLICY

4.2.3.4 Applications for development and site alteration in the Protected Countryside shall be accompanied by a stormwater management plan which demonstrates that:

a) Planning, design and construction practices will minimize vegetation removal, grading and soil compaction, sediment erosion and impervious surfaces;

b) An integrated treatment approach will be used to minimize stormwater flows and mimic natural hydrology through lot level controls, low impact development and other conveyance techniques;

c) Applicable recommendations, standards or targets within a subwatershed plan or equivalent and water budgets will be complied with; and

d) Applicable objectives, targets, and any other requirements within a stormwater master plan will be met in accordance with the policies in subsection 3.2.7 of the Growth Plan.

4.2.3.5 The objectives of a stormwater management plan are to avoid, or if avoidance is not possible, minimize and mitigate stormwater volume, contaminant loads and impacts to receiving water courses in order to:

a) Maintain groundwater quality and flow and stream baseflow;

b) Protect water quality;

c) Minimize the disruption of pre-existing (natural) drainage patterns wherever possible;

d) Prevent increases in stream channel erosion;

e) Prevent any increase in flood risk; and

f) Protect aquatic species and their habitat.

ANALYSIS

An FSR submitted as part of Zoning By-law Amendment application assesses post-development site flows and provides a storm drainage system and stormwater management design to provide the required stormwater quantity and quality controls.

CONCLUSION

Based on the preceding analysis, the proposed Zoning By-law Amendment to permit the expansion of the current agriculture-related use to the abutting parcel to the west (747 East and West Line) conforms to the policies of the Greenbelt Plan.

5.5 Niagara Official Plan (2022) (NOP)

The NOP is the long-term, strategic policy planning framework for managing growth in Niagara Region. The NOP identifies what needs to be protected, how and where growth should occur, and the policy tools needed to manage forecasted growth and development.

Table 3 – NOP Relevant Schedules

	Schedule	Designation
F	Agricultural Land Base	Speciality Crop Area
K	Areas of Archaeological Potential	Areas of Archaeological Potential

5.5.1 The Agricultural System

The Subject Lands are located within a Specialty Crop Area identified on Schedule F of the NOP. Section 4.1 of the NOP provides objectives and policy direction for the agricultural system in Niagara Region, focusing on protecting the agricultural land base and ensuring a viable agricultural system with agriculture as the predominant land use in Specialty Crop Areas and Prime Agricultural Areas. Consistent with the PPS and OMAFRA Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas, the NOP recognizes the proposed development, an agriculture-related use, as permitted use subject to policy direction provided in Section 4.1.7 pertaining to a resilient agricultural economy.

The following NOP policies are particularly relevant to the proposed development:

POLICY

- 4.1.1.1 *The geographic continuity of the agricultural land base, as shown in Schedule F, and the functional and economic connections to the agri-food network will be maintained and enhanced in accordance with the policies of this section.*
- 4.1.1.2 *Prime agricultural areas and specialty crop areas, as shown on Schedule F, shall be protected for long-term use for agriculture. Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through seven lands within the prime agricultural area, in this order of priority.*
- 4.1.2.2 *In specialty crop areas, all existing uses lawfully used for such purpose prior to December 16, 2004 are permitted. In specialty crop areas, single detached dwellings and accessory structures are permitted on existing lots of record, provided they were zoned for such or permitted through other regulations as of December 16, 2004.*
- 4.1.2.3 *In specialty crop areas and prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected and a full range of agricultural uses, agriculture-related uses and on-farm diversified uses are permitted.*
- 4.1.7.3 *Agricultural uses, agriculture-related uses and on-farm diversified uses are permitted in the following areas:*
 - a. *Specialty crop areas*
 - b. *Prime agricultural areas; and*
 - c. *Rural lands.*
- 4.1.7.4 *Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations.*

4.1.7.5 *Agriculture-related uses and on-farm diversified uses shall be consistent with the provisions of the Provincial Policy Statement, and conform to the Growth Plan, Greenbelt Plan, and Niagara Escarpment Plan.*

4.1.7.7 See table provided below.

ANALYSIS

The Subject Lands are in a Specialty Crop Area where agriculture-related uses are permitted. The proposed development is an expansion of an existing agriculture-related use that has been present for over 50 years on the Subject Lands based on aerial imagery available online. The farm produce storage building can be considered an agriculture-related use for reasons provided in Section 5.3 of this PJR, which reviews the OMAFRA Guidelines for Permitted Uses in Ontario’s Prime Agricultural Areas. The proposed expansion of a long-established use onto an adjacent residential property will be compatible with and not hinder surrounding agricultural operations as has been discussed above in relation to PPS and Greenbelt Plan policies. The proposed development satisfies the direction provided by Policies 4.1.2.2, 4.1.2.3, 4.1.7.3, 4.1.7.4.

The following table analyzes the criteria provided in Policy 4.1.7.7 for agriculture-related uses:

Table 4: Analysis of Policy 4.1.7.7

Criteria	Analysis
a. whether the proposed activity is more appropriately located in a nearby settlement area or on rural lands	The agriculture-related use benefits from being near surrounding farming operations, enabling farmers to easily and quickly access the storage facility whenever needed.
b. whether the use is required for or in close proximity to the agricultural operation for it to support and complement the agricultural activity	The use benefits from its proximity to farming operations in NOTL, which in turn reduces costs associated with transporting goods from farms to the storage facility. The use directly complements agricultural activity in the area by offering farmers an off-site location to store their produce, enabling them to shift their focus from logistics to the cultivation and production of crops, while also providing sales of crop input supplies to farmers.
c. the extent to which the use is compatible with the existing farming operation and surrounding farming operations	The existing agriculture-related use on the Subject Lands has been in operation for over 50 years and has not negatively impacted or hindered surrounding

	agricultural operations and is not expected to do so.
d. whether the scale of the activity is appropriate to the site and farming operation	The co-op provides an intermediary place for farmers to store their fruit prior to distribution, and services farmers in the local community. The scale of the operation is appropriate to service the nearby farms.
e. whether the use is consistent with and maintains the character of the agricultural area	The development will store and distribute produce from local farm operations as its primary activity, this directly relates to and maintains the character of the agricultural area.
f. the use does not generate potentially conflicting off-site impacts	No potentially conflicting off-site impacts are anticipated to be generated.
g. the activity does not include a new residential use	The activity does not include a new residential use.
h. the use is limited to low water and low effluent producing uses and the site is capable of accommodating the use on private water and private sewage treatment systems	The site is connected to an existing Municipal watermain on East and West Line. Sanitary servicing will be provided via an expanded private on-site septic system.
i. the use does not require significant improvements to infrastructure	No improvements are required to any municipal infrastructure. The site require an expansion to the existing private on-site septic system.
j. the use complies with all other applicable provisions of this Plan.	The use complies with all other applicable provisions of this Plan.

5.5.3 Infrastructure

Section 5.2 of the NOP includes policies which ensure the Region’s existing and future development is supported by infrastructure that is planned, constructed and managed in an integrated, efficient, and environmentally friendly manner.

POLICY

Section 5.2.3 – Municipal Water and Wastewater Servicing Outside of Urban Areas

5.2.3.2 *Municipal water supply mains or municipal sewers shall not be extended outside the urban areas except:*

a. where extensions of the water supply system are for necessary operating purposes, such as the looping of existing mains, the replacement of existing mains, and the interconnection of urban areas.

5.2.3.3 *All development outside the urban areas shall be serviced by sustainable individual on-site water and individual on-site sewage services, except an*

existing lot of record outside the urban areas may be permitted to connect to existing municipal services subject to the following:

- b. *Where municipal sewers or water supply mains have been extended outside the urban areas to correct an existing health problem as determined by the Medical Officer of Health or where there is a clean-up order from the Ministry of Environment, Conservation and Parks.*

ANALYSIS

The Subject Lands are located just outside of the urban area and are serviced by existing connections to a 200mm municipal watermain on East and West Line and private on-site septic systems. The FSR submitted with these applications details the proposed water, sanitary, and stormwater services, as well as post-development stormwater flows from the site to determine the impact on existing municipal infrastructure. A detailed Septic System Design plan prepared by a qualified Septic Designer has also been included as part of the application submission and details changes to the existing private on-site septic system on 795 East and West Line to accommodate the proposed development.

5.5.4 Archaeology

Section 6.4.2 of the NOP includes policies relating to the conservation of archaeological resources. The Subject Lands are identified as having archaeological potential as per Schedule K of the NOP. The following policies apply to the application:

POLICY

- 6.4.2.1 *Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.*

ANALYSIS

A Stage 1-2 Archaeological Assessment prepared by Detritus Consulting Ltd. recommends no further archaeological assessment of the Subject Lands be undertaken after no archaeological resources were identified. On that basis, the proposed development conforms to the direction provided in Policy 6.4.2.1.

CONCLUSION

Based on the foregoing, the proposed Zoning By-law Amendment conforms to the NOP.

5.6 Town of Niagara-on-the-Lake Official Plan

The Town of Niagara-on-the-Lake Official Plan (“Town OP”) is to guide Niagara-on-the-Lake's physical development through policy direction. Agriculture contributes to Niagara-on-the-Lake in terms of the landscape and economy of the community. The Town OP seeks to protect this unique aspect of Niagara-on-the-Lake to ensure appropriate agricultural activities are located on lands outside of its urban area boundaries.

Table 4 below summarizes the designation of the Subject Lands in Niagara-on-the-Lake (see **Appendix D**)

Table 5 – Town of NOTL Relevant Schedules

Schedule		Designation
A	Land Use Plan	Agricultural
G	Transportation Plan	Local Road (Concession Road 4)
H	Archaeological Potential	Areas of Archaeological Potential

5.6.1 Relevant Servicing Policies

POLICIES

6.25 *Where development is to take place on individual well and sewage disposal systems, the following policies for private systems shall be complied with before any such development will be permitted:*

- a. *The lot area shall comply with requirements of the authority having jurisdiction for the type of development proposed and the type of private system to be used.*
- b. *The size of the lots which are to be serviced in an unserviced area with private on-site sewage disposal shall not exceed an area of 0.4 hectares or 1 acre of useable land except if additional area is necessary because of private servicing concerns as determined by the authority having jurisdiction.*
- c. *Lots serviced via on-site sewage disposal units should have a minimum frontage of 150 feet.*
- d. *Frontage of 100 feet may be considered for lots containing a minimum of 1.25 acres of suitable land area.*
- e. *Each private sewage disposal system shall require approval by the authority having jurisdiction. Generally, the provision of private systems shall be restricted to residential development. If, in the opinion of the authority having jurisdiction any area appears questionable for the proper operation of a private sewage disposal system, an evaluation of the subject lands by a competent authority, shall be required before development is allowed to proceed.*
- f. *The improvement of existing substandard private systems shall be encouraged by all means available to the municipality.*

- 6.30.2(e) *Existing private sanitary sewage systems are recognized outside of any Urban Boundary. New private sewage systems are permitted for any lot created or existing outside of an Urban Boundary in accordance with the policies of this Plan and subject to the approval of the authority having jurisdiction.*

ANALYSIS

As described in the FSR prepared by Hallex Engineering, the proposed development can be serviced appropriately with an existing municipal water connection and expansion of an existing private on-site septic system. A qualified Septic Designer has provided a design for the proposed septic system for review and approval by Niagara Region and has confirmed the required sizing to accommodate the increased sanitary flows. With regard to Section 6.25, the Subject Lands are approximately 3 hectares in area, have 302 metres of frontage along East and West Line, and are serviced by an existing private on-site septic system on 795 East and West Line that will be modified as part of the proposed development.

5.6.2 Relevant Agriculture Objectives and Policies

OBJECTIVES

- 7.2 (4) *To permit a limited amount of farm-related development by way of retirement lots, selectively located small scale agriculturally related commercial and industrial developments.*
- 7.2 (5) *To ensure that existing small scale industries and commercial uses supportive of agricultural operations are allowed to expand where appropriate, while requiring new development or redevelopment not primarily related to agriculture is to locate in appropriately designated areas (ie. Light Industrial, General Commercial, etc.).*

POLICIES

7.3.1 AGRICULTURAL

Secondary Uses:

Uses permitted independent of a Main Use:

- small scale industrial and commercial activities that are directly related to and serve agriculture and require a location in close proximity to farms. Provided that such uses are not in conflict with the Niagara Escarpment Plan, as amended from time to time and it is not possible for such uses to locate in Urban Areas. Such uses should also be located so that their effect on surrounding prime agricultural land and viable farm operations is minimized.

- 7.4 (3)(a) *The following development policies should apply to all secondary uses permitted in the agricultural designation*

7.4 (3)(a) *The following development policies should apply to all secondary uses permitted in the agricultural designation*

(iii) The location of the facility or use imposes no operating constraints or results in no reduction of the efficiency of any existing farms.

(vi) Adequate drainage and outlets shall be available for storm water run-off. Approval of drainage provisions may be required from the Town, the Region, the Ministry of Transportation and/or the Niagara Peninsula Conservation Authority and/or the Niagara Parks Commission.

(vii) Adequate entrances and exits to roads shall be located as to minimize travel hazards. Ribbon development along roadways shall be discouraged.

(viii) Adequate off-street loading, parking spaces and access points shall be provided for all commercial and industrial development. Access points shall be clearly defined by pavement breaks, landscaping, curbing or other acceptable means. Outside storage may be limited.

(x) The lands shall be appropriately zoned and, where necessary, a Development Agreement be entered into.

ANALYSIS

The farm produce storage building operates on the Subject Lands in accordance with a site-specific Zoning By-law Amendment approved by Town Council in 2015. The current parcel that Vineland Growers operates on is approximately 2.42 hectares in size. The current Zoning By-law Amendment application is required to extend the existing site-specific zoning to 747 East and West Line—an abutting 0.6 ha parcel to the west—to facilitate the expansion of the current building, including shifting parking and a stormwater dry pond westward. It is not anticipated that the proposed development will negatively impact any existing farms. The existing use, a farm produce storage facility, is directly related to and serves farms in the area.

As noted previously, the Subject Lands and proposed development will be serviced by an existing connection to municipal water and the expansion of an existing on-site private septic system. The FSR submitted as part of the complete application indicates adequate drainage and outlets for stormwater run-off are available.

Adequate off-street loading, parking spaces, and access points will be provided, with access points properly defined via landscaping, curb breaks, and signage—consistent with Policy 7.4.3(a)(viii). The site will have four access points and associated parking areas (see **Appendix A – Site Plan**). Transport trucks will access the site and loading bays via a new driveway fronting on East and West Line, while existing client/customer entrances and parking spaces located to the east on East and West Line and Concession 4 Road will remain.

The expansion of the farm produce storage building conforms to the Town's Official Plan as it represents an expansion of the existing agriculture-related use on the property.

5.6.3 Archaeology

POLICY

18.5(1) *An archaeological resource assessment may be required by the Regional Municipality of Niagara as the delegated authority (Planning and Development Department) in consultation with the Town of Niagara-on-the-Lake as a result of a planning application should any portion of the subject property fall within a zone of archaeological potential as shown on Schedule “H” to this Official Plan or where an archaeological site has been previously registered on the property.*

ANALYSIS

Since a portion of the Subject Lands are identified as having archaeological potential according to Schedule “H” of the Niagara-on-the-Lake Official Plan, a Stage 1-2 Archaeological Assessment was conducted by Detritus Consulting Ltd. as discussed in Section 4.1 of this Planning Justification Report. Given the results of the Stage 1-2 assessment and the identification of no archaeological resources, no further archaeological assessment of the Study Area is warranted.

CONCLUSION

Based on the foregoing, the proposal conforms to the Town’s Official Plan.

6.0 Proposed Zoning By-law Amendment

The Subject Lands are currently two (2) properties with different zone categories. The main parcel (795 East and West Line) is presently zoned Rural (A) site-specific zone in accordance with amending By-law 500WS-15. The smaller newly acquired parcel (747 East and West Line) is zoned Rural Residential in Zoning By-law 500A-74.

The proposed Zoning By-law Amendment is needed to rezone 747 East and West Line to extend the site-specific zoning of 795 East and West Line (By-law 500WS-15) onto it and to delete provision 3 (i) of the site-specific by-law. The latter provision to be deleted requires maintaining Part 1 on ‘Map B’ of amending By-law 500WS-15 as landscaped open space for a distance of 30 metres.

The following table assesses the Subject Lands (both parcels combined) against the requirements of Schedule F of By-law 500A-74 and the site-specific provisions of amending By-law 500WS-15.

Table 6: Compliance with Zoning By-law No. 500A-74, Rural (A) Zone & Amending By-law No. 500WS-15

No.	REGULATION	REQUIRED	PROPOSED	COMPLIANCE
3.15 Loading	Loading or unloading spaces	Total spaces required for a	Total of 28 loading	Yes

No.	REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Space Regulations	30 feet long, 12 feet wide and having a vertical clearance of, not less than, 14 feet, and in accordance with the following:	building exceeding 50,000 sq. ft. Total of 4 loading spaces required.	spaces have been provided.	
4.1	Uses Permitted	A farm produce storage building is permitted.	A farm produce storage building.	Yes
Schedule F – Rural (A) Zone	Minimum Frontage	38.10 m	44.5 m (using Concession 4 Road as the frontage)	Yes
	Minimum Area [By-law 500WS-15]**	2.4 ha**	Approx. 3.1 ha	Yes
	Minimum Lot Depth	N/A	-	Yes
	Maximum Lot Coverage [By-law 500WS-15]**	35%	Approx. 25.2%	Yes
	Minimum Front Yard	15.24 m	Approx. 37.5 m to Concession 4 Road	Yes
	Minimum Interior Side Yard	3.05 m	12.42 m (south)	Yes
	Minimum Exterior Side Yard [By-law 500WS-15]	8.9 m	8.9 m [pre road widening]; 5.8m [post road widening]	Yes ²
	Minimum Rear Yard Setback [By-law 500WS-15]	70 m	74.518 m	Yes
	Maximum Building Height	10.67 m	10.6 m	Yes

² Per Section 3.36 - Where the front, side or rear setback of an existing building has been reduced by the conveyance to or the expropriation by any authority having the power of expropriation such setback is deemed to comply with the setback requirements of the Zoning By-law by any new construction including additions and alterations must comply with the setback requirements of the applicable zone.

No.	REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Buffer Strip [By-law 500WS-15]	Where the rear lot line and the interior side lot line abut a residential use, a strip of land adjacent to the adjoining lot line, being a minimum of 3m in width, shall be established and maintained as a buffer strip in accordance with Section 6.6	3 m	5.829 m	Yes
Landscaped Open Space [By-law 500WS-15]	i) Part 1 on Map “B” of By-law 500WS-15, shall be maintained as landscaped open space for a distance of 30m (98.4 ft) from the rear yard lot line;	30 m	Due to the expansion this area will no longer be used for landscaped open space.	No
	ii) Part 2 on Map “B”, shall be maintained as landscaped open space for a distance of 50m from the interior lot line;	50m from the interior lot line to be landscaped open space.	This area is staying as-existing.	Yes
	iii) Parts 3 on Map “B” shall be maintained as landscaped open space.	Parts 3 required to be maintained as landscaped open space.	These areas are staying as-existing.	Yes

REQUESTED SITE-SPECIFIC PROVISIONS

LANDSCAPED OPEN SPACE FOR AREA SHOWN AS PART 1 ON MAP “B” OF AMENDING BY-LAW 500WS-15

The Zoning By-law Amendment proposes to delete the site-specific requirement to maintain landscaped open space for a distance of 30 metres from the rear (west) lot line of 795 East and West Line. The intent of this provision was to maintain appropriate

buffering/screening for residential uses on 747 East and West Line. The existing detached dwelling on 747 East and West Line will be demolished as part of the proposed development and the nearest residential dwelling further to the west is located approximately 70 metres from the property line where the stormwater pond and truck parking are to be located and setback approximately 1.5 and 6 metres respectively.

PARKING SPACE REQUIREMENTS

Section 3.19 (a) of Zoning By-law 500A-74 provides minimum parking space requirements based on type of use. According to the approved Site Plan, 13 parking spaces are currently provided on the 795 East and West Line parcel for the existing farm produce storage facility, which has a gross floor area of 4146 square metres.

Site-specific parking requirements were not provided in By-law 500WS-15 and the 13 parking spaces currently provided comply with the Site Plan approved 2015. The proposed development—an expansion of the existing farm produce storage facility—on the Subject Lands, which now include 747 and 795 East and West Line, will increase the gross floor area by 2817 square metres but not increase the number of staff required or visitors. For this reason and because no type of use provided in Section 3.19 (a) of Zoning By-law 500A-74 is an appropriate match for the specific use and parking need associated by the proposed development, the draft ZBA proposes the site-specific minimum parking requirement be 27 spaces.³

The proposed minimum parking requirement is based on the number of employees anticipated to be on-site at peak times, 16-18, with additional spaces to accommodate visitors. We note the Town of Lincoln's Zoning By-law requires 1 space be provided for each employee on the largest shift for agricultural uses, including an agricultural produce warehouse and/or shipping use. In Niagara-on-the-Lake, a similar parking requirement (1 space per employee) applies to Estate Wineries. The site-specific minimum parking requirement is appropriate based on the parking need established by the existing use and will have no negative impacts on surrounding properties and uses.

³ The types of use listed in Section 3.19 (a) of Zoning By-law 500A-74 that are industrial uses not specifically identified (1 per 93 m²) and wholesale establishment (1 per 150 m²). Other than a commercial greenhouse, for which the wholesale growing area is required to have parking at a rate of 1 space per 1000 square metres, the lowest requirements determined by a floor area ratio are a cater's establishment (1 per 200 m²) and a publishing establishment (1 per 185 m²).

7.0 Summary and Conclusion

It is our opinion the proposed Zoning By-law Amendment represents good land use planning, is in the public interest and should be approved for the following reasons:

- The proposed development expands an existing agriculture-related use that directly benefits the surrounding agri-food network and agricultural economy;
- The proposed ZBA has regard for matters of provincial interest and the criteria provided in Section 51(24) of the *Planning Act*, is consistent with the PPS and conforms to the Greenbelt Plan;
- The proposed ZBA conforms to the NOP; and,
- The proposed ZBA conforms to the Town OP.

Report prepared by:



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Planner

NPG Planning Solutions Inc.



Rob Fiedler

Intermediate Planner

NPG Planning Solutions Inc.

Report reviewed and approved by:



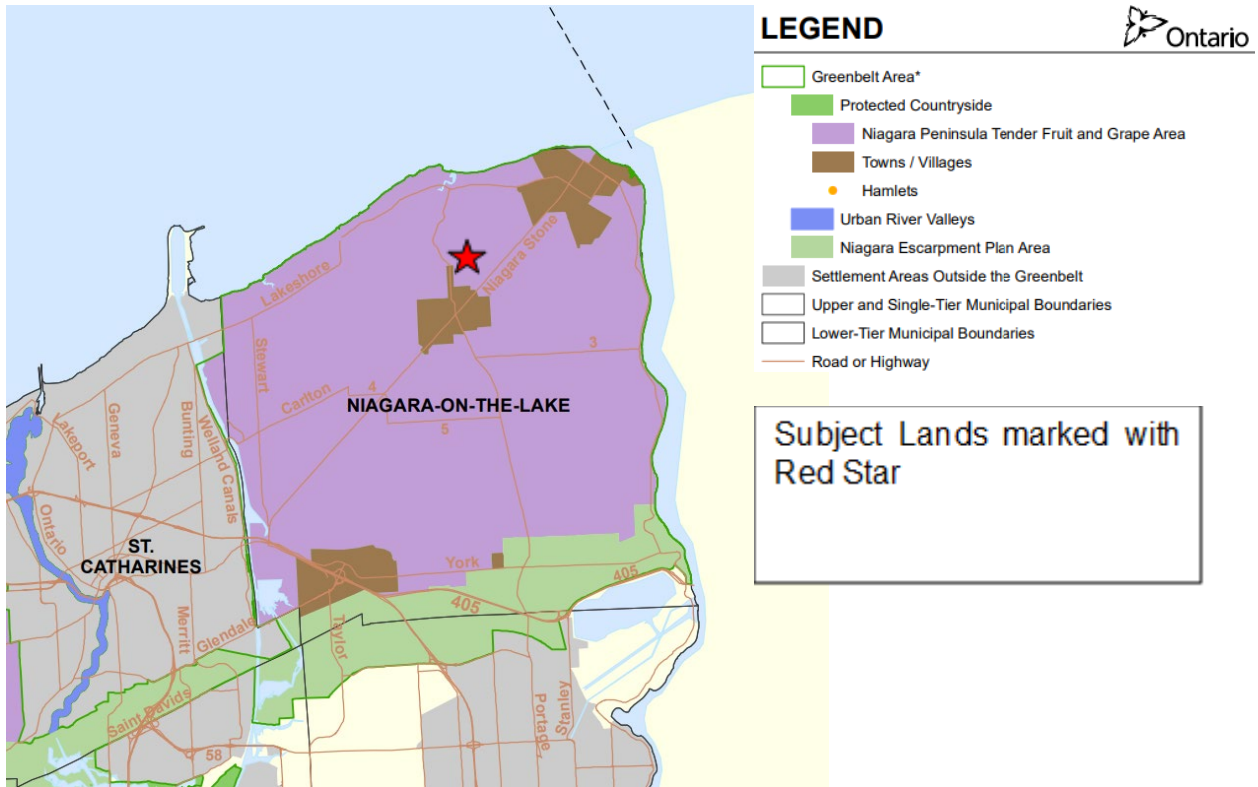
Aaron Butler, MCIP, RPP

Principal Planner

NPG Planning Solutions Inc.

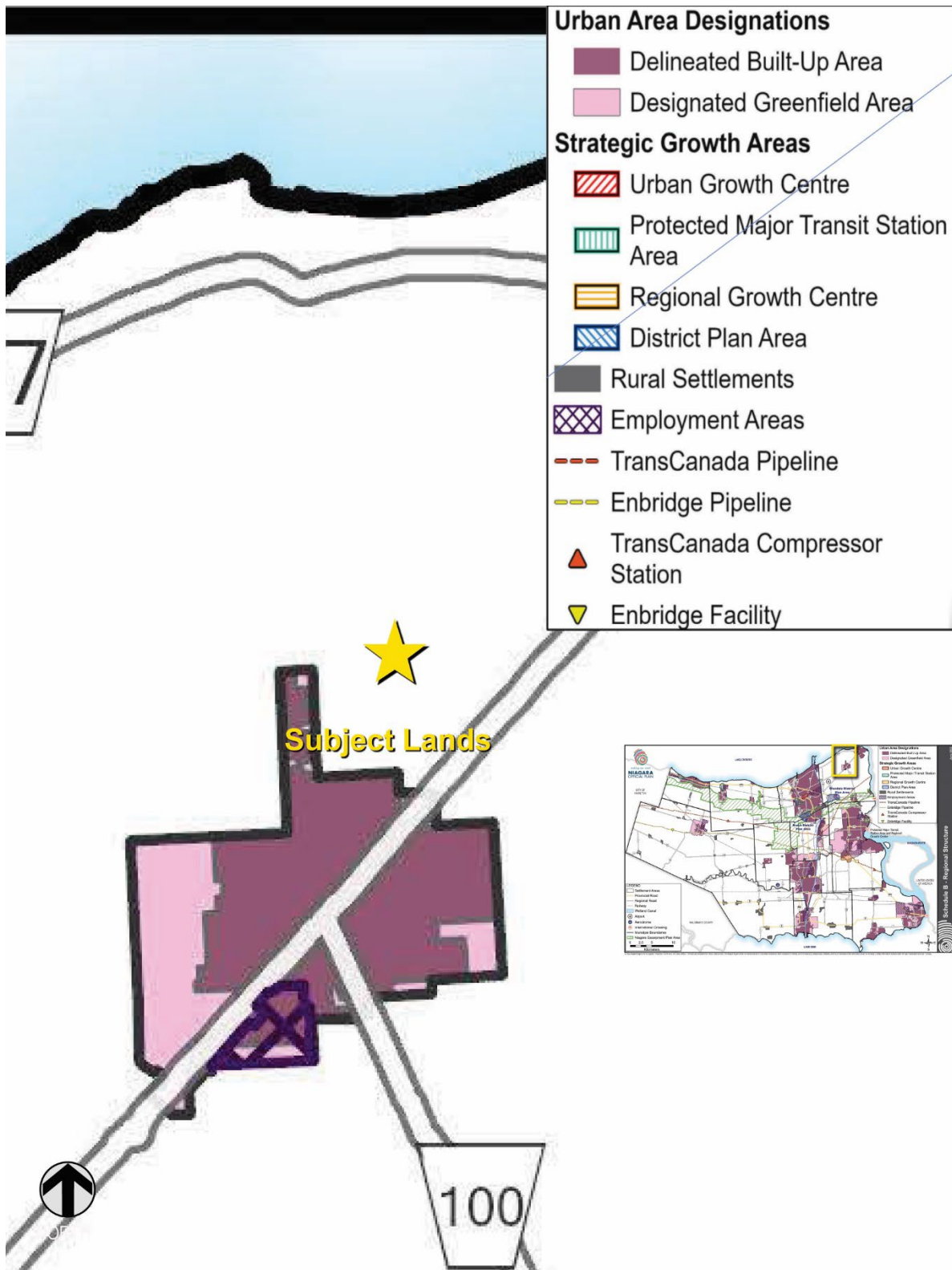
Appendix B – Greenbelt Plan

SCHEDULE 2 – Niagara Peninsula Tender Fruit and Grape Area: *Niagara Peninsula Tender Fruit and Grape Area*

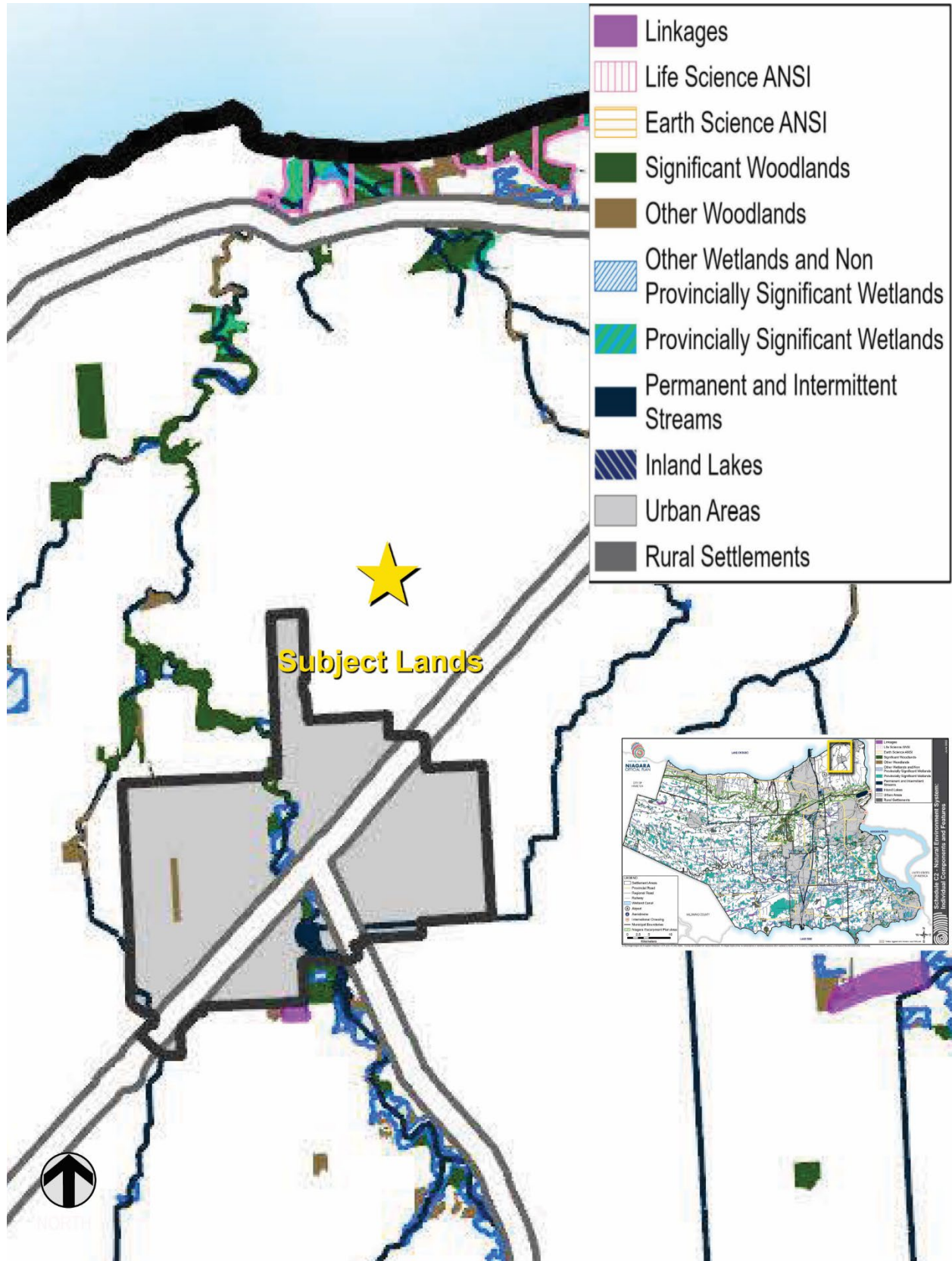


Appendix C – Regional Official Plan Schedules

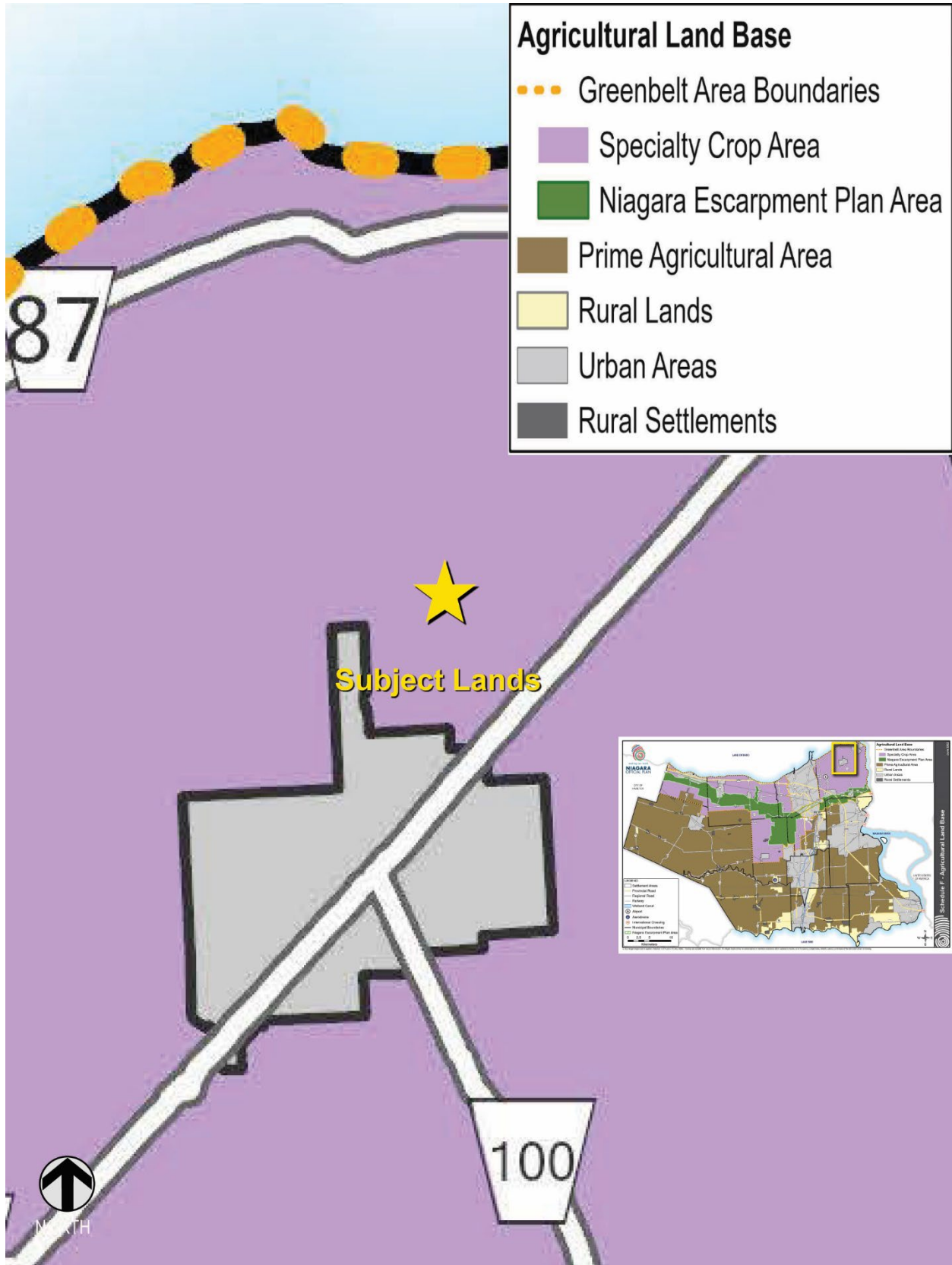
Schedule B – Regional Structure



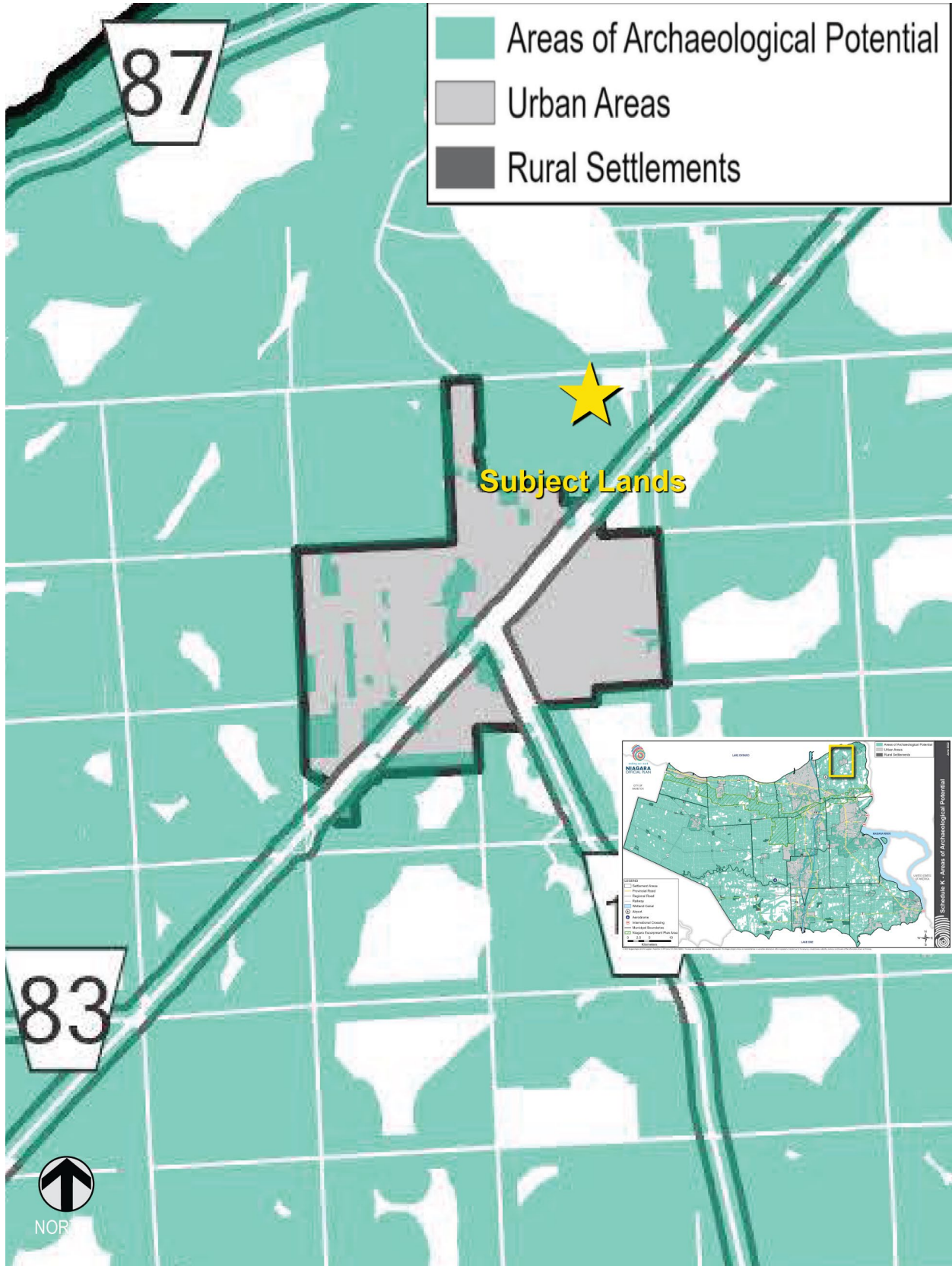
Schedule C2 – Natural Environment System – Individual Components and Features



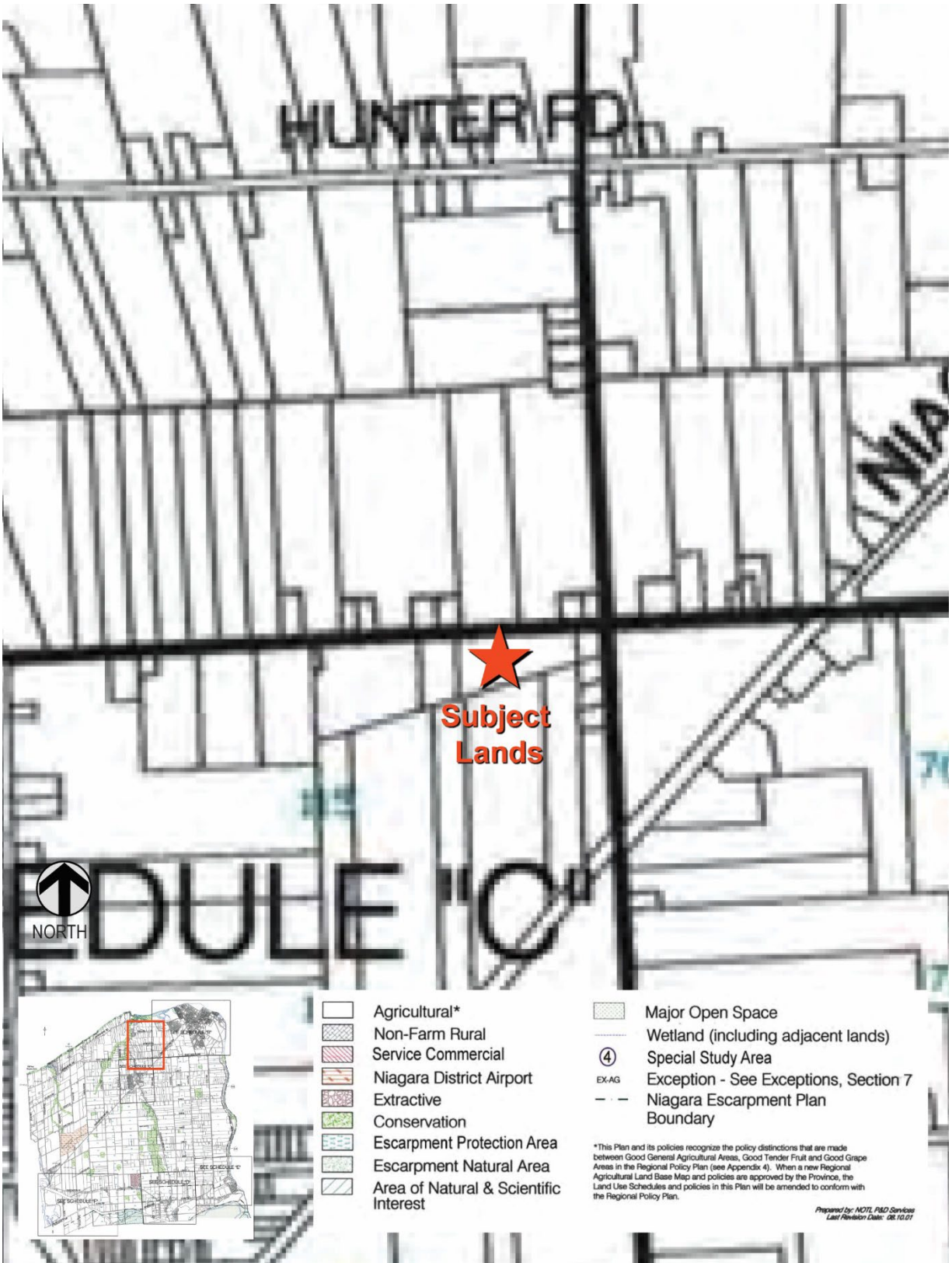
Schedule F – Agricultural Land Base



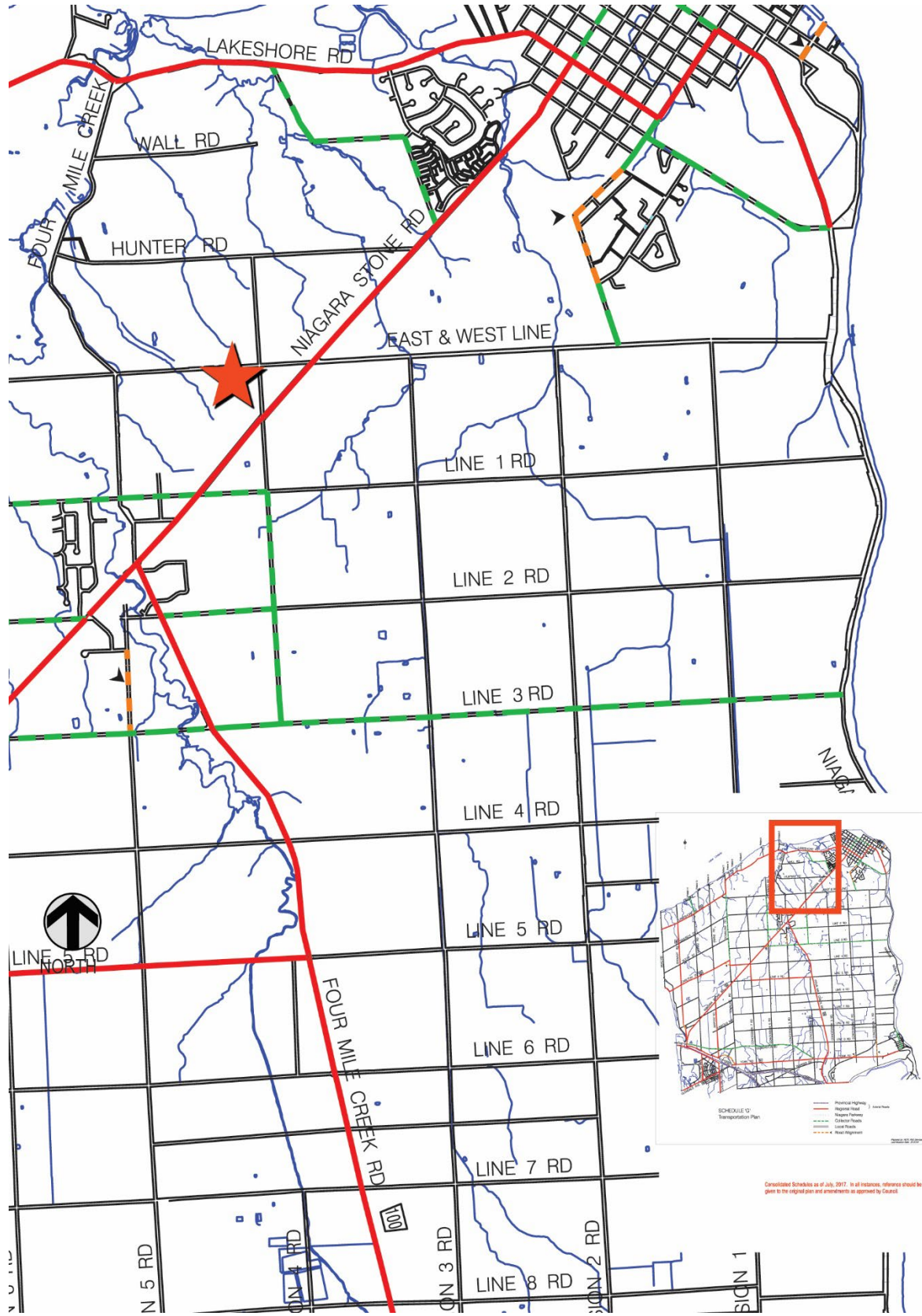
Schedule K – Areas of Archaeological Potential



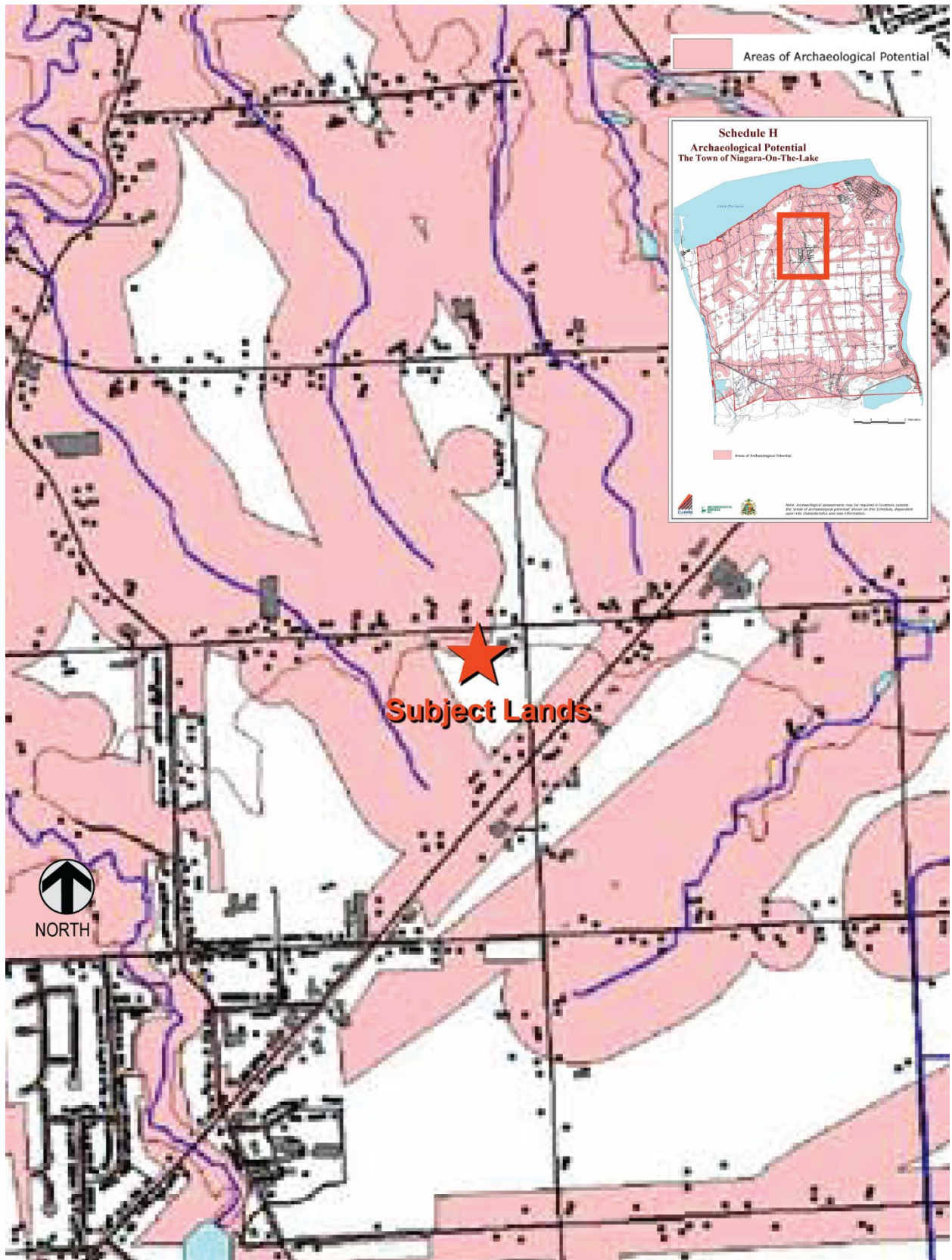
Appendix D – Town of Niagara-on-the-Lake Official Plan Schedules
 Schedule A – Land Use Plan



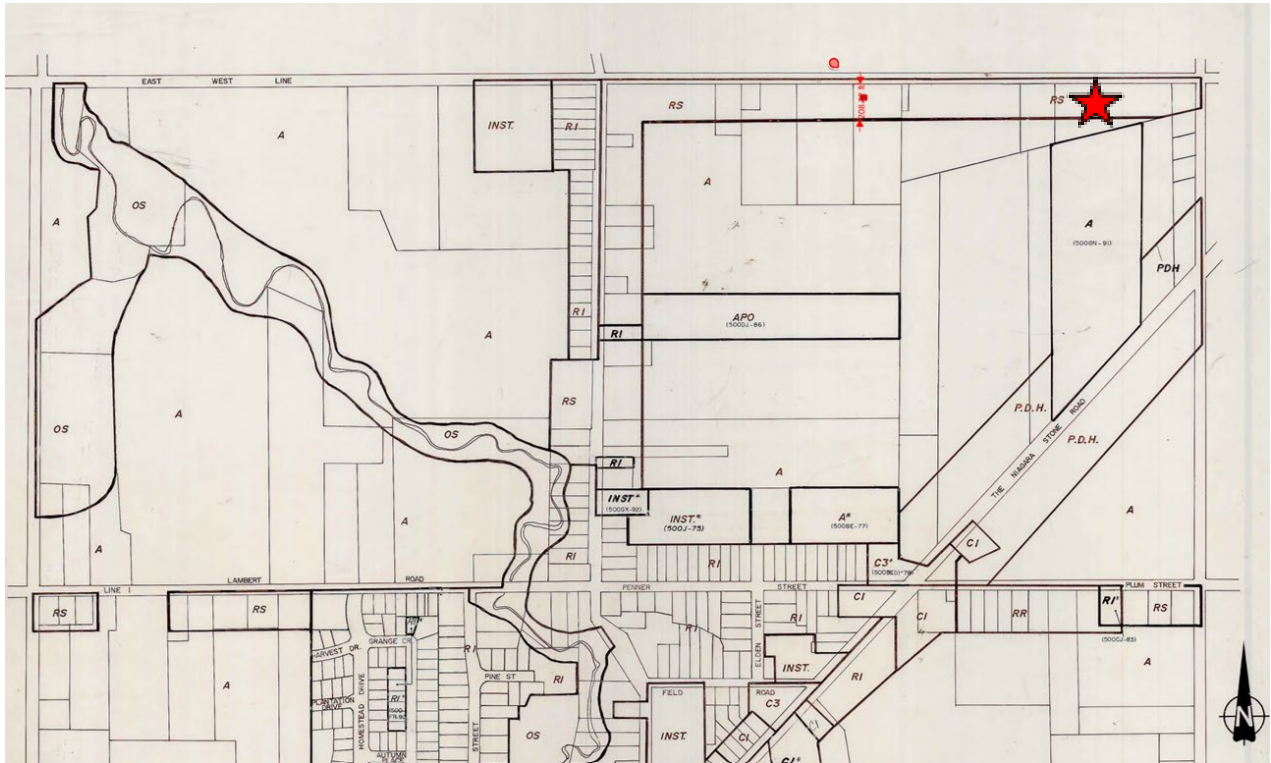
Schedule G – Transportation Plan



Schedule H – Archaeological Potential



Appendix E – Town of Niagara-on-the-Lake Zoning By-law
Schedule C



Subject Lands marked with
Red Star

Appendix F – Draft Zoning By-law Amendment

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 500A-74-##**

747 East and West Line, Roll: 262702001306300
795 East and West Line, Roll: 262702001306400

A BY-LAW TO AMEND BY-LAW NO. 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 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. That Schedule 'A' of By-law 500A-74, as amended, is further amended by changing the zoning of the lands identified on Schedule 'A' (attached to and forming part of this By-law) from "Rural Residential (RR) Zone" to "Rural (A) Site-Specific Zone".
2. Section 21.A.189 of By-law 500A-74 shall apply to the lands identified on Schedule 'A' (attached to and forming part of this By-law) save and except Subsection 3 (i) which is hereby deleted.
3. Notwithstanding Section 3.19 (a) of By-law 500A-74, a minimum of 27 parking spaces shall be provided on the lands identified on Schedule 'A' (attached to and forming part of this By-law).
4. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS ____ DAY OF _____, 2024.

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL

SCHEDULE A TO ZONING BY-LAW AMENDMENT

