



April 17, 2025

Connor MacIsaac, Planner II
Town of Niagara on the Lake
Town Administration Building
1593 Four Mile Creek Road
P.O. Box 100
Virgil, ON L0S 1T0

Dear Ms. Alderman:

**RE: 263 CONCESSION ROAD 6, TOWN OF NIAGARA-ON-THE-LAKE
ZONING BY-LAW AMENDMENT APPLICATION 1st RESUBMISSION
OUR FILE 09144U**

On behalf of our client, Parth Patel & Sejal Patel (the "Owner"), we are pleased to submit the following materials for the first re-submission of our Zoning By-law Amendment ("ZBA") Application for the lands municipally known as 263 Concession Road 6 in the Town of Niagara-on-the-Lake (the "Subject Lands") to facilitate the development of the proposed agricultural-related uses.

In support of these applications, please find enclosed PDF copies of the following:

- Revised Draft Zoning By-law Amendment prepared by MHBC Planning;
- Public Comment, Comment Response Matrix, prepared by MHBC Planning;
- Revised Servicing Brief prepared by Jain Consultants, dated February 20th, 2025;
- Staff and Agency Comment, Comment Response Matrix, prepared by MHBC Planning;
- Revised Architectural Concept Plan prepared by ACE Architecture, dated March 10th, 2025;
- Agricultural Opinion Letter for Proposed Agricultural-Related Use prepared by Colville Consulting Inc., dated April 16th, 2025; and
- Review and Entry into the Ontario Public Register of Archaeological Reports dated December 18, 2024

REVISIONS TO THE DRAFT ZBA

The revisions to the draft zoning by-law amendment are as follows:

- Amending the zoning of the Subject Lands to Open Space (OS) to protect the area of the significant woodlot (including the required 30 m vegetation protection buffer);

- Re-defining the proposed agricultural related uses to align with existing definitions of the Town's Zoning By-law (i.e. farm implement dealer, farm produce storage building, agricultural market)
- Adding a definition to the proposed accessory agricultural office to clarify that the office is a sub-ordinate use to the proposed agricultural related uses, rather than a use permitted independent of a main use; and
- Adding a provision to permit a loading bay to be located within 80 feet of the street line, as the proposed loading bays are located within the proposed structures, which meet the required setback

AGRICULTURAL PLANNING POLICIES

Based on the comments received by Planning staff at the Region and Town, as well as the comments and opinions expressed by residents at the public meeting, it was our understanding that there were concerns regarding the proposed agricultural related uses, and their conformity to the applicable agricultural planning policies of the Province, Region and Town.

While not requested during the pre-consultation, our client has retained the services of a professional agrologist, Colville Consulting Inc., to provide an opinion on the proposed agricultural related uses to address the applicable agricultural policies of the Province, Region, and Town, which includes an assessment of the proposed agricultural related uses and their impact on the surrounding agricultural operations. The Colville Consulting Inc. opinion letter concludes the following:

The proposed Zoning By-law Amendment to permit the proposed agriculture-related uses and consent application are consistent with provincial, regional, and local agricultural policies. The Subject Lands represent a reasonable choice of locations for the proposed development and the proposed consent has been limited to the minimum size needed to accommodate the proposed agriculture-related uses and associated sewage and water services.

The proposed uses on the severed lot were evaluated for consistency with the criteria outlined in OMAFRA's Permitted Uses document and Niagara Official Plan to determine whether they qualify as agriculture-related uses. It was determined that the proposed Agricultural Farm Temperature Controlled Storage Facility (farm produce storage building), Farm Implement Dealer, Agricultural Market, and Agricultural Office Building are consistent with the criteria for agriculture-related uses and the Seasonal Farming Area is consistent with the criteria for agricultural uses.

The proposed agriculture-related uses are not expected to generate significant off-site impacts to surrounding agricultural operations. In our opinion, the location, scale, and size of the proposed development is appropriate and will be beneficial to agricultural operations in the area.

Therefore, it remains our opinion that the proposed severance and zoning by-law amendment to establish the proposed agricultural related uses is in the public interest, as it maintains the interest of the agricultural land base and represents good planning.

If you have any questions or require anything further, please do not hesitate to contact us.

Yours truly,

MHBC

Debra Walker, BES, MBA, MCIP, RPP
Partner

Eric Brathwaite, BA, CPT
Senior Planner

Jay Murray, BA
Planner

Bella Mian, BURPI
Planner

Cc: Parth Patel & Sejal Patel, Owner