

# 263 CONCENSION 6 ROAD | COMMENTS & RESPONSE MATRIX

(NIAGARA-ON-THE-LAKE) File No. ZBA-18-2024

Our File 09144U

COMMENT THEMES RECEIVED FROM THE PUBLIC:

NO.	PUBLIC COMMENTS
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- 1.0 PLANNING POLICY
- 2.0 SCALE OF OPERATION
- 3.0 AGRICULTURAL IMPACT
- 4.0 TRAFFIC IMPACT
- 5.0 ECONOMIC IMPACT
- 6.0 PLAN CLARIFICATION
- 7.0 SITE SERVICING

Note: All comments must be addressed even if they are no longer relevant.

NO.	COMMENTS	RESPONSE	ADDRESSED	CNSLT RESPONSIBLE
	<b>PLANNING POLICY</b>			
1.0	<p>Encourage responsible land use planning by directing mixed-use developments toward properly zoned areas like the Glendale settlement.</p> <p>Rather than expanding development into designated farmland, the town should be directing projects toward properly zoned areas to maintain responsible and sustainable land use planning</p>	<p>Noted.</p> <p>The proposed agricultural related uses conform and are consistent with Provincial and Municipal policies for the development of agricultural lands. The MHBC Planning Justification Report (Sections 3.4, 3.5 and 3.6) and the Colville Consulting Agricultural Related Use Opinion Letter provide an evaluation of the proposed development in relation to these policies, and specifically review the appropriateness of the subject lands versus lands within a settlement area.</p>	<b>Y</b>	<b>MHBC/COLVILLE</b>
1.1	<p>Impact on Tourism and Town Aesthetics</p> <p>Tourism is a major contributor to Niagara-on-the-Lake's economy, and the town's rural charm plays a significant role in attracting visitors.</p> <p>The proposed development does not enhance or align with the town's existing character. Instead, it risks diminishing the visual and cultural appeal that draws tourists.</p> <p>The development's design and purpose should be carefully considered to ensure it contributes positively to the town's overall aesthetic and visitor experience.</p>	<p>Design elements of the building will be considered at the time of the Site Plan Approval application. The proposed agricultural-related uses are permitted in the Agricultural designation of the Town's Official Plan, therefore the proposed agricultural-related uses meet the planned character of the Agricultural designation of the Town Official Plan.</p>	<b>Y</b>	<b>MHBC</b>

NO.	COMMENTS	RESPONSE	ADDRESSED	CNSLT RESPONSIBLE
<b>SCALE OF OPERATION</b>				
2.0	<p>The proposed seasonal growing area is only point .34 of an acre. Why would you need a 20,000 sf cold storage for such a small growing area unless you're planning on bringing in a lot of trucks with a lot of product. We grew 15 acres of plum trees and our cold storage is only 400 sf. Why do they need 120 parking spots for a seasonal farming operation. If this application is approved, there will be no more farm land left to farm on this property other than the point .34 of an acre. We feel that these 2 business's are not comparable to the seasonal industrial farming business being proposed at York and concession 6. These 2 business's are a fraction of the size of the proposed buildings at 263 concession 6 and are not on a busy 4 way stop intersection</p>	<p>Parking for the proposed agricultural related uses are being provided in accordance with the requirements of the Town Zoning By-law.</p> <p>We further note that the applicable agricultural related use policies of the Province, Region and Town <u>does not</u> require an agricultural use (seasonal farming area) to permit the development of the proposed agricultural related use. I.e. the development of the proposed agricultural related use is <u>not</u> dependent upon the on-site agricultural operation (seasonal farming area) and can operate independent of an on-site agricultural use.</p>	Y	MHBC
2.1	<p>The cold storage and storage facility buildings are planned at being 26 and 35 feet in height. Much too tall for that corner and we don't want to look at an industrial complex out our front window in a farming community nor do the visitors to the amazing wineries on the other properties. These large buildings will change the agricultural characteristics and beauty of the area drastically.</p>	<p>The proposed heights adhere to the 10.67 m maximum height provisions of the Town's Zoning By-law.</p>	Y	MHBC
<b>AGRICULTURAL IMPACT</b>				

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3.0	I urge you to approve this project, which will have a positive impact on Niagara's agricultural sector, our local economy, and our community as a whole.	Noted. No response required.	Y	MHBC
3.1	Development on Greenbelt Land should be prevented in order to protect and preserve agricultural land. Furthermore, allowing this development will provide future developments with precedent for approving their application.	Agriculture-related uses are permitted in the specialty crop areas of the Greenbelt Plan. Agriculture-related uses do <u>not</u> require the property to provide on-site agricultural uses. The Provincial Planning Statement defines agricultural-related uses as follows: 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.	Y	MHBC
3.2	Agriculture is an essential economic pillar for Niagara-on-the-Lake, and the continued fragmentation of farmland for non-agricultural uses undermines its long-term viability.	The applicable planning policies of the Province, Region and Town permit agricultural related uses in prime agricultural areas, subject to meeting the applicable policy tests. The proposed agricultural-related uses are therefore permitted, subject to demonstration of satisfying applicable policies. Evaluation of the applicable policies is included in the MHBC Planning Justification Report (Section 3.4, 3.5 and 3.6) and the	Y	MHBC

NO.		COMMENTS	RESPONSE	ADDRESSED	CNSLT RESPONSIBLE
			Colville Consulting Agricultural Related Use Opinion Letter.		
3.3		The impact of the proposed asphalt and industrial building area on all of the available growing land that the owner wants to re-zone is concerning.	The proposed asphalt areas are required to facilitate the required parking spaces, in accordance with the parking standards of the Town's Zoning By-law, as well as providing satisfactory turning movements for larger vehicles. An analysis of the turning movements for the larger vehicles is provided in the Transportation Impact Study prepared by Paradigm, which deemed there are no conflicts with the on-site geometry.	Y	MHBC
3.4		Uphold the principles of sustainable development by ensuring that future projects align with the long-term vision for Niagara-on-the-Lake's agricultural and economic landscape.	The Region and Town Official Plans provide the long-term vision for agricultural designated land. The proposed uses are permitted in the Official Plans, therefore the proposed agricultural-related uses align with the long-term vision for Niagara on the Lake.	Y	MHBC
		<b>TRAFFIC IMPACT</b>			
4.0		Site Concept Plan - 2 pages SD-02 PARKING CALCULATION - second point says "FARM IMPLEMENT DEALER". Is this the commercial part that they're planning to start?	The draft zoning by-law amendment proposes to permit a farm implement dealer as a permitted use. A farm implement dealer is currently defined in the Town's Zoning By-law as follows:	Y	MHBC/PARADIGM

NO.		COMMENTS	RESPONSE	ADDRESSED	CNSLT RESPONSIBLE
			<p>means premises where new or used farm machinery are stored or displayed for the purposes of sale or hire and shall include the storage and sale of farm machinery accessories together with the repair and service of farm machinery.</p> <p>Parking has been provided in accordance with the applicable rate of a farm implement dealer in the Town's Zoning By-law.</p>		
4.1		Conduct a more comprehensive review of the environmental, traffic, and economic impacts before considering any similar proposals	<p>The applicant has submitted the required studies in support of the application, as determined at the pre-consultation meeting. These studies include the following:</p> <ul style="list-style-type: none"> <li>• Planning Justification Report</li> <li>• Natural Heritage Review (Environmental Impact Study)</li> <li>• Servicing Brief</li> <li>• Transportation impact Study</li> <li>• Stage 1 and 2 Archaeological Assessment</li> </ul>	Y	MHBC

NO.	COMMENTS	RESPONSE	ADDRESSED	CNSLT RESPONSIBLE
		<ul style="list-style-type: none"> <li data-bbox="1642 215 2048 318">• Agricultural Related Use Opinion Letter (supplemental submission)</li> </ul>		
4.2	The May 2024 traffic study that was completed does not reflect a true representation of the roads current use and does not consider the impact surrounding developments will have the road (to Highway 405, York Road, and Concession 6 Road). As it stands the four-way stop get congested with transport trucks, struggling to turn and often facing or posing visibility risks. The traffic study should include the increased usage that will likely come with surrounding developments, especially during their construction period.	The applicant submitted a Transportation Impact Study prepared by Paradigm. The Town's Operations Department have no concerns with the conclusions of the study.	Y	MHBC/PARADIGM
<b>ECONOMIC IMPACT</b>				
5.0	The proposed development will fulfill a gap in the current NOTL farming area. Presently, local farmers have limited access to temperature controlled storage areas and must rely on storage facilities in neighbouring areas that require them to travel far distances. By providing a local storage facility it will help farmers improve their operational efficiency, reduce costs and extend the usability of seasonal produce without comprising quality. Overall, this proposed development is supported as it will ensure that farmers will have access to infrastructure that will support them in a modern agricultural economy.	Noted.	Y	MHBC
5.1	Allowing such rezoning encourages speculative buying and selling of agricultural properties purely for profit rather than for true agricultural use.	The proposed development is for an agricultural related use <u>not</u> an agricultural use, as permitted in provincial and municipal planning policies.	Y	MHBC
<b>PROPOSAL CLARIFICATION</b>				
6.0	First paragraph states the retained lands 1.81 ha (4.47 acres) -will have the existing dwelling on it but it's the bigger piece that will retain the dwelling and woodlot. Also noted on page 17.	The proposed severed lands will have a land area of 1.81 hectares and will contain the proposed agricultural-related uses. The	Y	MHBC

NO.	COMMENTS	RESPONSE	ADDRESSED	CNSLT RESPONSIBLE
		retained lands will contain the existing dwelling and the woodlot.		
6.1	Subject Property - says property is 29.02 acres but the 2025 assessment at the Town Office NOTL says Site Dimensions are 25.02....which is it?	The final property areas for both the retained and severed lands will be confirmed by the surveyor through the consent process.	Y	MHBC
6.2	St. Davids and Glendale Settlements Areas are in wrong places on the map	Noted. The Subject Lands are located west of the St. Davids settlement and east of the Glendale settlement areas.	Y	MHBC
6.3	The Proposal - says equipment storage building to be 15,000 sf but other docs and maps say 20,000 sf (no consistency)	The equipment storage building (farm implement dealer) on the concept plan is proposed to be 15,000 square feet. Size of the buildings is to be regulated by the lot coverage provision in the site specific zoning.	Y	MHBC
6.4	Site Concept Plan - 2 pages SD-02 PARKING CALCULATION - second point says "FARM IMPLEMENT DEALER". Is this the commercial part that they're planning to start?	See response provided in 4.0	Y	MHBC
<b>SITE SERVICING</b>				
7.0	The proposed development relies on well water instead of connecting to the existing watermain, raising concerns about long-term water sustainability.	During the pre-consultation process Niagara Region staff advised that no connection to the Regional watermain is permitted due to the property being located outside of the urban boundary.	Y	MHBC

NO.		COMMENTS	RESPONSE	ADDRESSED	CNSLT RESPONSIBLE
7.1		The jurisdiction of the septic system remains unclear. Does it fall under the Niagara Region or the Ministry of the Environment? Without clear oversight, there is a risk of inadequate wastewater management.	The proposed system is under 10,000 L per day, therefore it does not require approval from the Ministry of Environment, Conservation and Parks and approval will be under the jurisdiction of Niagara Region, as confirmed by the comments from the Town's Operations Department.	Y	MHBC
7.3		Stormwater runoff from increased impervious surfaces (paved areas, storage buildings) could lead to soil erosion, flooding, and potential contamination of local water systems.	The site's outflow will be discharging to the existing ditch running along the York Road. A retaining wall is provided along the eastern boundary of the lot to direct the flow towards the south-east corner of the lot and to discharge into the existing ditch along York Road. Please see revised Servicing Brief and drawing C101 that clarifies the route of runoff outflow.	Y	JAIN