



August 11, 2025

Aimee Alderman, Manager of Planning (Active)
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 SECOND RESUBMISSION
OUR FILE 09144U**

On behalf of our client, Parth Patel & Sejal Patel (the "Owner"), we are pleased to re-submit the following materials for a 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 lands for agricultural-related uses.

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

- Concept Plan, dated July 22nd, 2025 prepared by Ace Architecture;
- Comment Response Matrix dated August 11th, 2025, prepared by MHBC Planning.
- Planning Justification Report dated August 11th, 2025, prepared by MHBC Planning inclusive of, but not limited to the following:
 - Appendix A: Draft Zoning By-law Amendment.
- Traffic Impact Study Addendum dated July 28th, 2025, prepared by Paradigm Transportation;
- Servicing Brief dated August 4th, 2025, prepared by Jain Consultants; and
- Agricultural Opinion Letter dated August 5th, 2025, prepared by Colville Consulting; and

Summary of Proposed Revisions

As discussed, the Proposal has been revised to respond to the comments received from the Town and Region regarding the proposed agricultural-related uses. The revisions can be summarized as follows:

- Consolidate the proposed agricultural-related uses to a single building;

- Limit the proposed scale of the proposed agricultural-related uses by reducing the maximum lot coverage prior to a severance and also reducing the proposed parking requirements;
- Including new proposed definitions to ensure the proposed agricultural-related uses support the agricultural sector, and define the size of a subsurface sewage system; and
- Proposes a holding provision to provide additional detail at the time of the Site Plan Approval (“SPA”) application to accommodate the servicing needs of the proposed agricultural-related uses

Lot standards have been revised to ensure that the lot coverage on the site is minimal, to demonstrate that the scale of the agricultural-related uses is limited/“small”. The lot coverage has been reduced to a maximum of 5% from the as-of-right 15%, to further restrict development if a severance is not granted. Furthermore, the proposed by-law proposes a coverage of 22%, which is a reduction of the initially requested 30%, if a severance is permitted. We maintain our position the proposed lot coverage is satisfactory in addressing provincial and municipal planning direction regarding lot creation and the scale of development, as outlined within the supporting Planning Justification Report.

In addition, to the reduced lot coverage the agricultural-related uses have been consolidated into one building to address concerns related to the previously proposed agricultural office. We note that the definition of the proposed agricultural equipment storage permits the sale of equipment, which we believe permits the ability to provide internal space dedicated to operational business needs (i.e. office space related to administrative purchase transactions, accounting, and inventory management). The internal design of these spaces will be reviewed at the SPA stage and building permit stage, at the time of providing detailed architectural plans.

New definitions to the agricultural-related uses on the site have been provided, with specific language to articulate the nature of their use and their contribution to the Proposal. The Proposal includes Zoning By-law Amendments to provide definitions for the following;

- Agricultural Market – revises the Town’s existing definition to specify that products sold on site will be sourced from “local farms” in the surrounding area without limiting this to municipal borders.
- Agricultural Equipment Storage – is proposed as a new definition, similar to the Town’s existing definition of a Farm Implement Dealer with the exception that repairs have been removed from the definition to address concerns relating to servicing requirements.
- Large and Small Subsurface Sewage Systems – These definitions have been added to clearly define and establish a 10,000 L/day threshold, as defined by the provinces Design Guideline for Sewage Work. Large Subsurface Systems are defined as exceeding the 10,000 L/day threshold, with Small Subsurface Sewage Systems remaining under that threshold. The Proposal contemplates, the use of a Small Subsurface Sewage System, as it will generate a daily design flow of 8,000 L/day. It is noted that the draft by-law also prohibits Large Subsurface Sewage Systems on the Subject Lands, while also implementing a holding provision

allowing the Town an additional process to ensure the Chief Building Official is satisfied with the proposed sewage system, prior to the approval of the SPA.

Additionally, the revised ZBA provides reductions to the parking ratio of the proposed agricultural-related uses, to limit the scale of operations, as directed by the Town's Official Plan. The Proposal will have a maximum of 50 parking spaces, whereas previously 115 parking spaces were proposed to conform to the Town's existing parking requirements. This reduction of parking is supported by the Transportation Impact Study Addendum prepared by Paradigm Engineering, which is included in this submission. Furthermore, the addendum supports the removal of the previously proposed entrance at York Road, and the Proposal now contemplates a single vehicular access along Concession Road 6.

The proposed Zoning By-law Amendment is submitted and attached to the enclosed Planning Justification Report as Appendix "A" which is intended to permit the proposed agricultural-related uses and implement the proposed Concept Plan prepared by ACE Architecture as informed by the technical reports submitted in support of the Applications.

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



Bella Mian, BA
Planner