

Date: 15 August 2025
Project No: 25071

Town of Niagara on the Lake
1593 Four Mile Creek Road
P.O Box 100
Virgil, ON L0S 1T0
Niagara-on-the-Lake

Attn: Mr. Alex Boekestyn
Planner – Town of Niagara on the Lake

Re: Minor Variance Application – 1523 Niagara Stone Road (Client – Silversmith Brewery)

Quartek Group Inc. has been retained by Silversmith Brewery (c/o Joshua Graham) to assist with the minor variance application for relief from the Zoning By-law 4316-09 (Section 6.36 (a), (b), and (c)). The development complies with zoning provisions under Section 10.7 – Village Commercial (VC) Zone.

The brewery is currently in the process of obtaining their outdoor patio license. However, due to a number of reasons, the development is now seeking a minor variance to seek relief for outdoor patio area, setback distance from existing driveway and its location abutting the residential zone to provide a functional patio layout.

Table of Contents		
Page	Description	
1	Coversheet and appendix	
2	Background information	
3	Requested Relief	
4	Variance A: Outdoor Patio Area	
	Criteria #1	Why are the variances minor in nature?
	Criteria #2	Why are the variances desirable for the appropriate use of the land?
	Criteria #3	Does it meet the intent and purpose of the Official Plan?
	Criteria #4	Does it meet the intent and purpose of the Zoning By-law?
5	Variance B: Outdoor Patio abuts a Residential Zone	
	Criteria #1	Why are the variances minor in nature?
	Criteria #2	Why are the variances desirable for the appropriate use of the land?
	Criteria #3	Does it meet the intent and purpose of the Official Plan?
	Criteria #4	Does it meet the intent and purpose of the Zoning By-law?
6	Variance C: Requested Relief – Reduction in setback requirement for outdoor patio.	



	Criteria #1	Why are the variances minor in nature?
	Criteria #2	Why are the variances desirable for the appropriate use of the land?
	Criteria #3	Does it meet the intent and purpose of the Official Plan?
	Criteria #4	Does it meet the intent and purpose of the Zoning By-law?
7	Other Provisions - Easement and Outdoor Patio Lighting	
8	Summary	



Background Information – 1523 Niagara Stone Road, NOTL, ON	
Site Details	<p>The subject site is located on the south side of Niagara Stone Road in the Town of Niagara-on-the-Lake. The site has a lot area of 1837 square meters (0.18 hectares) and the lot frontage is 34.66 meters along Niagara Stone Road.</p> <p>The subject property has an existing brewery on site with required parking provisions and requires an outdoor patio license to operate their outdoor patio.</p> <p>The Town's Zoning By-law 4316-09 designates the subject site as VC – Village Commercial and the Town's Official Plan designates the site as Service Commercial.</p> <p>The existing development is compliant with the zoning regulations with respect to setbacks, parking ratios, and landscape coverage.</p>
Proposed Development	<p>The existing brewery includes a temporary back patio which is intended to be converted to a permanent patio. The proposed design complies with both the zoning and the outdoor patio provisions applicable for the development to be able to obtain the patio license. (Section 10.7 and 6.36)</p> <p>The development offers pedestrian access and entrances from the major road with public bicycle parking offered at the entrance from Niagara Stone Road. The main entrance for vehicular parking can be accessed through Niagara Stone Road. The subject property consists of the existing brewery building.</p> <p>Patio Provisions as per AGCO License: Licensed Indoor Capacity – 60 Licensed Outdoor capacity (Northwest side of existing building – 21. Back Patio (Annual Temporary License) – 45 seats Patio Area: 107 SQ.M Parking Provisions: 23 Parking Stalls Setbacks from adjacent lots: North – Existing Building – 4.3M South – Residential Lots- 33.7M East – Car dealership showroom – 1.8M West – Physiotherapy and sports clinic - 14.1M</p>



Requested Relief – 1523 Niagara Stone Road, NOTL, ON	
Requested Relief	<p><u>Requested Relief from the Zoning By-law 4316-09</u></p> <p>Relief from By-law 4316-09 provisions are required to facilitate the outdoor patio.</p> <p>Slight relief from zoning by-law will achieve a more feasible commercial development in an area that promotes infill development in the neighborhood. There is a local demand for more commercial units to help support upcoming residential projects in Virgil. Adding different recreational opportunities within the commercial node encourages walking and reduces car dependency.</p> <p>We were made aware of the need for an outdoor patio license for Silversmith Brewery to convert the existing temporary patio to permanent outdoor patio. The existing conditions were reviewed to analyze its conformance to provisions set out by the Town's Zoning Bylaw.</p> <p>Since the proposed outdoor patio does not affect neighboring properties regarding building height, visual impact or loss of trees, the patio only requires relief on a few items in the zoning provisions pertaining to the outdoor patio in order to be able to achieve an efficient use of land while serving both its residents in the neighborhood and public.</p> <p>As per the Town's Official Plan, the commercial areas of Virgil consist of uses that serve the needs of tourists and residents and the surrounding agricultural area and the patio complies with the Official Plan policies.</p> <p>Therefore, the following zoning provisions request relief (Section 6.36):</p> <ul style="list-style-type: none"> A. Outdoor Patio Area - No outdoor patio restaurant shall accommodate more than fifty per cent (50%) of the licensed capacity of the restaurant or dining lounge with which the patio is associated to a maximum size of 90 m² - 107 SQ.M has been provided and the current outdoor capacity limit as per the annual temporary license is 45 seats (More than 50% of indoor capacity limit of 60 seats) B. Outdoor Patio abuts a Residential Zone – The outdoor patio has been proposed at the rear of the existing building. Although not abutting, it is nearer to the adjacent residential property at the rear yard. C. Setback requirement for outdoor patio – To maintain a 3.0m distance from any loading area, parking spaces, internal road or driveway located on the lot. – Does not maintain 3.0 m distance from existing driveway.



Variance A: Outdoor Patio Area

Relevant Bylaws:

Section 6.36 (a) – Outdoor Patio Restaurant

Summary of requested relief:

Relief from the maximum permitted outdoor patio occupancy area is requested to accommodate the users.

The current requirement indicates that no outdoor patio restaurant shall accommodate more than fifty per cent (50%) of the licensed capacity of the restaurant or dining lounge with which the patio is associated to a maximum size of 90 m²;

The required relief in area is requested to permit the existing 107 sq.m area of outdoor patio as it is a very minor increase in area and won't have a negative impact on the development. The annual temporary license issued by the municipality for the back patio allows for 45 seats in addition to 60 seats indoor capacity limit and 21 seats outdoor capacity limit towards the northwest side of the building.

Variance A: Planning Justification in Accordance with Section 45 of the Planning Act

As prescribed under Section 45 (1) of the Planning Act, the evaluation of determining whether the requested variance should be approved, all four tests must be satisfied. The following provides the planning justification and evaluation of the development against the four tests.





Variance A: Outdoor Patio Area	
Criteria #1	Why are the variances minor in nature?
Justification	<p>When considering the variances and whether it is minor in nature, the determination of reasonableness was measured against the type of use, any physical constraints on the site, and compatibility to adjacent uses. Upon reviewing the adjacent uses, the site is bound by commercial uses to the east and west and residential use to the south.</p>
	<p>The existing building is being used as a Brewery and the associated outdoor patio is intended to be made permanent. Hence, an outdoor patio license is required.</p> <p>The request to permit an additional 20 sq.m of area is considered minor in nature as it doesn't compromise existing services in the property.</p> <p>The location of the patio right behind the existing building while maintaining the 3m setback requirement from loading spaces, parking stalls and existing building adds on to the privacy for its users.</p> <p>The current patio license permits the following: Licensed capacity of the existing indoor restaurant – 60 Licensed capacity for Ground floor patio (Northwest side of building) - 21 Licensed capacity of the back patio – 45 seats (annual temporary license)</p> <p>The outdoor patio exceeds the 50% requirement of the licensed capacity of the restaurant. However, the patio has been proposed to only permit the number of patrons as indicated in the patio licenses. The patio area is only deficient by an extra 20SQ.M.</p> <p>As indicated previously, it is evident that commercial development is in a highly accessible area, and the outdoor patio is the most appropriate use for the development providing the community with an added recreational use available in the neighborhood. Though the subject property is located in the commercial node, the adjacent immediate commercial uses experience comparatively lower levels of public patronage than they would for the subject location because of their uses.</p> <p>Adjacent Uses:</p> <ul style="list-style-type: none"> • Car dealership, • Physiotherapy and sports clinic • Convenience Store <p>Hence, the requirement of 45 seats is justifiable and would have a very negligible impact on traffic. Required parking stalls have been provided on the site and hence the users would not have to use neighboring parking stalls. Therefore, the requested variances are considered minor in nature.</p>



Variance A: Outdoor Patio Area	
Criteria #2	Why are the variances desirable for the appropriate use of the land?
Justification	<p>The requested variance is desirable for the appropriate use of the land because they will maximize use of the subject lands by providing additional recreational use.</p> <p>The slight deficiency created by an increase in outdoor patio area makes efficient use of land and provides a comfortable outdoor patio layout for the restaurant patrons.</p> <p>The minor variance for patio area acts in favour of providing an efficient outdoor patio layout and accommodating the already permitted use. Though the permitted seats exceed the required limit for permanent license, the area only seems to exceed the requirement minimally and the repercussions appear negligible.</p> <p>The patio has been split towards the west and south of the building without much interference in terms of access and parking. As most seating arrangements are designed to accommodate only two individuals, the use of the outdoor patio is unlikely to generate excessive noise or appear out of character with the surrounding environment.</p> <p>The subject lands have been underutilized for many years. The intent of the area designation is to provide added recreational uses in the neighborhood and contribute to the character of the Town.</p> <p>The proposed use will more efficiently use the 0.18 ha subject lands while providing a use that is aligned with the future direction of the area.</p> <p>The proposed use is in a highly accessible area which reduces reliance on vehicle usage, and the current parking layout is efficient for its users to access.</p> <p>The proposed patio is an excellent use of land that will allow for increased vibrancy on Niagara Stone Road.</p> <p>Therefore, the requested variance is desirable for the appropriate use of the land.</p>



Variance A: Outdoor Patio Area	
Criteria #3	Does it meet the intent and purpose of the Official Plan?
Justification	<p>The subject site is designated as Service Commercial, and the proposed outdoor patio is permitted under this designation.</p> <p>The outdoor patio is proposed with the intention to provide a mix of commercial uses that will be available to the immediate community. The outdoor patio restaurant also adds on to the existing use in the subject property. The site has been optimized to provide as much parking as is efficient and reasonable.</p> <p>The development aligns with the zone policies identified in Section 10 of the Official Plan by:</p> <p>(2) To adequately provide for local-serving commercial areas and, where necessary, to prevent their use for tourist serving uses.</p> <p>(5) To encourage controlled and orderly growth within designated commercial areas.</p> <p>(9) To promote compact forms of commercial development, and to discourage scattered forms of development.</p> <p>From an urban design perspective, the use of outdoor patio adds to the character of the neighborhood and promotes walkability for the residents in the neighborhood in a highly accessible area.</p> <p>Additionally, providing new recreational uses in the neighborhood makes nearby residential lots more desirable for residential intensification and thus contributing to the economy. The requested minor variance for area is requested only to facilitate an efficient seating layout.</p> <p>The site contains an adequate amount of parking spaces to service the residential uses nearby and can be supported by pedestrian walkways in the commercial node.</p> <p>Therefore, the requested variances meet the intent and purpose of the Official Plan.</p>



Variance A: Outdoor Patio Area	
Criteria #4	Does it meet the intent and purpose of the Zoning By-law?
Justification	<p>The subject site is zoned as VC – Village Commercial and the proposed outdoor patio restaurant is a permitted use in this zone.</p> <p>The requested variance to Section 6.3.6 (a) does not detract from the Town's by-law regulations as the slight increase in area is just for an efficient seating layout to accommodate its permitted number of users.</p> <p>The brewery has been permitted to include the number of seats as part of a temporary license. The client intends to maintain the same number of seats on a permanent basis.</p> <p>Hence a minor variance will be required.</p> <p>A slight increase in patio area will allow for the permitted number of patrons to access the site with the provision of parking. The development is adequately serviced by existing services.</p> <p>Hence, after careful consideration of the local context, and although the proposed number of seats exceeds the zoning requirement, it does not impact on the adjacent uses. Additionally, the proposed number of seats falls within the liquor licensing limitations as they pertain to patio licenses.</p>



Variance B: Outdoor Patio Abuts Residential Area

Relevant Bylaws: Section 6.36 (b) – Outdoor Patio Restaurant

Summary of requested relief: Relief from outdoor patio abutting a Residential Area.

The current requirement indicates that no outdoor patio restaurant shall be permitted in a yard that abuts a residential zone.

The required relief is requested to permit the location of the outdoor patio towards the rear of the building. This won't have a negative impact on the residential lots as it is located far beyond the required rear yard setback from residential zone. A 12m rear yard setback from residential zones is required and the patio is located 26.4m away from the residential lot.

Variance B: Planning Justification in Accordance with Section 45 of the Planning Act

As prescribed under Section 45 (1) of the Planning Act, the evaluation of determining whether the requested variance should be approved, all four tests must be satisfied. The following provides the planning justification and evaluation of the development against the four tests.





Variance B: Outdoor Patio Abuts Residential Area	
Criteria #1	Why are the variances minor in nature?
Justification	<p>When considering the variances and whether it is minor in nature, the determination of reasonableness was measured against the type of use, any physical constraints on the site, and compatibility to adjacent uses. Upon reviewing the adjacent uses, the site is bound by commercial uses to the east and west and residential use to the south.</p>
	<p>The request to permit an outdoor patio restaurant abutting a residential zone is considered minor in nature as it doesn't compromise the privacy of the adjacent owners towards the rear.</p> <p>The location of the patio right behind the existing building is the most appropriate location for the patio as the existing building also acts as an added privacy feature for the patio users on the site.</p> <p>To be able to maintain the most distance possible from the residential lot. The patio is located around 26.4 meters away from the residential lot. Additionally, the patio is approximately 67.5 meters and 77 metres away from the actual dwellings in the residential lots that share the common property line with the subject location.</p> <p>For the patio users, additional screening has been provided with the patio fence, which is above eye level, maintaining a higher level of privacy while complying with the fence height requirement as per the outdoor patio zoning provisions.</p> <p>The increased rear yard setbacks separate the residents from noise and excess lighting.</p> <p>As indicated previously, it is evident that commercial development is in a highly accessible area, and the outdoor patio is the most appropriate use for the development providing the community with an added recreational use available in the neighborhood.</p> <p>Therefore, the requested variances are considered minor in nature.</p>



Variance B: Outdoor Patio Abuts Residential Area	
Criteria #2	Why are the variances desirable for the appropriate use of the land?
Justification	<p>The requested variance is desirable for the appropriate use of the land because they will maximize use of the subject lands by providing additional recreational use.</p> <p>The privacy of its lot owner has been maintained by providing appropriate screening in the outdoor patio and spacing it as far possible from lots to provide privacy for its neighbors.</p> <p>The use is appropriate for the subject property and is also a permitted use.</p> <p>The proposed use will more efficiently use the 0.18 ha subject lands while providing a use that is aligned with the future direction of the area.</p> <p>The proposed use is in a highly accessible area and reduces reliance on vehicle usage by residents of the proposed developments. Additionally, the current parking layout is efficient and provides good access.</p> <p>The proposal is an excellent use of land that will allow for increased vibrancy on Niagara Stone Road.</p> <p>Therefore, the requested variance is desirable for the appropriate use of the land.</p>



Variance B: Outdoor Patio Abuts Residential Area	
Criteria #3	Does it meet the intent and purpose of the Official Plan?
Justification	<p>The subject site is designated as Service Commercial, and the proposed outdoor patio is permitted under this designation.</p> <p>The outdoor patio intends to provide a mix of local serving commercial uses to serve the immediate community. The outdoor patio restaurant adds on to the existing use in the subject property. The area is sufficient to allow required parking stalls to be offered on site. A 12m distance is required as a rear yard setback from residential zones and 26.4m setback has been provided.</p> <p>The development aligns with the zone policies identified in Section 10 of the Official Plan by:</p> <ul style="list-style-type: none"> (2) To adequately provide for local-serving commercial areas and, where necessary, to prevent their use for tourist serving uses. (5) To encourage controlled and orderly growth within designated commercial areas. (9) To promote compact forms of commercial development, and to discourage scattered forms of development. <p>From an urban design perspective, the use of outdoor patio adds to the character of the neighborhood and promotes walkability for the residents in the neighborhood being located in a highly accessible area.</p> <p>Additionally, providing new recreational uses in the neighborhood makes nearby residential lots more desirable for residential intensification and thus contributing to the economy.</p> <p>The requested minor variance does not have a negative impact by abutting the residential zone as it also provides more than requested rear yard setback which provides sufficient privacy for its neighbours.</p> <p>The site is supported by sufficient parking, and the location promotes walkability to the site.</p> <p>Therefore, the requested variances meet the intent and purpose of the Official Plan.</p>



Variance B: Outdoor Patio Abuts Residential Area	
Criteria #4	Does it meet the intent and purpose of the Zoning By-law?
Justification	<p>The subject site is zoned as VC – Village Commercial and the proposed outdoor patio restaurant is a permitted use in this zone.</p> <p>The requested variance to Section 6.3.6 (b) does not detract from the Town's by-law regulations as the current location of patio is the most appropriate location in the subject property providing privacy for its adjacent users from the patio and the location of the patio towards the rear is also ideal for maintaining the privacy of its own users.</p> <p>A slight relief to locate the outdoor patio will only result in an efficient layout while accommodating required parking.</p> <p>The development is able to be adequately serviced by existing services.</p> <p>Hence, after careful consideration of the local context and the intent of the zoning bylaw, the proposed location of the patio and setbacks are believed to meet the general intent and purpose of the bylaw. We understand that the location of the patio towards the rear will not impact the function of the development and request relief for the same.</p>



Variance C: Setback Requirement for Outdoor Patio

Relevant Bylaws: Section 6.36 (c) – Outdoor Patio Restaurant

Summary of requested relief: Relief from the required setback is requested to accommodate the outdoor patio.

The current requirement indicates that the outdoor patio restaurant be located at a minimum of 3.0m from any loading area, parking spaces, internal road or driveway located on the lot.

The required setback is requested to be reduced to 0m from the existing driveway which will allow to fit in the outdoor patio without many alterations to existing site plan layout. The patio does maintain required distances from the parking spaces and loading areas.

Variance C: Planning Justification in Accordance with Section 45 of the Planning Act

As prescribed under Section 45 (1) of the Planning Act, the evaluation of determining whether the requested variance should be approved, all four tests must be satisfied. The following provides the planning justification and evaluation of the development against the four tests.





Variance C: Setback Requirements for Outdoor Patio	
Criteria #1	Why are the variances minor in nature?
Justification	<p>When considering the variances and whether it is minor in nature, the determination of reasonableness was measured against the type of use, any physical constraints on the site, and compatibility to adjacent uses. Upon reviewing the adjacent uses, the site is bound by commercial uses to the east and west and residential use to the south.</p>
	<p>The existing building is being used as a Brewery and the associated outdoor patio is intended to be made permanent. As a result, an outdoor patio license is required.</p> <p>The reduction of required 3m setback for the outdoor patio from the existing driveway is considered minor in nature due to 6m wide driveway and the narrow lot has been efficiently designed while working within site constraints as possible. The decorative fence and plantings are provided which are an adequate separation from the driveway.</p> <p>This development encourages walkability due to its location in commercial node, further reducing the reliance on cars for residents nearby.</p> <p>The building and parking lot otherwise complies with the zoning bylaw requirements by maintaining 3m setback distance from parking stalls and loading spaces.</p> <p>The subject land has an irregular lot shape decreased the chances of having efficient parking with appropriate distances from the outdoor patio. However, the outdoor patio has been screened to an appropriate height to ensure the privacy of its users.</p> <p>As indicated previously, it is evident that commercial development is in a highly accessible area promoting walkability and the efficient parking layout allows its users to enjoy the space without much concern for parking.</p> <p>The above-mentioned variance, however, does not influence the existing building footprint. Therefore, the requested variances are considered minor in nature.</p>



Variance C: Setback requirements for outdoor patio	
Criteria #2	Why are the variances desirable for the appropriate use of the land?
Justification	<p>The requested variance is desirable for the appropriate use of the land because they will maximize use of the subject lands by maintaining required setbacks where possible and can appropriately accommodate the additional local population.</p> <p>The slight deficiency created by the reduction of setback requirement from the driveway allows efficient parking layout that can be accessed by both residents and tourists.</p> <p>The minor variance for setback requirement acts in favor of better vehicle maneuverability, improved backyard setbacks and landscape buffers to neighbors.</p> <p>The reduced setback requirement only facilitates an efficient layout and location for the outdoor patio within the subject property spaced well away from the residential zone while providing recreation uses to the community.</p> <p>The setback deficiency is a result of irregular shaped lot, and the deficiency is between a patio and a driveway on the same lot, thereby not affecting the neighboring properties.</p> <p>The subject lands have been underutilized for many years. The intent of the area designation is to provide added recreational uses in the neighborhood and contribute to the character of the Town. The proposed use will more efficiently use the 0.18 ha subject lands while providing a use that is aligned with the future direction of the area.</p> <p>The proposed use is in a highly accessible area reduces reliance on vehicle usage by residents of the proposed developments. And the current parking layout is efficient for its users to access.</p> <p>The proposal is an excellent use of land that will allow for increased vibrancy on Niagara Stone Road.</p> <p>Therefore, the requested variance is desirable for the appropriate use of the land.</p>



Variance C: Setback requirements for outdoor patio	
Criteria #3	Does it meet the intent and purpose of the Official Plan?
Justification	<p>The subject site is designated as Service Commercial, and the proposed outdoor patio is permitted under this designation.</p> <p>The outdoor patio intends to provide a mix of local serving commercial uses to serve the immediate community. To ensure sufficient privacy for the residential property towards the south, the outdoor patio has been provided with appropriate rear yard setbacks.</p> <p>By reducing the required setback only from the driveway, adequate vehicle maneuverability is provided within the site given that the driveway is already existing. This layout accommodates the required parking stalls for its users.</p> <p>The development aligns with the zone policies identified in Section 10 of the Official Plan by:</p> <ul style="list-style-type: none"> (2) To adequately provide for local-serving commercial areas and, where necessary, to prevent their use for tourist serving uses. (5) To encourage controlled and orderly growth within designated commercial areas. (7) To minimize the impact of commercial development on the traffic carrying capacity of adjacent roads. (9) To promote compact forms of commercial development, and to discourage scattered forms of development. <p>From an urban design perspective, the reduction of setback from the driveway will lead to convenient access within the site with being able to provide sufficient parking stalls to accommodate its users and privacy for the patio users from the main road as it is currently located right behind the existing building.</p> <p>Therefore, the requested minor variance for reduction in setback from driveway is requested only to facilitate required parking stalls and easier access within site. The irregular lot shape is one major reason for not being able to provide the 3m offset from the driveway.</p> <p>The site contains an adequate amount of parking spaces to service the residential uses nearby and can be supported by pedestrian walkways being in a highly accessible area of the neighborhood.</p> <p>Therefore, the requested variances meet the intent and purpose of the Official Plan.</p>



Variance C: Setback requirements for outdoor patio	
Criteria #4	Does it meet the intent and purpose of the Zoning By-law?
Justification	<p>The subject site is zoned as VC – Village Commercial and the proposed outdoor patio restaurant is a permitted use in this zone.</p> <p>The requested variance to Section 6.3.6 (c) does not detract from the City's by-law regulations. The deficiency of setback for the driveway are not expected to create adverse negative impacts on the local area as they are also supported by adequate screening in the patio.</p> <p>The outdoor patio maintains a 3m setback distance from the parking area and the loading space. Due to irregular lot shape it does not seem appropriate to provide a 3m distance from the existing driveway as this might affect the parking layout and access within the site. Hence a minor variance is applied for.</p> <p>This variance will allow for an adequate number of parking stalls which are required for the use. The development is also serviced by local infrastructure and provides the appropriate number of parking spaces.</p> <p>Thus, the reduced setback requirement is not expected to have a major adverse impact on the development. Additionally, the development has excellent pedestrian/vehicular access which is intended to promote alternative forms of transportation and support residential intensification.</p> <p>The proposed development complies with the zoning height and setback standards and hence maintains privacy for its neighboring properties. The proposed location of the patio is appropriate and does not affect the current or future users in any way. Sufficient landscape buffer has been provided on site to ensure privacy for adjacent property owners on site.</p> <p>The property parcel is constrained by the irregular shaped lot which decreases the chances of having parking stalls with efficient vehicle maneuverability. Therefore, the requested variances meet the intent and purpose of the Zoning By-law.</p> <p>The traffic generated through the development will not affect the traffic in the neighborhood because of its very close proximity to Four Mile Creek Road and easier access to other public and commercial amenities. The development is in a highly accessible area.</p> <p>Hence, the demand for parking spaces in this development can be expected to be lower than the Town's current minimum requirements. After careful consideration of the project's context, the reduction in setback will not severely impact on the function of the development and is believed to meet the intent of the zoning bylaw.</p>



The attached PDF illustrates the location of the outdoor patio and its compliance with the zoning provisions applicable for the site. The location of the patio is the most appropriate considering the following factors:

1. Functional parking and patio layout
2. Privacy for residential lots.
3. Privacy for patio users where the existing building acts like a screening from the main road.
4. Sufficient outdoor patio lighting provided along the fence.

In conclusion, requested minor variances satisfactorily meet the four tests and are recommended for approval.

If you have any questions or require additional information, please do not hesitate to contact me.

Thank you,

Zamima Khan
Intern Urban Planner – Quartek Group Inc.

Cc: Josh Graham – Silversmith Brewery - President
Matthew Trendota – Architect – Quartek Group Inc.