



Department of Community & Development Services
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 • Fax: 905-468-0301

www.notl.org

File No:	Date of Receipt:
Town Fee (\$):	Regional Fee (\$):
NPCA Fee (\$):	Operations Fee (\$):
Other Fee (\$):	Other Fee (\$):

(Office Use Only)

Application for an Official Plan Amendment and/or Zoning By-law Amendment Under the *Planning Act, R.S.O. 1990 c. P.13, as amended*

A pre-consultation meeting with Community & Development Services Staff is required prior to applying for an Official Plan Amendment and/or a Zoning By-law Amendment.

Please complete all applicable sections of this application. All measurements are to be provided in metric units. The information requested on this application is required to review the proposal. An incomplete application will be returned to the Registered Owner/Authorized Agent. If you have questions regarding the information requested on this application, please contact the Community & Development Services Department.

All information requested on this form is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. The requested information on this application and all accompanying plans, reports, and information is required in order to process this application and will form part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information. Questions about the collection of information can be made to the Town Clerk.

1. Type of Application			
☐ Official Plan Amendment	☒ Zoning By-law Amendment	☐ Removal of Holding Symbol (Complete Sections 2-4 only)	☐ Temporary Use By-law
2. Details of the Subject Lands			
Municipal Address 727 East & West Line, Niagara-on-the-Lake, ON. L0S 1J0		Assessment Roll Number 262702001306200	
Legal Description PT TWP LT 115 NIAGARA, PT 2 30R11307; S/T INTEREST IN R0352395; NIAGARA-ON-THE-LAKE			
Date the subject lands were acquired: November 14 2023	Lot Area (metric): 21,848m ²	Lot Frontage (metric): 135.64m	Lot Depth (metric): 144m
Description of easements, rights-of-way, or restrictive covenants applicable to the subject lands (if applicable): N/A			
3. Registered Owner (as shown on the deed and title of the property)			
Name A. J. Lepp Orchards Ltd.		Company Name Niagara Orchard & Vineyard Corp.	Municipality Niagara-on-the-Lake
Mailing Address 1550 Niagara Stone Road.		Unit Number	Postal Code L0S 1T0
Province ON	Email alepp@niagaraorchard.com	Telephone 905-646-5777	
4. Authorized Agent (if one has been authorized)			
Name Stephen Bedford, Principal Planner.		Company Name LANDx Developments Ltd.	Municipality St. Catharines
Mailing Address c/o 122 Glenwood Avenue.		Unit Number	Postal Code L2R 4C7
Province ON	Email stephenbedford@landxdevelopments.com	Telephone 905-688-2610	
Contact for all future correspondence (select one): ☐ Registered Owner ☒ Authorized Agent			
5. Mortgages, Charges, and Other Encumbrances (if applicable)			
Name		Company Name	Municipality
Mailing Address		Unit Number	Postal Code
Province	Email	Telephone	

6. Access (select all that apply)

Identify how the subject lands will be accessed:

- ☒ Public road maintained all year ☐ Niagara River Parkway ☐ Provincial highway
☐ Public road maintained seasonally ☐ Private easement/Right-of-way ☐ Waterway

If the subject lands will be accessed by a waterway only, identify the parking and docking facilities to be used and the approximate distance of these facilities from the subject lands to the nearest public road:

7. Servicing (select all that apply)

Identify how the subject lands will be serviced:

Water

- ☒ Publicly owned and operated piped water system
☐ Privately owned and operated individual well
☐ Privately owned and operated communal well
☐ Lake or other water body
☐ Other: _____

Sewage Disposal

- ☐ Publicly owned and operated sanitary sewage system
☒ Privately owned and operated individual septic system
☐ Privately owned and operated communal septic system
☐ Privy
☐ Other: _____

Storm Drainage

- ☐ Sewers
☒ Ditches/swales
☐ Other: _____

8. Existing Buildings, Structures, and Uses

Identify the existing use(s) of the subject lands and the length of time the existing use(s) have continued:

Residential 1-Storey Single Detached Dwelling & Shed.

Type of Building or Structure	1-Storey SDD	Shed		
Construction Date	1960's	1960's		
Existing Use(s)	Residential - SDD	Storage		
Time the Existing Use(s) have continued	20+ Years	20+ Years		
Front Yard Setback (m)	12.79			
Rear Yard Setback (m)		14.7		
Side Yard Setback (m)		13.5		
Side Yard Setback (m)	15.19			
Height (m)	Aprox. 4m	Aprox. 6m		
Gross Floor Area (sq m)	203.3	106		
Lot coverage (%)	5.02	2.62		

9. Proposed Buildings, Structures, and Uses (if applicable)

Identify the proposed use(s) of the subject lands:
Proposed Agricultural Supply & Service Facility

Type of Building or Structure	Building A	Building B	Building C	
Construction Date	TBD	TBD	TBD	
Proposed Use(s)	Ag-Related	Ag-Related	Ag-Related	
Front Yard Setback (m)	15			
Rear Yard Setback (m)		10.6		
Side Yard Setback (m)	9			
Side Yard Setback (m)			12.05	
Height (m)	7.19	7.19	7.19	
Gross Floor Area (sq m)	2,208	2,044	2,543	
Lot coverage (%)	12.5	11.6	14.43	

10. Provincial Policy

Is this application consistent with policy statements issues under Section 3(1) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended?

☒ Yes ☐ No

Is any portion of the subject lands within the Specialty Crop (Niagara Tender Fruit and Grape) Area?

☒ Yes ☐ No

Is any portion of the subject lands within the Niagara Escarpment Plan Area?

☐ Yes ☒ No

If yes to any, explain how this application conforms to Provincial policy statements and applicable Provincial plan(s):
The proposed Agricultural Supply & Service Facility supports the PPS (2024) by protecting prime farmland and enabling agriculture-related uses vital to Niagara's agri-food network. NOVC's operations provide essential services to local farms, and the facility will be self-contained, replacing fallow land without impacting adjacent operations.

11. Official Plan Information	
Existing Niagara Regional Official Plan designation(s) of the subject lands: Specialty Crop Area	
Does this application conform to the Niagara Regional Official Plan? ☒ Yes ☐ No	
If yes, explain how this application conforms to the Niagara Regional Official Plan: The ROP (2022) permits Ag-Related uses in specialty crop areas where they are compatible, appropriately scaled, and supportive of surrounding operations. Compatibility has been demonstrated through buffering and truck loading orientation. The building has been scaled to reduce massing impacts on surrounding lands. The proposed development will enhance existing operations by relieving farmers of the need to construct duplicative facilities on prime lands.	
Existing Town of Niagara-on-the-Lake Official Plan designation(s) of the subject lands: Agricultural	
Does this application conform to the Town of Niagara-on-the-Lake Official Plan? ☒ Yes ☐ No	
If yes, explain how this application conforms to the Town of Niagara-on-the-Lake Official Plan: The proposed year-round Ag-Related facility meets the goals of the Town OP (2017) by selling produce from local growers to major retailers, supporting the viability of regional agriculture. The development will protect surrounding farmland and maintain a scale appropriate to the rural setting. It will strengthen Niagara's agricultural economy without negatively impacting adjacent uses or nearby farming operations.	
Does this application propose to change or replace a designation in the Official Plan? ☐ Yes ☒ No	
If yes, what is the Official Plan designation that the amendment is proposing to change or replace?	
Does the proposed amendment change, replace, or delete a policy in the Official Plan? ☐ Yes ☒ No	
If yes, which Official Plan policy is to be changed, replaced, or deleted?	
Does the proposed amendment add a policy to the Official Plan? ☐ Yes ☒ No	
If yes, what is the nature and extent of the Official Plan policy that the amendment is proposing to add?	
Do the subject lands have a pre-determined requirement for maximum height or density? ☒ Yes ☐ No	
Does this application propose to alter the boundaries of an existing settlement area? ☐ Yes ☒ No	
Does this application propose to remove any lands from an existing employment area? ☐ Yes ☒ No	
If yes to any of the above questions, provide details of the Official Plan policies that deal with the matter(s): The NOTL Zoning By-Law 500A-74 lists the maximum height of the building as 10.67 m for all Rural (A) & Suburban Residential (RS) zones.	
Explain the purpose for the proposed Town of Niagara-on-the-Lake Official Plan amendment (if applicable):	
12. Zoning Information	
Existing Town of Niagara-on-the-Lake Zoning of the subject lands: Suburban Residential (RS) & Rural (A) Zone.	
Explain the nature and extent of the proposed Zoning By-law Amendment: A site-specific Zoning By-Law amendment is being proposed to add the "Agricultural Supply & Service Facility" use as a permitted land use for the subject lands & to permit the surplus farm dwelling severance. The proposed site zoning change will be from "Rural (A)" to "Rural (A-XX) Zone - Site Specific Zone". The proposed zoning will be "SPECIAL EXCEPTION XY - Niagara Orchard & Vineyard Corporation (21.A.XY) ZONE".	
Explain the reason for the proposed Zoning By-law Amendment: Currently, "Agricultural Supply & Service Facility" is not listed as a permitted use for the subject lands under the current zoning by-law. The amendment seeks to add the "Agricultural Supply & Service Facility" land use designation to the subject property to allow for the operation of an Agricultural Supply & Service Facility. Residential uses are being prohibited in the "Rural (A-XX) Zone - Site Specific Zone".	
13. Surrounding Land Uses	
North	Agricultural & Residential
South	Agricultural
East	Agricultural & Produce Storage Facility
West	Agricultural & Residential

14. Previous Applications (if applicable)

Have the subject lands ever been the subject of an application under the *Planning Act, R.S.O. 1990, c. P.13, as amended* for approval of a plan of subdivision or condominium, a consent, a minor variance, a site plan, an official plan amendment, a zoning by-law amendment, or a Minister's zoning order? ☐ Yes ☐ No ☒ Unknown

Are any lands within 120 metre of the subject lands the subject of an application made by the Registered Owner under the *Planning Act, R.S.O. 1990, c. P.13, as amended* for approval of a plan of subdivision or condominium, a consent, a minor variance, a site plan, an official plan amendment, a zoning by-law amendment, or Minister's zoning order? ☐ Yes ☒ No ☐ Unknown

If yes to either, provide the information requested below:

Application Type	File Number	Status of the Application

15. Concurrent Applications (if applicable)

Application Type	File Number	Status of the Application
Consent to Sever	TBD	TBD

16. Checklist of Requirements for a Complete Application (all boxes must be checked)

The following plans, reports, and information must accompany this application:

- ☒ One (1) signed copy of the Pre-Consultation Agreement;
- ☒ All applicable application fees (payable by cash, cheque, or debit);
- ☒ Property Index Map(s) of the subject lands from the Land Registry Office, dated within one (1) month of receipt of this application;
- ☒ Parcel Register(s) (including all PIN printouts and Legal Instruments) of the subject lands from the Land Registry Office, dated within one (1) month of receipt of this application;
- ☒ Two (2) folded hardcopies of the Reference Plan(s) included in the legal description of the subject lands, to scale (unfolded copies will not be accepted);
- ☒ Two (2) hardcopies of a draft by-law for each separate document being amended;
- ☒ Two (2) hardcopies of a schedule accompanying each draft by-law, if applicable;
- ☒ Two (2) hardcopies of all required plans, reports, and information identified on the Pre-Consultation Agreement;
- ☒ For all large-format plans, two (2) sets of reduced plans on 11' X 17' paper; and
- ☒ One (1) digital copy, in PDF format, of all required materials.

This application will be circulated to various agencies for review and comment. Where the scope or nature of the application requires input from a large number of agencies, additional copies of this application and accompanying plans, reports, and information may be required.

17. Checklist of Drawing Requirements (all applicable boxes must be checked)

Plans and drawings accompanying this application must show the following information, in metric units:

- ☒ North arrow;
- ☒ Metric scale;
- ☒ The boundaries and dimensions of the subject lands;
- ☒ The location, size, type, and setbacks of all existing and proposed buildings and structures on the subject lands;
- ☒ Natural and artificial features located within or adjacent to the subject lands, such as buildings, railways, roads/highways, pipelines, watercourses, drainage ditches, top of banks, wetlands, wooded areas, wells, septic tanks, and parking and docking facilities (if access to the subject lands is by waterway only), or any other features that may affect this application in the opinion of the Registered Owner/Authorized Agent;
- ☒ The existing use(s) of adjacent lands (for example, residential, agricultural, or commercial);
- ☒ The location, width and name any road/highway within or abutting the subject lands, and indicating whether it is an unopened road allowance, a public road, a private road, or a right-of-way; and
- ☒ The location and nature of any easement affecting the subject lands (if applicable).

Community & Development Services Staff may request that additional information be provided in the plans and drawings that accompany this application, based on the scope and nature of the proposal.

18. Plans, Reports, and Information Submitted with this Application			
Identify all plans, reports, and information submitted with this application:			
No.	Title	Date	Author
1	Planning Justification Report	Sept. 2025	Planning Department - LND
2	Stage 1 & 2 Archaeological Assessment	Feb. 2025	Archaeological Services - LND
3	Site Survey	Dec. 2024	Planning Department - LND
4	Severance Sketch	Nov. 2024	Planning Department - LND
5	PIN Map & Parcel Registry	Aug. 2025	Planning Department - LND
6	Site Plan, Floor Plan, & Elevations	Sept. 2025	Planning Department - LND
7	Landscaping Plan	Sept. 2025	Planning Department - LND
8	Draft Zoning By-Law Amendment	Sept. 2025	Planning Department - LND
9	Private Wastewater Servicing Report	July 2025	Private Wastewater Services
10	Pro-Conservation Agreements	Feb. 2025	Planning Department - LND
11			
12			

19. Acknowledgement and Agreement of Registered Owner

I, A. J. Lapp Orchards AM THE REGISTERED OWNER OF THE SUBJECT LANDS AND
 (Name of Registered Owner/Company)

I ACKNOWLEDGE AND AGREE that all information requested on this form is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

I ACKNOWLEDGE AND AGREE that the Town of Niagara-on-the-Lake, its employees and agents may enter onto my property to view, photograph and survey my property as necessary for this application.

I ACKNOWLEDGE AND AGREE that all costs of processing this application shall be paid for by the Registered Owner. The Registered Owner shall reimburse the Town of Niagara-on-the-Lake, upon demand, for all costs incurred by the Town of Niagara-on-the-Lake in respect of this application. Without limiting the foregoing, the Registered Owner acknowledges and agrees to pay such expenses regardless of whether or not this application is approved or proceeded with and are not refundable. If costs are not paid by the due date imposed by the Town of Niagara-on-the-Lake, the Registered Owner understands and acknowledges that the costs will be added to the tax bill of the subject lands and collected in like manner as property taxes.

[Signature] (Signature of Registered Owner) _____ (Date)

20. Authorization of Registered Owner

If this application is being submitted by an Authorized Agent, the Registered Owner of the subject lands must complete this section. If there is more than one Registered Owner, a separate authorization from each individual or corporation is required. An additional copy of this page must be attached for each Registered Owner.

I, A. J. Lapp Orchards AM THE REGISTERED OWNER OF THE SUBJECT LANDS AND
 (Name of Registered Owner/Company)

AND HEREBY AUTHORIZE Stephen Besicovich, MOIE RPP, L.E. Planning Department - LND
 (Name of Authorized Agent/Company)

TO SUBMIT THIS APPLICATION to the Town of Niagara-on-the-Lake, appear on my behalf at any hearing(s) of this application, and provide any information or material required by the Town of Niagara-on-the-Lake relevant to this application.

I UNDERSTAND that all information requested on this form is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

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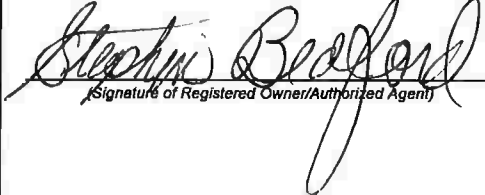
[Signature] (Signature of Registered Owner) _____ (Date)

21. Sworn Declaration

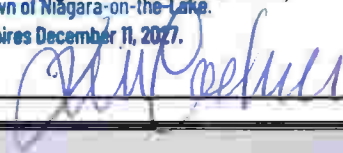
I, Stephen Bedford OF THE City of St. Catharines
(Name of Registered Owner/Company or Authorized Agent/Company) (Name of City, Town, Township, etc.)
IN THE Region of Niagara
(Name of Regional Municipality or Province)

DO SOLEMNLY DECLARE that the information contained in this application and that the information contained in the documents that accompany this application is true and complete.

Declared before me in Town of Niagara-on-the-Lake in the Regional Municipality
(Name of City, Town, Township, etc.) (Name of Regional Municipality or Province)
on this 12 day of Sept, 2025
(Month) (Year)


(Signature of Registered Owner/Authorized Agent)

Kim Renee Cochrane, a Commissioner, etc.,
Province of Ontario, for the Corporation of the
(Signature of Commissioner of Oath)
Town of Niagara-on-the-Lake.
Expires December 11, 2027.



THIS APPLICATION MUST BE SUBMITTED TO:

Town of Niagara-on-the-Lake
Community & Development Services
1593 Four Mile Creek Road
PO Box 100
Virgil, ON L0S 1T0

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