



Planning Justification Report

Niagara Orchard & Vineyard Corporation

Proposed Zoning By-law Amendment & Consent to Sever Application

727 East and West Line. Niagara-on-the-Lake, ON.

Prepared & submitted by

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Section 1 – Introduction

The following Planning Justification Report has been prepared on behalf of the owners of 727 East and West Line (“the subject property”), formally known as A.J. Lepp Orchards Ltd. 727 East and West Line is a 2.19 ha / 5.41 ac farm parcel presently developed with a single detached dwelling with a garage and out building. The agricultural portion of the property is presently fallow. **(Attachment 1)**

The owners of the property plan to build a 6,795 m² / 73,140 SF agricultural supply & service facility operated by Niagara Orchard & Vineyard Corporation. The proposal will consolidate three existing Niagara Orchard & Vineyard Corporation operations on this property. This development will, along with the proposed expansion of Vineland Growers on the adjacent property to the east create an economic cluster of agricultural supply & service facilities at the intersection of East and West Line and Concession Road 4, centrally located within the farming community with easy access to Niagara Stone Road / Niagara Regional Road #55 and East and West Line.

The existing single detached dwelling is surplus to the needs of the business and is proposed to be severed as a 0.4 ha / 0.99 ac surplus farm dwelling. **(Attachment 2)**

Section 2 – NOVC Background

Introduction and History

The Niagara Orchard & Vineyard Corp. (“NOVC”) has anchored Niagara-on-the-Lake’s (“NOTL”) agricultural landscape for nearly a century. Founded in 1926 by a coalition of local grape growers, NOVC began as a modest cooperative dedicated to cultivating stone fruits and grapes on member farms. In 1988, Arnie Lepp acquired the company and steered it into a vertically integrated enterprise from 1988 to the present day. Under his leadership, NOVC expanded beyond its original orchards to encompass farm acquisitions of Louth & Niagara Orchards and Niagara Fruit & Vegetable Growers, extending operations out of Niagara-on-the-Lake into the broader Niagara Region and solidifying its reputation as a full-service provider to local agriculture.

Existing Operations

NOVC’s headquarters occupies a 0.41 ha / 1.01 ac site at 1550 Niagara Stone Road / Niagara Regional Road #55 in Virgil, where it delivers cold storage, packing and farm supply retail. Three additional NOVC outlets serve farmers within the Niagara Region:

- 1579 Four Mile Creek Road / Niagara Regional Road #100 (0.80 ha / 1.98 ac warehouse) in Virgil
- 1196 Irvine Road (0.52 ha / 1.28 ac warehouse) in NOTL
- 4000 Jordan Road / Niagara Regional Road #26, Lincoln (1.35 ha / 3.34 ac fertilizer blending plant) – Niagara’s sole dedicated bulk fertilizer facility for orchard and vineyard growers

Together these locations offer climate-controlled storage, packaging services and a broad retail selection of trellising materials, crop protection products, containers, hand tools and ladders. Complementary on-site services include equipment rentals, farm implement repairs and integrated pest-monitoring programs, ensuring producers have every resource to optimize their harvest. NOVC also purchases fruit from local growers within the region for resale to major retailers such as Loblaws, Sobeys, Metro, etc. on behalf of the local growers ensuring that the farmers are compensated for their harvest.

Future Opportunities in Virgil

NOVC plans to consolidate the three existing NOTL agricultural service & supply facilities into a more efficient comprehensive agricultural supply & service facility at 727 East and West Line. This will create several efficiencies in the NOVC operations by relocating the existing facilities in Virgil and Irvine Rd. to a location that

will reduce their impact on adjacent residential and small-scale commercial properties in Virgil and provide opportunities for their redevelopment.

The two existing operations in Virgil have been severely compromised by the growth of the village, both from a land use compatibility perspective as well as from a traffic operational perspective. Virgil has been subject to residential and commercial intensification within the built-up area of the village and will continue to grow and evolve as planned in the Official Plans of NOTL and the Niagara Region. Consolidating the agricultural supply and service facilities onto the small, underutilized lot at 727 East and West Line will create opportunities to redevelop the two Virgil properties for land uses that are more compatible with the surrounding residential and commercial areas.

Potential for Redevelopment

1550 Niagara Stone Road / Niagara Regional Road #55 sits at the heart of Virgil's commercial corridor, and under the Town's Official Plan, it is designated Service Commercial. This designation is intended for retail and service uses that cater primarily to motorists such as gas stations, traveler-oriented shops and roadside restaurants. The property also falls within a Community Improvement Area; a planning tool the Town uses to target underutilized or conflicted lands for revitalization. Through Community Improvement, Virgil can offer façade and site redevelopment incentives, resolve incompatible uses, and strengthen the public realm along busy streets.

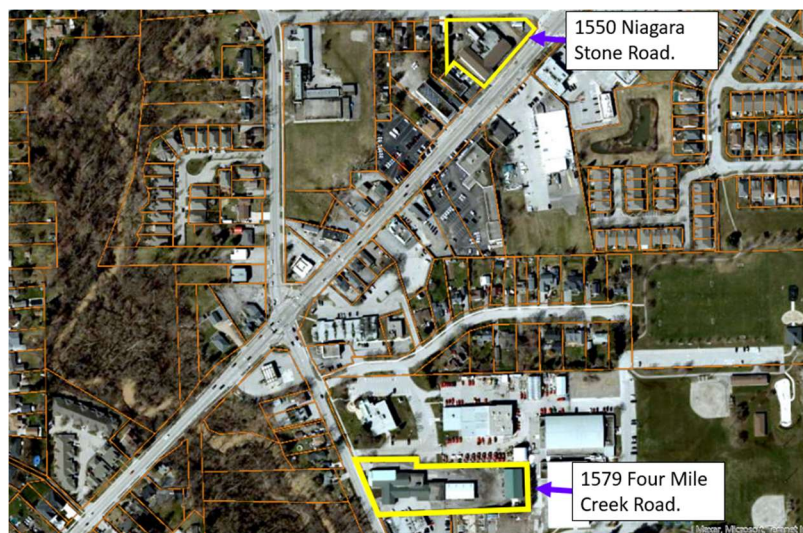
Fronting Niagara Stone Road / Niagara Regional Road #55, the 0.41 ha / 1.01 ac subject property experiences heavy volume of traffic linking the QEW in the south to Old Town and the Greater Niagara region to the north. To the west along Field Road, a stable residential neighborhood of low-rise, single-detached homes enjoys relative calm; to the east and south, a vibrant mix of restaurants, banks, professional offices and grocery stores shapes the commercial streetscape. A church parcel immediately adjacent is transitioning to a private lane condominium development (townhouses and a mid-rise apartment), signaling intensification and a growing demand for compatible, pedestrian-oriented uses.

Today's NOVC's operations at 1550 Niagara Stone Road / Niagara Regional Road #55 generate frequent heavy-truck trips for deliveries and farm supply shipments. Those vehicles must navigate residential side streets & busy retail frontages, creating traffic bottlenecks, safety concerns and noise from idling engines & loading activity. Relocating this facility to an appropriately zoned agricultural area will eliminate these conflicts, improve street safety, reduce noise intrusion for neighbours, and pave the way for infill redevelopment that better aligns with Virgil's evolving village character.

A second NOVC warehouse at 1579 Four Mile Creek Road / Niagara Regional Road #100, also designated Service Commercial and within a Community Improvement Area suffers similar challenges. Its 0.80 ha. / 1.98 ac footprint dominates a stretch of Four Mile Creek Road / Niagara Regional Road #100 that connects Virgil to St. Davids, Queenston and Lakeshore Road. Surrounding uses range from the NOTL Municipal Office and Centennial Sports Park to residential subdivisions and the Lower Virgil Reservoir's natural heritage area. The building's scale and truck traffic are out of step with the mix of institutional, recreational neighbours, limiting its potential as a community asset.

By consolidating both Virgil-area operations into a new, purpose-built agricultural supply & service facility at 727 East and West Line, NOVC will remove heavy-truck movements from village streets and free two strategic parcels for reinvestment. Under Community Improvement, those vacated sites can transform into pedestrian-scaled retail, mixed-use infill or affordable housing, uses that animate the streetscape, support local needs and honor the Town's vision for a vibrant, walkable Virgil core. This relocation responds directly to Official Plan objectives for land-use compatibility, infrastructure efficiency and community revitalization. **(Figure 1)**

Figure 1 – Aerial Imagery of Virgil Sites



NOVC Operations

NOVC's network caters to farm operations across all 12 Niagara municipalities, offering the region's most extensive agricultural supply chain support. While over 75 percent of farm supply sales remain within Niagara with the majority of their 2023 supply sales occurring in NOTL, Lincoln, and St. Catharines. NOVC conducts the majority of their 2023 total fruit purchases from local growers once again in Niagara Region (over 90%) cementing NOVC's focus within NOTL and the Niagara Region. NOVC's fruit packing and distribution services extend into Southern Ontario, Quebec and Western Canada. As both buyer of local fruit and supplier of farm inputs, NOVC underpins the economic vitality of Niagara's orchards and vineyards ensuring producers have the cold storage, packaging, materials and expertise they need to compete in domestic and export markets. **(Attachment 3)**

By consolidating into a single, state-of-the-art facility at 727 East and West Line, NOVC will enhance its service efficiency, unlock redevelopment potential in Virgil, and reinforce its indispensable role at the heart of Niagara's agricultural economy.

Section 3 – Applications and Purpose

The subject property, a 2.19 ha / 5.41 ac farm parcel, has been acquired to accommodate a new 6,795 m² / 73,140 SF agricultural supply & service facility. The existing single-detached dwelling is not required for the proposed operations or as a residence for the project proponent. Accordingly, the dwelling will be severed via a Consent to Sever application for a surplus farm dwelling under the applicable planning policies. This severance will create a 0.4 ha / 0.99 ac residential lot (Part 1) and retain a 1.76 ha / 4.35 ac remnant parcel (Part 2) for the proposed facility.

The proposed residential lot (Part 1) will have both a minimum front yard 15.73 m / 51.61 ft where 15.24 m / 50 ft is required and a minimum rear yard setback 14.7 m / 48.23 ft where 15.24 m / 50 ft is required. It will also have a minimum depth 58.02 m / 190.35 ft where 60.96 m / 200 ft is required. These setback deficiencies are proposed to be recognized through the site-specific zoning bylaw amendment application required for the totality of the subject property. **(Attachment 2)**

A Zoning By-law Amendment ("ZBLA") application is being submitted to site-specifically rezone the remnant parcel (Part 2) to permit the development of an agricultural supply & service facility, aligning with the intended agriculture-related ("Ag-Related") use. It is anticipated that this ZBLA would be a condition of the consent application to create the lot for the surplus farm dwelling. The ZBLA will also prohibit any future residential development on the remnant parcel to ensure long-term compatibility with surrounding agricultural operations.

Additionally, the ZBLA will recognize the yard deficiencies associated with the proposed residential lot created through the severance to ensure compliance with zoning standards.

A Site Plan Approval (“SPA”) application will also be submitted in the future to facilitate the detailed design process of the agricultural supply & service facility.

Existing Zoning

Schedule A – Rural Area (**Attachment 4**) of NOTL’s Zoning By-law 500A-74 zones the subject property into two sections. The top half of the property that is within 63.5 m / 208.33 ft from the northern lot line is zoned Suburban Residential (RS) while the remainder of the property is zoned Rural (A).

As a result of the severance the new lot with the existing dwelling (Part 1) will inherit the Suburban Residential (RS) zoning which will permit “one-family dwelling”. The remnant parcel (Part 2) will inherit the Rural (A) zoning which provides for a variety of agricultural uses for the balance of the property.

A Site-Specific ZBLA is required to zone the remnant parcel Rural (A) to Special Exemption XY – Niagara Orchards & Vineyard Corporation (21.A. XY) Zone to provide for the proposed agricultural supply & service facility and also prohibit residential uses on the remnant parcel. The ZBLA will also recognize the reductions of the lot depth, front yard, and rear yard of the dwelling in the lot being created for the surplus farm dwelling.

The purpose of this report is to provide a thorough analysis of the proposed use and evaluate the appropriateness of the proposed ZBLA & Consent to Sever applications in the context of the Planning Act (1990), the Provincial Planning Statement (2024), the Greenbelt Plan (2017), Niagara Region Official Plan (2022), Town of Niagara-on-the-Lake Official Plan (2017) and the Town of Niagara-on-the-Lake Zoning By-Law 500A-74.

The SPA application will be submitted following the approval of the ZBLA & Consent to Sever will provide further details of the proposed development. The following supporting materials have been provided to form a complete application package:

- Site Plan, Floor Plan, & Building Elevations
- Draft Zoning By-Law Amendment Text & Schedule
- Stage 1 & 2 Archaeological Assessment
- Landscape Plan & Details
- Pre-Consultation Summary Form
- Topographic Survey
- Severance Sketch
- Private Onsite Wastewater Servicing Report
- PIN Map & Parcel Registry
- Surplus Farm Dwelling Information Form

Section 4 – Subject Property and Neighbourhood

The subject property is known legally as **PT TWP LT 115 NIAGARA, PT 2 30R11307; S/T INTEREST IN RO352395; NIAGARA ON THE LAKE** and known municipally as 727 East and West Line.

The 2.19 ha / 5.41 ac property has 135.64 m / 445 ft of frontage on East and West Line. It is developed with a 203.3 m² / 2188.3 SF existing single storey residential dwelling and a 106 m² / 1140.97 SF shed. The farm is presently in fallow, not being used for any crops

The Village of Virgil is 2.2 km / 1.37 mi to the south, accessed either by Four Mile Creek Road or Concession Road 4 and Niagara Stone Road.

The subject property is within an active agricultural area comprised of mainly vineyards and clusters of farm and non-farm residences. It is located on the south side of East and West Line, a major east-west access route through Niagara-on-the-Lake, connecting the Niagara Parkway to the Lakeshore Road access into St.

Catharines. The property is 800 m / 2,624.67 ft west of Niagara Stone Road / Niagara Regional Road #55, the major north-south access route in NOTL. The Vineland Growers facility, a facility which provides some of the same uses proposed in this application, has recently been approved for an expansion, and is immediately adjacent to the east at the corner of East and West Line and Concession Road 4. This property has recently been site specifically zoned for an extension of the existing Rural (A) Site-Specific Zone. **(Figure 2) (Figure 3)**

Four Mile Creek Road / Niagara Regional Road #100, south of East and West Line is developed with fully serviced single detached dwellings that form an extension of the Village of Virgil Settlement Area.

Figure 2 – Aerial Photo of Surrounding Area

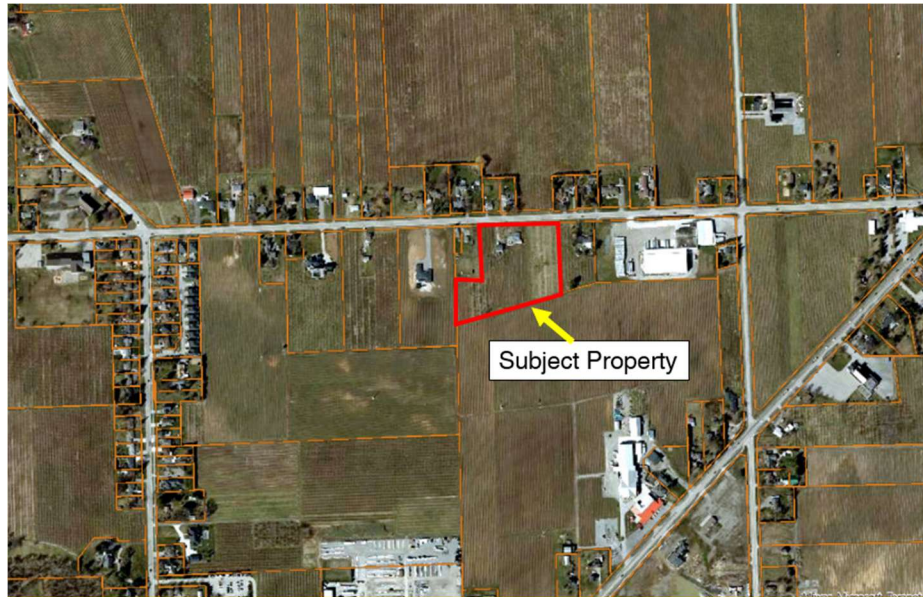


Figure 3 – Photo of Existing Dwelling at 727 East and West Line.



Adjacent Existing Land Uses

- **East**
 - Immediately adjacent to the east, 795 East and West Line on the south west corner of Concession Road 4 is the Vineland Growers farm produce facility that packs, stores and distributes Niagara fresh fruit. This property has been recently expanded through a ZBLA. The property now has 3.11 ha / 7.68 ac with 306 m / 1,003.94 ft frontage on East and West Line.
 - The ZBLA will also facilitate the removal of the existing dwelling at 747 East and West Line to construct a new stormwater management pond and a trailer parking area servicing Vineland Growers Co-Operative Ltd.
 - Further East on Concession Road 4 is the commercial property, an estate winery / micro-brewery, and farm distillery at the corner of Niagara Stone Road / Regional Road #55 which is an active vineyard growing grapes. It is legally operating as an estate winery with two inactive buildings. The owners are presently seeking planning approvals to permit hospitality & cooking operations on the site in which the vacant buildings will be reopened to expand current estate winery operations. **(Figure 4)**

Figure 4 – Photos of Dwelling Immediately Adjacent to the East & Vineland Growers Facility



- **South**

- South of the subject property are vineyards owned and operated by Pilliteri Estates Winery which front onto Niagara Stone Road / Niagara Regional Road #55. (**Figure 5**)

Figure 5 – Photo of Southern Boundary



- **West**

- Immediately adjacent to the property to the west are two existing dwellings on small lots.
- Further to the west, similar to the north side of East and West Line are agricultural operations of a variety of sizes with homes fronting directly on East and West Line. (**Figure 6**)

Figure 6 – Photos of Dwelling Immediately Adjacent to the West & Western Boundary



- **North**

- On the north side of East and West Line between Concession Road 4 and Four-Mile Creek Road / Niagara Regional Road #100, are a cluster of single detached dwellings. Seven of the homes are on smaller lots. The remainder of the lots are ongoing agricultural operations, specializing mainly in grapes.
- Further to the north are additional farms fronting on Hunter Road. (**Figure 7**)

Figure 7 – Photos of Dwellings Immediately Adjacent to the North



Section 5 – Proposed Development

The subject property, comprising 2.19 ha / 5.41 ac, has been acquired to facilitate the development of a 6,795 m² / 73,140 SF agricultural supply & service facility. The proposed development consolidates multiple existing NOVC operations into a single, larger, and more centrally located facility, thereby improving efficiency and streamlining the provision of goods & delivery of services. (**Attachment 5**)

Proposed Agricultural Supply & Service Facility

The proposed agricultural supply & service facility will house the head office of NOVC as well as the packing, and storage and distribution of fruit, harvested from local farms in Niagara. In addition to produce handling, the facility will retail and distribute a comprehensive range of agricultural tools and equipment to farmers and agri-businesses throughout Niagara and beyond. Activity will ebb and flow seasonally, with peak operations occurring from July through September during the primary harvest period.

A significant portion of the facility's functions will focus on storage, processing, distributing, and marketing regionally grown produce, fruits and grapes from NOTL orchards and vineyards. These ag-related uses are permitted as-of-right in the existing zoning by-law.

The proposed agricultural supply & service facility will be 6795 m² / 73,140 SF in size and will be accessed via two driveways on East and West Line. The western driveway will provide employee and customer parking and grant access to a three-bay loading dock, while the eastern driveway will act as the primary truck entrance, servicing an eight-bay loading dock. Vehicle circulation areas and parking stalls will be surfaced using gravel with interlocking pavers to ensure long-term stability and effective dust control. The pavers will also aid in the management of stormwater that optimizes the proposed grading of the site.

Floor Plans

The building's floor plans indicate that the facility will function primarily as a warehouse, featuring several cold storage rooms and a smaller office area situated at the northern end of Building A.

The proposed building will consist of the following:

- 216.11 m² / 2,326 SF of mezzanine storage space
- 2,006.78 m² / 21,601 SF (four 501.69 m² / 5,400.15 SF large each) of cold storage
- 465 m² / 5,005 SF of secure storage
- 4,066.13 m² / 43,767 SF warehouse space
- 216.11 m² / 2,326 SF of first floor offices

It is anticipated that eight permanent employees will work at the facility. During busy periods there could be up to 16 employees working on site.

The agricultural supply & service facility will process, store and distribute produce grown on local farming operations in Niagara. In addition, the facility will provide cold storage for the fruit and act as a direct retailer and distributor for a broad range of agricultural products, supplies, & services.

These would include the following:

- Products sold
 - Orchard & vineyard supplies
 - Trellising materials
 - Safety supplies
 - Hand tools
 - Ladders
 - Paper & plastic containers
 - Used for packing & storage of fruits
 - Fertilizer
 - Crop protection materials
 - Crop nutrients
 - Seeds
- Services Sold
 - Repairs of farm equipment
 - Equipment rentals
 - Packing of farm produce & supplies
 - Pest monitoring & controls
 - Purchase of locally grown fruits for resale

The proposed 6,795 m² / 73,140 SF facility is arranged as three linked, single-storey cold-storage wings (Building A: 2,208 m² / 23,766.71 SF; Building B: 2,044 m² / 22,001.43 SF; Building C: 2,543 m² / 27,372.62 SF divided internally by two-hour fire-rated walls, as shown on A1. At the east end of Building C, eight insulated overhead doors (3.05 m × 2.74 m / 10 ft x 8.99 ft each) are recessed under a continuous 1.2 m / 3.94 ft deep canopy, directly servicing refrigerated trucks via the main driveway off East and West Line. On the west side, three similarly detailed docks serve local delivery vehicles from the secondary driveway off East and West Line, adjacent to the 49-stall parking lot, including two barrier-free spaces.

The building has been designed as a single-storey facility made up of three linked structures. The design breaks up the overall massing and gives the appearance of a cluster of smaller agricultural utility buildings, which is more in keeping with the rural character of the area. Buildings B and C are located behind the surplus farm dwelling approx. 61m / 200.13 ft from East and West Line. The materials and colours are intentionally muted using horizontal insulated metal panels in earth tones to blend with the surrounding landscape. Along the west side, a 3 m / 9.84 ft landscape buffer with tree plantings will help soften views from neighbouring lots and create a more comfortable edge condition. Similar to the facility to the east, the overall intent is to design a building that looks and feels like part of the agricultural landscape.

Circulation aisles between storage bays are a generous 6m / 19.69 ft clear to accommodate simultaneous forklift and pallet-jack traffic, while 3.6m / 11.81 ft wide corridors link the office suite to the core operations. Two exit stairwells at the northeast and southwest corners satisfy OBC egress and barrier-free requirements. Trench drains at each dock location tie into the on-site storm-water retention system described in the servicing report.

Finally, thoughtful site-facing details soften the warehouse scale: a 1.8m / 5.9 ft high screened enclosure conceals waste bins, low-profile ground-mounted signage (1.0m x 0.6m / 3.28 ft x 1.97 ft) marks the entrance, and a 3m / 9.84 ft wide landscape buffer along the west property line, shown on SP1, shields adjacent residential zoning. The refined elevations present a building that is both highly efficient for year-round agri-logistics and appropriate in character for NOTL's rural setting. (**Attachment 5**)

Severance of the Surplus Farm Dwelling

A Consent to Sever application will create a 0.4 ha / 0.99 ac lot from the existing farmland for the surplus farm dwelling and its accessory garage. This parcel (Part 1) will be stand-alone, extending directly from East and West Line into the field, creating surplus farm dwelling accessory garage.

The site will accommodate the existing bungalow, complete with its attached garage, and the nearby detached shed. The buildings front onto East and West Line and served by its own dedicated driveway to maintain clear access.

The severed parcel (Part 1) will be zoned Suburban Residential, prohibiting further agricultural activities and reflecting its modest dimensions and continued domestic use.

The 1.76 ha / 4.35 ac remnant parcel (Part 2) will be used for the proposed agriculture supply & service facility and will have separate driveway access & servicing.

Should NOVC change plans and opt out of the current proposal, the site will instead host a 9,100 m² / 97,951.58 SF specialized greenhouse for high-value specialty crops. The land severance will proceed as planned, since the surplus farmhouse plays no role in NOVC's core activities.

Section 6 - Policy Framework

The development application will be evaluated against the following policy and regulatory framework:

- Planning Act, 1990
- Provincial Policy Statement, 2024
- Greenbelt Plan, 2017
- Publication 851: Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas, 2016
- Niagara Region Official Plan, 2022
- Town of Niagara-on-the-Lake Official Plan, 2017
- Town of Niagara-on-the-Lake Zoning By-law 500A-74

Final approvals and implementation will be secured through the provisions of Zoning By-law 500A-74.

On November 28, 2022, the province enacted Bill 23 (More Homes Built Faster Act, 2022), transferring upper-tier planning responsibilities to local municipalities. As of March 31, 2025, the Town of Niagara-on-the-Lake has formally assumed those authorities. Although local planning authority is now governed by the Town's Official Plan, the policies of the Niagara Region Official Plan continue to apply in full as part of the Town's planning framework.

Section 6.1 Planning Act, R.S.O. 1990, c. P.13"

The Planning Act (1990) regulates land use planning in the Province of Ontario. The Act details matters of Provincial Interest with regard to land use planning and the requirements associated with making applications for development. Section 2 of the Planning Act outlines matters of Provincial Interest that municipal planning authorities must consider when reviewing applications for development. The matters of Provincial Interest have been listed in **Table 1** to this report and analyzed below.

Table 1		
#	Criteria	Justification
a)	<i>The protection of ecological systems, including natural areas, features and functions;</i>	The proposed development is located outside of significant natural areas, ensuring that no existing natural areas are affected by this proposal.
b)	<i>The protection of the agricultural resources of the province;</i>	As a critical part of the “agricultural system” the proposed development will service adjacent agricultural operations. It will not negatively impact the surrounding agricultural uses as the activities will only occur on the subject property protecting any off-site agricultural resources. The agricultural supply & service facility will support nearby farming operations by providing vital services that maximize the profitability of each farming operation.
c)	<i>The conservation and management of natural resources and the mineral resource base;</i>	The proposed development is not located near any natural resources, nor will it impact any resource extraction operations.
d)	<i>The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;</i>	The proposed development is not located near any natural resources nor will it impact any resource extraction operations. The attached Stage 1 & 2 Archaeological Assessment completed by Detritus Consulting Ltd reports that the site has no archaeological resources.
f)	<i>The adequate provision and efficient use of communication, transportation, sewage and water services, and waste management systems;</i>	The applicant has submitted a Wastewater Design Report completed by T.I. Services dated July 10 th 2025 illustrating that proposed design will handle the wastewater produced by this development efficiently. There will be Ecoraster interlocking preambles installed on the proposed gravel roads to ensure efficient stormwater management practices in consent with the proposed infiltration trenches.
h)	<i>The orderly development of safe and healthy communities;</i>	The proposed development builds on the existing healthy community by providing a function necessary for the economic success of the agricultural operations in NOTL and the Region.
h.1)	<i>The accessibility for person with disabilities to all facilities, services, and matters to which this Act applies;</i>	The development will provide two Accessible / Barrier free parking spaces for use by both NOVC employees and visitors to the agricultural supply & service facility, ensuring that the development is accessible to those with disabilities.
l)	<i>The adequate provision and distribution of educational, health, social, cultural, and recreational facilities;</i>	These functions will not be impacted by the proposal.
k)	<i>The adequate provision of employment opportunities;</i>	The consolidation of three of NOVC’s existing Agricultural Supply & Service Facilities into a more efficient location for their operations will enable NOVC to continue to contribute positively to the employment landscape of NOTL by retaining and relocating existing employees to the new location.

l)	<i>The protection of the financial and economic well being of the province and its municipalities;</i>	The proposed development will enable NOVC to support the financial and economic wellbeing of NOTL and the Region.
n)	<i>The resolution of planning conflicts involving public & private interests;</i>	The proposal aims to resolve the issues of incompatible land uses within Virgil by relocating their operations to an underutilized agricultural lot outside of Virgil seeking to resolve incompatibility of land uses.
o)	<i>The protection of public health & safety;</i>	The development proposal will not be affected by existing human hazards and will have reliable servicing provided for the day-to-day operations. The site will be accessed by East and West Line, a municipal road serviced all year ensuring safe access to the site.
p)	<i>The appropriate location of growth and development;</i>	The proposal is appropriately located outside of the built-up area of Virgil adjacent to a similar ag-related use. It is being relocated from existing established urban residential neighbourhoods. It is surrounded by existing agricultural operations including the Vineland Growers facility abutting the subject lands to the west.
r)	<i>The promotion of built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant;</i>	The proposed development is designed to be compatible with surrounding operations and is designed to facilitate the smooth loading and offloading of produce and supplies from trucks entering the site without negatively impacting nearby land uses. Landscaping and treatment of the building elevations provides a positive and attractive interface with East and West Line.
s)	<i>The mitigation of greenhouse gas emissions and adaptation to a changing climate;</i>	The closure and consolidation of the three existing agricultural supply & service facilities into one location will reduce the environmental impacts of NOVC's operations.

The proposed development advances key interests of Section 2 of the Planning Act by protecting the Prime Agricultural Area and surrounding ecological systems through consolidation of existing urban-area operations into a single rural facility. It also enhances agricultural resources by providing region-wide cold storage, packing and retail services, ensuring orderly, safe and barrier-free access via two new driveways to a year-round municipal road; and retaining existing employment opportunities and the economic viability of Niagara's agri-food network. All servicing has been designed to meet or exceed provincial requirements, thereby satisfying the matters of public health and infrastructure efficiency under sections of the Act.

Section 6.2 Provincial Planning Statement (2024)

The newly created Provincial Planning Statement 2024 ("PPS") came into effect on October 20, 2024, updating the Provincial government's policies on land use planning by consolidating the previous Provincial Planning Statement and the Growth Plan into one document. The document provides policy direction with respect to land use planning to promote strong communities, a strong economy, and a clean and healthy environment.

Section 2.5.1 provides direction for the policies regarding rural lands within existing municipalities. The policies within Section 2.5.1 are described in **Table 2** below.

Table 2		
#	Criteria	Justification
a)	<i>Building upon rural character, and leveraging rural amenities and assets;</i>	The proposed facility is designed to support existing agricultural operations and assets by providing a variety of ag-related uses designed to protect and enhance existing operations. The facility also provides tools to allow farmers to change crops, allowing them to respond to market conditions promptly.
b)	<i>Promoting regeneration, including the redevelopment of brownfield sites;</i>	The proposed facility will provide supplies that enable fallow crops to become profitable operations via the sale of seed and other farming materials.
c)	<i>Accommodating an appropriate range and mix of housing in rural settlement areas;</i>	The existing farm dwelling will continue to remain, ensuring that housing is available to the residents of the Town.
d)	<i>Using rural infrastructure and public service facilities efficiently;</i>	The proposed development will utilise their own private septic servicing system and it will utilise existing municipal services effectively.
e)	<i>Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;</i>	The facility will aid NOVC in its expansion of operations, improving their productivity while providing jobs to the Town. The goods and services provided by the facility enables farmers to revitalize fallow fields, protecting and enhancing existing agricultural resources.
f)	<i>Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;</i>	The proposal will have no negative impact on the tourism industry as it is located in an agricultural area and adjacent to similar ag-related facilities.
g)	<i>Conserving biodiversity and considering the ecological benefits provided by nature; and</i>	The proposed development is not located within any natural resources.
h)	<i>Providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.</i>	The proposed development provides for economic opportunities by retaining existing jobs and employees within the speciality crop area of the Town.

Section 2.6 of the PPS provides direction for the policies regarding rural lands within existing municipalities.

- Section 2.6.1, which states: “On rural lands located in municipalities, permitted uses are:
 - c) Residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services
 - d) Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices in accordance with provincial standards

- Section 2.6. which states:
 - c) *“Development that can be sustained by rural service levels should be promoted.”*
 - d) *“Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.”*
 - e) *“Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.”*
 - f) *“Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.”*

The proposed development aligns with the intent of Section 2.6.1 by facilitating residential lot creation where adequate servicing is available. The agricultural supply & service facility qualifies as an ag-related use and adheres to provincial standards, reinforcing its suitability within the rural context. Both the residential and agricultural components are strategically located in areas that can be sustained by existing rural service levels and are appropriately scaled to match available municipal infrastructure. The development has been carefully designed to avoid placing undue pressure on public services, with provisions for independent septic systems. Further, the proposal actively supports the diversification of the rural economy by enhancing services available to local farming operations. By situating the facility on land suitable for ag-related uses, it contributes to the long-term viability of prime agricultural lands and strengthens the regional agri-food network. The development reflects the principles of sustainable rural growth, infrastructure efficiency, and agricultural protection as outlined in Section 2.6 of the PPS.

Section 3.6 outlines the provinces policies regarding stormwater management & servicing policies.

- Section 3.6.3, which states: *“Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.”*
- Section 3.6.4, which states: *“Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual onsite sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.”*
- Section 3.6.7, which states: *“Planning authorities may allow lot creation where there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity”*
- Section 3.6.8, which states: “
 - b) *Minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;*
 - e) *maximize the extent and function of vegetative and pervious surfaces;*
 - f) *Promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and*

The proposed development will be serviced by existing municipal water infrastructure and a purpose-designed septic system for the agricultural supply & service facility, consistent with the servicing hierarchy outlined in Section 3.6. This approach ensures environmental protection, supports long-term sustainability, and mitigates risks to human health and safety. Furthermore, the development integrates best practices in stormwater management by minimizing runoff and maximizing pervious surfaces, aligning with provincial objectives for low-impact, efficient rural servicing.

Section 4.3.1 outlines the province’s general policies for agricultural land uses as:

- Section 4.3.1 states:
 1. *“Planning authorities are required to use an **agricultural system approach**, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land*

base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.”

2. *“As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture”*
3. *“Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.”*

The subject property is within a “Prime Agricultural Area – Specialty Crop Area” based on the policies and definitions provided within the PPS.

The permitted uses within Prime Agricultural Areas are defined as follows:

- Section 4.3.2.1, which states: *“In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.”*
- Section 4.3.2.3 which states: *“New land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.”*
- Section 4.6.2, which states: *“Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.”*

Relevant PPS definitions include:

- **Agriculture-related Uses** are defined within the PPS as follows: *“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.*
- **Agricultural System** is defined within the PPS as follows: *“means a system comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. It has two components:*
 - a) *An agricultural land base comprised of prime agricultural areas, including specialty crop areas. It may also include rural lands that help to create a continuous productive land base for agriculture; and*
 - b) *An agri-food network which includes agricultural operations, infrastructure, services, and assets important to the viability of the agri-food sector.”*
- **Agri-Food Network** is defined within the PPS as follows: *“Within the agricultural system, a network that includes elements important to the viability of the agri-food sector such as regional infrastructure and transportation networks; agricultural operations including on-farm buildings and primary processing; infrastructure; agricultural services, farm markets, and distributors; and vibrant, agriculture-supportive communities”*
- **Prime Agricultural Area** are defined as *“areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by a planning authority based on provincial guidance or informed by mapping obtained from the Ontario Ministry of Agriculture, Food and Agribusiness and the Ontario Ministry of Rural Affairs or any successor to those ministries.”*
- **Specialty Crop Areas** are defined within the PPS as *“areas within the agricultural land base designated based on provincial guidance. In these areas, specialty crops are predominantly grown*

such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;*
- b) farmers skilled in the production of specialty crops; and*
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.*

The PPS has taken a comprehensive approach to requiring the protection of prime agricultural land, particularly specialty crop lands, and supporting the additional uses that will ensure the economic viability of adjacent farmlands including “Agriculture-Related Uses” which includes “*farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area,*”.

The proposed agricultural supply & service facility use is a significant contributor to the “agricultural system” in Niagara. Without the services being provided by NOVC the agricultural industry would not function. While the storage, processing and distributing of produce grown in Niagara are functions provided by other businesses the scale of the NOVC storage, processing and distribution function along with the broad range of products being sold by NOVC to farm operators and agricultural business are critical to their ability to operate and function effectively. NOVC is a critical cog in the agricultural system of Niagara fostering long-term economic prosperity within the “agri-food network”.

The proposed agricultural supply & service facility meets the definition of an ag-related use from a variety of perspectives. The facility is designed to store, process and distribute produce farmed from operations within NOTL and the Region. In addition, the agricultural supply & service facility sells products to support the many agricultural operators and related agricultural businesses in NOTL, the Region and beyond that are critical to each of the farm operations and the industry as a whole.

The use will not hinder “surrounding agricultural operations” as it will be self-contained on its own lot and will not impede on the agricultural operations on adjacent lots. The existing underutilized fallow farmland will provide for the proposed facility; the facility itself will aid in the protection of other prime agricultural lands through the provision of services designed to assist and enhance surrounding operations.

Publication 853: The Minimum Distance Separation (MDS) Document Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks provides a framework for applying the minimum distance separation guideline for uses in agricultural areas. Guideline #9.1 for applying the MDS regarding *Setbacks and Lot Creation for a Residence Surplus to a Farming Operation* states that a MDS calculation is not required for existing dwellings prior to the severance and rezoning that are not on the same lot. As such, the proposed development complies with the MDS guidelines.

If the subject lands were to be used as a farm, then they would be used for a specialty crop or greenhouse that would be potentially operated in concert with another farm operation owned by Arnie Lepp separate from the NOVC.

The proposed development will not negatively affect significant cultural and natural heritage resources as the Archaeological Assessment indicates that the proposed development has no significant cultural or archaeological value.

The proposed development is an example of ag-related uses as defined by the PPS.

With respect to the severance that would sever the surplus farm dwelling on a newly created lot, the PPS provides policy guidance for lot creation and severance in the following sections:

- Section 4.3.3.1, which states: “*Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for:*
 - b) agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;*
 - c) one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that:*

- i. *the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and;*
- ii. *the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the province, or based on municipal approaches that achieve the same objective;"*

The proposed severance is consistent with the PPS as the proposed residential lot is surplus to the needs of the owner of the agricultural supply & service facility. The owner has several other homes on farm properties he owns in NOTL and presently lives in a home farm in NOTL. The severance is being completed to facilitate the creation of the ag-related agricultural supply & service facility in which the facility will receive adequate municipal servicing and a robust septic system design.

The surplus farm dwelling is on a minimum sized lot 0.4 ha / 0.99 ac as required by the Regional Official Plan and the applicable Zoning By-Law 500A-74. The home is presently serviced by septic and water services as illustrated on the proposed servicing plans and the attached septic approval. The proposed residential lot is the minimum size permitted and is compatible with similar sized residential lots in the immediate vicinity, all below 0.5 ha / 1.23 ac.

In this case, the severance of the surplus farm dwelling as part of this comprehensive approach of this development forms an important contributor to the agricultural system by enabling the economic use of the small remnant parcel which has remained fallow because of its size and provides the opportunity for the development of the agricultural supply & service facility.

Consistent with Section 4.3.2 the proposed use is a critical element to the farm operations within this "specialty crop area"

The proposed development conforms with the PPS definition of an ag-related use: it directly supports surrounding farm operations, benefits from proximity to Niagara's orchards and vineyards, and provides essential inputs and services. The scale of the building reflects the consolidation of three existing NOVC sites, making it proportionate to demonstrated agricultural demand rather than speculative growth. Importantly, relocating these functions out of Virgil frees up serviced settlement-area land for more appropriate PPS-supported uses such as housing and retail, ensuring efficient use of land and resources.

Section 6.3 - Greenbelt Plan (2017)

The Greenbelt Plan is a Provincial policy document that was amended effective July 1st, 2017, and together with the Niagara Escarpment Plan and the Oak Ridges Moraine Conservation Plan, builds on the former Provincial Policy Statement (2020) to establish a land use planning framework for the Greater Golden Horseshoe. It addresses the significance of Southern Ontario's farmland and introduces policies to protect farmlands and grow the agricultural economy. These guiding principles look to protect sensitive prime agricultural areas while encouraging diversity within the agricultural sector and enhancing economic opportunities. The subject property located is within the Greenbelt Area Boundary (**Attachment 6**).

The Greenbelt Plan designates the subject property in "Specialty Crop Area (Niagara Peninsula Tender Fruit and Grape Area)" within the "Protected Countryside" designation. Lands under this designation shall be protected for the long-term use for agriculture, with Specialty Crop Areas given the highest priority for protection.

The subject property is a small farm with a dwelling that was created in the early 1960's and is no longer being used as a farm.

The proposed development of an agricultural supply & service facility, an ag-related Use, on the remnant parcel is supported by several Sections within the Greenbelt Plan, including:

- Section 1.2.2, which states: *"To enhance our urban and rural areas and overall quality of life by promoting the following matters within the protected countryside:*
- Section 1.2.2.1 provides further elaboration on the goals listed below

- a) *“Protection of the specialty crop area land base while allowing agriculture-supporting infrastructure and value-added uses necessary for sustainable agricultural uses and activities;*
- b) *Support for the unique nature of specialty crop areas as our vital fruit and vegetable growing regions, which include the Niagara Peninsula Specialty crop area;*
 - i. *The Niagara Peninsula specialty crop area, a destination for and centre of agriculture focused on the agri-food sector and agritourism related to grape and tender fruit production; and*
- c) *Protection of prime agricultural areas by preventing further fragmentation and loss of the agricultural land base caused by lot creation and the redesignation of prime agricultural areas;*
- d) *Provision of the appropriate flexibility to allow for agricultural, agriculture-related and on-farm diversified uses, normal farm practices and an evolving agricultural and rural economy.”*
- e) *Increasing certainty for the agricultural sector to foster long-term investment in the agri-food network and improvement to and management of the agricultural land base; and*
- f) *Enhancing the strengths of the Agricultural System, including through consideration for the impacts of development on agriculture and planning for local food and near-urban agriculture.*

The proposed development will improve the overall quality of life for the urban and rural area of Virgil and NOTL in general. The two Agriculture Supply & Service Facilities located within Virgil as incompatible land uses will be closed down, presenting opportunities for compatible land uses within Virgil. The development proposes agriculture-supporting infrastructure that promotes the economic sustainability of existing agricultural operations via the sale of ag-related products and services.

The unique value proposition of NOVC is that their agricultural supplies and services provided to local farmers encourages them to protect existing agricultural operations by ensuring they remain economically viable for short- & long-term investments. Their services also allow farms to maintain flexibility in their agricultural operations by selling supplies that allows farmers to change the crops should the market and economy change.

As such, the proposed development is in line with the vision of maintaining protecting prime agricultural lands while ensuring they remain economically viable.

The Greenbelt plan identifies the agricultural policies for the protected countryside designation as provided below in Section 3.1

- Section 3.1.2, which states: *“For lands falling within the specialty crop areas of the Protected Countryside, the following policies shall apply:*
 - 1. *All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected, and a full range of agricultural uses, agricultural-related uses, and on-farm diversified uses are permitted based on the provincial Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations*
 - 6. *The geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network shall be maintained and enhanced.”*
- Section 3.1.5, which states:
 - 2. *Municipalities are encouraged to implement regional agri-food strategies and other approaches to sustain and enhance the Agricultural System and the long-term economic prosperity and viability of the agri-food sector, including the maintenance and improvement of the agri-food network, by:*
 - a) *Providing opportunities to support access to healthy, local, and affordable food, urban and near-urban agriculture, food system planning and promoting the sustainability of agricultural, agri-food and agri-product businesses while protecting agricultural resources and minimizing land use conflicts;*
 - b) *Protecting, enhancing or supporting opportunities for infrastructure, services and assets. Where negative impacts on the agri-food network are unavoidable, they shall be assessed, minimized and mitigated to the extent feasible; and*

In accordance with the Provincial Policy Statement (PPS) and the Greenbelt Plan, the proposed Agricultural Service & Support Facility qualifies as an ag-related use and is therefore permitted on the subject property

within the Protected Countryside designation. The facility is designed to be compatible with surrounding agricultural operations and will not hinder their function or viability. The subject lands are currently fallow and not part of any active agricultural operation or agri-food network, meaning the proposal will not disrupt the geographic continuity of agricultural lands. As illustrated in the Site Plan (**Attachment 5**), the facility is strategically located near its customer base in Niagara and is designed to operate entirely within an enclosed building, ensuring no encroachment on adjacent farmlands. Access will be provided via an existing municipal road, with on-site parking to mitigate traffic impacts and protect sensitive land uses nearby.

The proposed development will establish a direct connection between the subject lands and the broader agri-food network by providing infrastructure that supports, maintains, and enhances existing farming operations. NOVC's services will improve the quality and efficiency of agricultural support, enabling new entrants into the sector and allowing existing farmers to adapt to changing market conditions through crop diversification and operational flexibility. The facility's proximity to other agricultural operations, including an adjacent ag-related use to the east, further reinforces its compatibility with the surrounding area and its contribution to the agricultural system.

By revitalizing a relatively small underutilized agricultural parcel, the proposal supports a thriving rural economy and strengthens the agricultural industry in Niagara. NOVC's operations will include purchasing and processing locally grown produce, thereby reinforcing regional supply chains and providing essential farm inputs. This ag-related use will enhance the economic viability of the local farm operations NOVC services, making a meaningful contribution to the long-term sustainability of agriculture in Niagara-on-the-Lake and the broader region. Accordingly, the proposed ZBLA & Consent applications are consistent with the policy directives of both the PPS and the Greenbelt Plan, representing a responsible and forward-looking approach to rural development.

The Greenbelt Plan now provides further direction for lot creation within the protected countryside area as described below.

- Section 4.6.1 which states: "*Lot creation is discouraged and may only be permitted for:*
 - b) *Within prime agricultural areas, including specialty crop areas:*
 - ii. *Agriculture-related uses, provided that any new lot shall be limited to the minimum size needed to accommodate the use and appropriate sewage and water services;*
 - f) *The severance of a residence surplus to a farming operation as a result of a farm consolidation, on which a habitable residence was an existing use, provided that:*
 - i. *The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and*
 - ii. *The planning authority ensures that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance. Approaches to ensuring no new residential dwellings on the retained lot of farmland may be recommended by the Province, or municipal approaches that achieve the same objective should be considered*

The proposed severance meets the policy direction of the Greenbelt Plan as the proposed lot with the surplus farm dwelling is part of a farm business consolidation and the dwelling is surplus to the needs of NOVC. Consistent with the Plan the proposed severance will create a minimum sized lot which will continue to be serviced with town and individual septic sewage facilities.

The consent to sever the existing dwelling creates a remnant parcel that is also limited in size on which to locate the proposed agricultural supply & service facility. Town water and a private septic sewage system will service the development. As required, the remnant parcel will be the subject of a ZBLA that expressly permits the agricultural supply & service facility, an ag-related use, while prohibiting residential uses

The proposed development is in accordance with the policies of the Greenbelt Plan and will not adversely affect existing greenbelt lands.

The Greenbelt plan provides policies related to on-site servicing needs.

- Section 4.2.3.4 which states: “*Applications for development and site alteration in the Protected Countryside shall be accompanied by a stormwater management plan which demonstrates that:*
 - a) *Planning, design and construction practices will minimize vegetation removal, grading and soil compaction, sediment erosion and impervious surfaces;*
 - b) *An integrated treatment approach will be used to minimize stormwater flows and mimic natural hydrology through lot level controls, low impact development and other conveyance techniques;*
 - c) *Applicable recommendations, standards or targets within a subwatershed plan or equivalent and water budgets will be complied with; and*
 - d) *Applicable objectives, targets, and any other requirements within a stormwater master plan will be met in accordance with the policies in subsection 3.2.7 of the Growth Plan.*
- Section 4.2.3.5 which states: “*The objectives of a stormwater management plan are to avoid, or if avoidance is not possible, minimize and mitigate stormwater volume, contaminant loads and impacts to receiving water courses in order to:*
 - a) *Maintain groundwater quality and flow and stream baseflow;*
 - b) *Protect water quality;*
 - c) *Minimize the disruption of pre-existing (natural) drainage patterns wherever possible;*
 - d) *Prevent increases in stream channel erosion;*
 - e) *Prevent any increase in flood risk; and*
 - f) *Protect aquatic species and their habitat.*

The Greenbelt Plan identifies specialty crop areas as having the highest priority for protection but also permits agriculture-related uses and supporting infrastructure. The proposed facility represents essential infrastructure for the agri-food network, clustering alongside the recently expanded NVOC facility. This strategic clustering reduces land fragmentation, strengthens economic connections between growers and suppliers, and avoids scattered non-farm development. The proposed development supports the long-term viability of the specialty crop area by ensuring farmers have ready access to cold storage, inputs, and distribution networks.

Section 6.4 - Publication 851 – Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas (2016)

The Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas Publication 851 (2016) helps municipalities, decision makers, farmers, and others interpret the policies in the PPS regarding the uses that are permitted in Prime Agricultural Areas (**Attachment 7**). These Guidelines are not regulations and provide a set of criteria to assist in the evaluation of proposed ag-related uses.

The proposed ag-related uses are an agricultural supply & service facility which provides a variety of services from the purchase and sale of fruit to the sale of agricultural supplies and crop protection materials. The facility will also offer the sale of fertilizer and farm supplies designed to assist in the maintenance of agricultural crops.

Section 2.2 of the Provincial Guidelines for Permitted Uses in Ontario’s Prime Agricultural Areas (Ontario Publication 851) ag-related uses describe six criteria that should be considered, being:

- Farm-related commercial and farm-related industrial use
- Shall be compatible with, and shall not hinder, surrounding agricultural operations
- Directly related to farm operations in the area
- Supports Agriculture
- Provides direct products and/or services to farm operations as a primary activity
- Benefits from being in close proximity to farm operations

To demonstrate conformity, the proposed development has been evaluated against these criteria in **Table 3**.

Table 3		
#	Criteria	Justification
1	Farm-related commercial and farm-related industrial use)	The proposed ag-related (agricultural supply & service facility) use focuses on the sale of supplies and services designed to assist in crop management for agricultural operations. The commercial use is the sale of agricultural goods such as farming supplies, packaging materials, fertilizer, and equipment. They purchase fruits grown by local farmers to sell to retailers in addition to equipment rentals and repairs. The industrial use is the processing, packaging, and storage of the aforementioned fruit purchases for resale.
2	Shall be compatible with, and shall not hinder, surrounding agricultural operations	The proposed ag-related uses will be fully compatible with, and will not hinder, surrounding agricultural operations. The subject site is currently underutilized, consisting of a single detached dwelling and fallow farmland. The proposed development will enhance the utility of the site while respecting its agricultural context. The facility is adjacent to an existing produce storage facility located at 795 East and West Line, which has demonstrated long-standing compatibility with neighbouring agricultural uses. This existing facility reinforces the suitability of the proposed development within the local agricultural landscape. The site will leverage existing infrastructure and incorporate a self-contained septic system tailored to the operational needs of the facility. Stormwater management will be addressed through the installation of infiltration trenches and permeable interlocking pavers along gravel access roads, ensuring minimal environmental impact and effective water infiltration. To preserve the rural character of the area, the existing single detached dwelling will remain following the severance. The new facility has been thoughtfully designed to minimize visual impact, with the building massing broken into three distinct sections to reduce its scale from the road and adjacent properties. A comprehensive landscaping plan includes perimeter plantings to screen the facility and enhance visual integration with the surrounding environment. Signage will be designed in harmony with the rural aesthetic and will comply with the Town's sign bylaw requirements. Overall, the proposed agricultural supply & service facility represents a limited and appropriate ag-related use that aligns with permitted uses under local planning policies. It will support the agricultural economy without compromising the viability or character of surrounding agricultural operations.
3	Directly related to farm operations in the area	The proposed ag-related uses are directly related to the existing local farming operations by providing both ag-related goods and services to local farming operations including the sale of containers, crop protection materials, and seeds to farms. They also provide farm-related services such as packing and cold storage of produce, farm equipment repair & rentals, and crop protection services.
4	Supports Agriculture	The proposed ag-related uses support the local farming operations with a more efficient supply chain by consolidating their existing agricultural supply & service facilities into a centralized location. This permits farmers to access the site easily for the purchase of ag-related goods and services.

5	Provides direct products and/or services to farm operations as a primary activity	The proposed ag-related uses are reliant on the existing farm operations to provide produce for packing and storage before distribution. The facility also provides packing supplies, equipment, and rentals in addition to crop nutrients and protection services as their primary activity.
6	Benefits from being in close proximity to farm operations	The proposed agricultural supply & service facility will be the consolidation of three existing facilities, two located in Virgil away from existing farming operations. The new location will enable local farmers to access the site with ease as it is in the heart of the NOTL Agricultural area without disturbing the residents in existing established towns such as Virgil.

Consistent with these guidelines, the proposed ag-related (agricultural supply & service facility) use will be established on an underutilised parcel of land too small for any meaningful farming of agriculture crops. The subject property is located within the Prime Agricultural area and on lands considered as a Specialty Crop Area under the Greenbelt Plan.

The agricultural supply & service facility is an example of an ag-related Use as described in Section 2.4, Table 2 of Publication 851, which includes the following uses:

- Value-added process
- Commercial Use
- Industrial Use

The proposed development will support agriculture through providing goods and services related to the maintenance of agricultural crops. The provisions of the services will allow farmers to enable smooth operations of farmlands, enable the changing of crops in response to demands, and revitalize fallow farmlands.

When considered in the context of the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (Publication 851), the proposed ag-related use is modest in scale and poses no adverse impact on adjacent agricultural operations. The development aligns with the intent and policies of the PPS, particularly those supporting compatible and economically beneficial uses within prime agricultural areas.

Accordingly, the proposed ZBLA is consistent with both the PPS and Publication 851, reinforcing its appropriateness within the planning framework and ensuring continued protection and viability of surrounding agricultural lands.

Section 6.5 - Niagara Region Official Plan (2022)

On November 4th, 2022, the Minister of Municipal Affairs and Housing approved the 2022 Niagara Region Official Plan ("ROP"), with modifications. The new ROP is a long-term land use planning document that shapes and defines the Region for future generations. The ROP identifies an agricultural system for protection and sets out policies to facilitate a strong, diverse and resilient agricultural economy.

As of March 31, 2025, the Region of Niagara no longer has planning responsibilities as an upper-tier municipality due to the effects of Bill 23. However, the ROP remains in force and continues to provide policy direction. The Town of Niagara-on-the-Lake, as the approval authority, must apply the ROP in conjunction with its local Official Plan when considering planning applications.

As detailed on (**Attachment 8**), the subject property is designated Specialty Crop Area within the Greenbelt Area Boundary on Schedule F – Agricultural Land Base.

The proposed development is subject to a number of objectives and policies, including:

- Section 4.1: *“The objectives of this section The Agricultural System are as follows:*
 - a. *Facilitate a strong, diverse, and resilient agricultural economy*
 - b. *Protect the region’s agricultural land base*
 - c. *Ensure agriculture is the predominant land use in specialty crop areas and prime agricultural areas*
 - e. *Ensure the long-term sustainability and function of uses within the agricultural system*
 - f. *Protect specialty crop areas from fragmentation.*
 - h. *Protect and recognize rural lands as part of the agricultural system*
- Section 4.1.1.2: *“Prime agricultural areas and specialty crop areas, as shown on Schedule F, shall be protected for long-term use for agriculture. Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through seven lands within the prime agricultural area, in this order of priority.”*
- Section 4.1.2.2: *“In specialty crop areas, all existing uses lawfully used for such purpose prior to December 16, 2004 are permitted. In specialty crop areas, single detached dwellings and accessory structures are permitted on existing lots of record, provided they were zoned for such or permitted through other regulation as of December 16, 2004.”*
- Section 4.1.2.3: *“In specialty crop areas and prime agricultural areas, all types, sizes, and intensities of agricultural uses and normal farm practices shall be promoted and protected, and a full range of agricultural uses, agriculture-related uses and on-farm diversified uses are permitted”*
- Section 4.1.7.3: *“Agricultural uses, agriculture-related uses and on-farm diversified uses are permitted in the following areas:*
 - a. *specialty crop areas*
 - b. *prime agricultural areas, and*
 - c. *rural lands”*
- Section 4.1.7.4: *“Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations”*
- Section 4.1.7.5: *“Agriculture-related uses and on-farm diversified uses shall be consistent with the provisions of the Provincial Policy Statement, and conform to the Growth Plan, Greenbelt Plan, and Niagara Escarpment Plan.”*
- Section 4.1.7.7: *“The appropriate scale for on-farm diversified uses may vary depending on the type of use and whether the activities are located in the specialty crop area or in other prime agricultural areas. The following criteria shall be considered when reviewing applications for proposed agriculture-related uses:”*

The proposed ag-related uses are located within the Specialty Crop Area. The proposed ag-related facility will not hinder existing and surrounding agricultural operations. As detailed above, the proposed development is consistent with Provincial Guidelines for permitted uses in Specialty Crop Areas and is supported by higher order planning documents. It is recognized that specialty crop areas are afforded the highest level of protection within the agricultural system. The proposed development does not remove lands from agricultural production in a way that undermines this priority. Rather, by centralizing cold storage, packaging, and supply services, the proposal reduces the need for duplicative facilities on individual farm parcels and directly supports the viability of specialty crop farming in Niagara. Specifically, the proposed development conforms to the Greenbelt Plan (2017), Section 4.2.2.1, which permits ag-related uses in Specialty Crop Areas where they are compatible with surrounding agricultural operations, are appropriately scaled, and directly support the agricultural sector. The proposed facility meets this test by consolidating NOVC’s long-standing agricultural supply & service operations, situating them in proximity to active farms, and ensuring that agriculture remains the predominant land use.

The analysis of the criteria for ag-related uses in section 4.1.7.7. of the ROP is provided below in **Table 4:**

Table 4		
#	Criteria	Justification
a.	Whether the proposed activity is more appropriately located in a nearby settlement area or on rural lands;	The proposed ag-related facility is located in rural lands, benefitting from being in close proximity to existing farming operations. This enables existing and potential farmers to access the facility with ease for agricultural supplies & services as needed. The facility represents the consolidation of three existing facilities owned by NOVC, two of which are located in Virgil as incompatible land uses ensuring that the proposed development is appropriately located. The proposed development is a light industrial, ag-related use focused on produce packing and the repair and rental of farm equipment. As such, it would be incompatible with the nature of industrial zones dominated by larger-scale machinery and operations.
b.	Whether the use is required for or in close proximity to the agricultural operation for it to support and complement the agricultural activity;	The proposed facility benefits greatly from being in the heart of the agricultural area of NOTL by being close to farm operations and complements the surrounding agricultural uses. The proposed use is accessible to the farm community being on East and West Line and east of Niagara Stone Rd. Furthermore, the location allows for ease of access to farmers, enabling them to utilise the cold storage facilities of the agricultural supply & service facility. This allows farmers to focus their efforts on growing their crops instead of focusing on building barns or facilities on precious agricultural lands. The farmers can also purchase agricultural supplies and services at the facility while utilising the cold storage facilities.
c.	The extent to which the use is compatible with the existing farming operation and surrounding farming operations;	The proposed development represents a consolidation of NOVC's long-standing ag-related operations within NOTL. By centralizing functions in a purpose-built facility, the proposal strengthens the viability of local farm operations and directly supports the objectives of Section 4.1.1 of the Niagara Region Official Plan, which seek to facilitate a strong, diverse, and resilient agricultural economy while ensuring agriculture remains the predominant land use in Specialty Crop Areas. The facility will not negatively impact or hinder surrounding farming operations. To the south, an existing vineyard will remain unaffected, with infiltration trenches incorporated to ensure efficient stormwater management and protection of soil and water resources, consistent with Section 4.1.7.4 requiring ag-related uses to be compatible with surrounding agricultural operations. To the east, an existing dwelling will be removed to allow expansion of the stormwater pond for the adjoining NOVC facility at 795 East and West Line, thereby improving overall servicing and compatibility within the agricultural cluster. Along the west property line, residential dwellings will be buffered from trucking and loading activity through a combination of a 1.8 m tall fence and landscaping. Similarly, residences north of East and West Line will be protected by the placement of eight loading bays behind Building A, ensuring they are shielded from direct views and on-site activity. The three additional loading bays along the west façade will be located approximately 120 m from East and West Line, achieving appropriate separation distance. These measures conform to Section 4.1.7.7 criteria, which require ag-related uses to minimize off-site impacts and remain compatible with the broader agricultural system.

		In combination, the proposed ag-related facility is compatible with existing and surrounding agricultural operations, avoids negative impacts on adjacent non-farm uses, and conforms with the ROP policies that permit ag-related uses in Specialty Crop Areas where they are appropriately scaled and supportive of the agricultural system.
d.	Whether the scale of the activity is appropriate to the site and farming operation;	The proposed use is scaled appropriately as the proposed building has been designed to maximize the space of the lot while providing ease of access for loading and offloading. Furthermore, NOVC operations extends beyond the Niagara Region which necessitates a facility large enough to manage their varied customer base. If the current parcel was to be turned from fallow into a traditional agricultural crop, it would be too small to turn a profit especially as the initial parcel size is smaller than the required 4.05 ha / 10 ac at 2.19 ha. / 5.41 ac. As such, the parcel would be too small to operate a farm operation at the scale that NOTL calls for in their Zoning By-Law.
e.	Whether the use is consistent with and maintains the character of the agricultural area;	The proposed development is consistent with and maintains the character of the agricultural area by providing agricultural goods and services that directly support farm operations, enabling farmers to remain productive and profitable. This aligns with the intent of Section 7.2 of the Town OP, which encourages small-scale agriculturally related commercial and industrial developments that strengthen the agricultural economy. Immediately east of the subject property is an established ag-related facility that operates in a similar capacity, providing storage and services to surrounding farms. That facility has secured approvals for expansion, demonstrating both compatibility with the area and the continuing need for such uses. The proposed agricultural supply & service facility will complement and reinforce this existing pattern, ensuring land use consistency within the neighbourhood. To further protect the surrounding residential uses, the proposal incorporates extensive landscaping and fencing to buffer trucking and loading activities. Although East and West Line is not formally designated as an arterial road, it already functions as one given the nature of surrounding agricultural operations, making it an appropriate location for this scale of agricultural service use.
f.	The use does not generate potentially conflicting off-site impacts;	The proposed development has been designed to ensure that it does not generate potentially conflicting off-site impacts, consistent with Section 4.1.7.7(f) of the ROP. On-site stormwater management will be addressed through infiltration features and an engineered retention system, with quality and quantity controls designed to meet municipal and Provincial standards. This approach protects adjacent lands and ensures that surface water and drainage are managed in an environmentally responsible manner. Truck activity associated with the facility will occur at the rear of the site, screened from adjacent residential uses. The eastern loading dock has been strategically positioned behind Building A, which provides a physical buffer between the dock and residences north of East and West Line. The western loading dock will be further buffered

		through a 1.8 m tall fence and extensive landscaping, ensuring both visual screening and mitigation of trucking activity. Off-site trucking movements are appropriate in this location, as East and West Line already functions as a de facto arterial road accommodating both truck and agricultural traffic. Lighting fixtures for the site will be selected and oriented to minimize spillage onto adjacent residential properties, ensuring that operations do not create nuisance effects. In combination, these measures demonstrate that the proposed ag-related facility has been designed to mitigate off-site impacts and remain compatible with its agricultural and residential context.
g.	the activity does not include a new residential use;	The proposed development does not introduce a new residential use. The consent is for the severance of an existing surplus residential farm dwelling from the balance of the property.
h.	the use is limited to low water and low effluent producing uses and the site is capable of accommodating the use on private water and private sewage treatment systems;	The attached Septic System Design prepared by T.I. Services illustrate that the proposed facility is capable of meeting the septic requirements. The site will be connected to existing municipal services and will be privately serviced by an on-site septic system.
i.	the use does not require significant improvements to infrastructure; and	The proposed development does not require any improvements to the municipal infrastructure as it is designed to work with existing water services. The privately operated septic system will be constructed and financed by the owner.
j.	the use complies with all other applicable provisions of this Plan.	The use complies with all other applicable policies of the plan.

The proposed agricultural supply & service facility, an ag-related use is located in Niagara where NOVC conducts the major portion of their business. As such, NOVC's comprehensive and integrated business model serves to enhance agricultural system in Niagara and agricultural uses located within the Region. The agricultural supply & service facility will consolidate a major revenue stream for NOVC via consolidation of their facilities to support existing and new farm operations. As an ag-related use, agriculture will continue to be the main focus of the property and as such, the proposed development is supported by the objectives and policies within the ROP.

The ROP also lists guidelines for lot severance within agricultural areas:

- Section 4.1.4.2: *“Proposed residential lots being considered under Sections 4.1.5 and 4.1.6 for a consent within the agricultural land base must meet the following conditions:*
 - a. *the size of any new lot shall be an area of 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and long-term operation of a private sewage disposal system as determined by Provincial and Regional requirements;*
 - b. *any new lot has an adequate groundwater or other water supply, in compliance with Provincial requirements;*
 - c. *any new lot has sufficient frontage on an existing publicly maintained road;*
 - d. *where possible, joint use should be made of the existing road access to the farm operation;*
 - e. *road access to any new lot does not create a traffic hazard because of limited sight lines on curves or grades or proximity to intersections; and*
 - f. *proposed lots shall be located and configured to minimize impacts on surrounding farming operations.”*

- Section 4.1.5.1: *“In the specialty crop areas, consents to convey may be permitted only in accordance with the following provisions and the general consent provisions in Policy 4.1.4.2.*
 - a. *The consent is supported through a planning justification report;*
 - c. *The consent is for an agriculture-related use, provided that any new lot shall be limited to the minimum size needed to accommodate the use and appropriate sewage and water services;*
 - g. *The consent is for a residence surplus to a farming operation as outlined in Policy 4.1.5.2.*
- Section 4.1.5.2: *“The severance of a residence surplus to a farming operation may be permitted under the following circumstances*
 - a. *The proposed lot contains a habitable residence, which existed as of December 16, 2004, that is rendered surplus as a result of farm consolidation*
 - b. *The size of any new lot shall be an area of 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and private sewage disposal system as determined by Provincial and Regional requirements to a maximum of one hectare*

The ROP permits ag-related uses in specialty crop areas where they are compatible, appropriately scaled, and supportive of surrounding operations. The proposed development meets these tests by consolidating NOVC's operations, scaling the building to replace three existing facilities, and clustering with Vineland Growers. Compatibility has been demonstrated through buffering and truck loading orientation. The proposed development will not hinder agricultural operations but instead enhance them by relieving farmers of the need to construct duplicative storage and distribution facilities on prime lands. Subsequently, the lot severance and the proposed agricultural supply & service facility conforms to the intent of the ROP.

Section 6.6 – Town of Niagara-on-the-Lake Official Plan (2017)

The Town of Niagara-on-the-Lake Official Plan (“Town OP”) provides policy direction for the future development of the community and the provision of public works within the community. The policies of the plan are directed towards preserving the agricultural land base, particularly prime agricultural land.

The Town OP designates the subject property as **Agricultural** on Schedule A - Land Use Plan (**Attachment 9**).

The proposed development is subject to several objectives and policies related to site servicing requirements, including:

- Section 6.25: *“Where development is to take place on individual well and sewage disposal systems, the following policies for private systems shall be complied with before any such development will be permitted:*
 - a) *The lot area shall comply with requirements of the authority having jurisdiction for the type of development proposed and the type of private system to be used.*
 - b) *The size of lots which are to be serviced in an underserved area with private on-site sewage disposal shall not exceed an area of 0.4 hectares or 1 acre of useable land except if additional area is necessary because of private servicing concerns as determined by the authority having jurisdiction.*
 - c) *Lots serviced via on-site sewage disposal units should have a minimum frontage of 150 feet (45.72 m).*
 - d) *Frontage of 100 feet may be considered for lots containing a minimum 1.25 acres of suitable land area.*
 - e) *Each private sewage disposal system shall require approval by the authority having jurisdiction. Generally, the provision of private systems shall be restricted to residential development. If, in the opinion of the authority having jurisdiction any area appears questionable for the proper operation of a private sewage disposal system, an evaluation of the subject lands by a competent authority, shall be required before development is allowed to proceed.*
 - f) *The improvement of existing substandard private systems shall be encouraged by all means available to the municipality.*
- Section 6.30 e): *“Existing private sanitary sewage systems are recognized outside of any Urban Boundary. New private sanitary sewage systems are permitted for any lot created or existing outside*

of an Urban Boundary in accordance with the policies of this Plan and subject to the approval of the authority having jurisdiction”

The Septic Design Report, prepared by T.I. Services, confirms that the proposed development is capable of being serviced with private septic in accordance with Section 6.25 of the Town OP. Both the severed and retained parcels exceed the minimum frontage requirements (69.76 m / 228.87 ft and 65.38 m / 214.50 ft, respectively). The existing farm dwelling will remain on its own private septic system, while the proposed agricultural supply & service facility will be serviced by a new, appropriately designed system. This approach reflects the requirements identified during pre-consultation and ensures conformity with Sections 6.25 and 6.30(e) of the Town OP.

The proposed development is subject to the following policies related to agriculture:

- Section 7.2, which states:

“Goals and Objectives:

- 1) To help ensure the preservation of prime agricultural lands for farming with particular emphasis on the preservation of specialty crop lands,*
- 2) To help preserve the existing and potential agriculturally productive land giving highest priority to Good Tender Fruit/Grape Lands.*
- 3) To allow flexibility to farm operations in both type and size and to permit the expansion and contraction of farm operations as necessary provided that the farm remains economically viable and that the size of the farm is appropriate and common in the area*
- 4) To permit a limited amount of farm-related development by way of retirement lots, selectively located small scale agriculturally related commercial and industrial developments*
- 5) To ensure that existing small-scale industries and commercial uses supportive of agricultural operations are allowed to expand where appropriate, while requiring new development or redevelopment not primarily related to where agriculture is to locate in appropriately designated areas.*
- 6) To ensure that agricultural areas are protected from harassment and conflict from non-farm residents and non-farm related uses through measures such as preventing the development of non-farm uses in the Agricultural designation.*
- 7) To consider the impact on agriculture as the primary guideline in evaluating development proposals in the agricultural area.”*

- Section 7.3.1, which states: *“In the agricultural designation the following uses shall be permitted:*

Main Uses: The main use permitted is agriculture including all types of farming, their related buildings and structures, the farm residence, the raising of animals and fowl, market gardening, greenhouses and nurseries, forestry and reforestation. Conservation of water, soil, wildlife and other natural resources in their natural state is also permitted.

Secondary Uses: Uses permitted with a Main Use:

- *Roadside Produce Outlets*
- *Farm Wineries*
- *Home Industries and Occupations included Bed & Breakfasts*
- *Group Homes*
- *Accessory Buildings and Structures*
- *Farm Help Houses and Additional Farm Dwellings for Seasonal or Full Time Farm Help*

Uses Permitted Independent of Main Use

- *Agricultural Market*
- *Estate Wineries*
- *Small scale industrial and commercial activities that are directly related to and serve agriculture and require a location in close proximity to farms. Provided that such uses are not in conflict with the Niagara Escarpment Plan, as amended from time to time and it is not possible for such uses to locate in Urban Areas. Such uses should also be located so that their effect on surrounding prime agricultural land and viable farm operations is minimized.*

- *Retirement lots”*
- Section 7.4.3 a): *“The following development policies shall apply to all secondary uses permitted in the agricultural designation.*
 - i. The location of the facility or use imposes no operating constraints or results in no reduction of the efficiency of any existing farms*
 - ii. An adequate and potable water supply shall be available and it shall be the responsibility of the applicant to provide a report on the adequacy of the water supply, if required by the Town or the authority having jurisdiction.*
 - iii. Soils shall be suitable or made suitable to support an individual waste disposal systems subject to the approval of the authority having jurisdiction.*
 - iv. Adequate drainage and outlets shall be available for storm water run-off. Approval of drainage provisions may be required from the Town, the Region, the Ministry of Transportation and/or the Niagara Peninsula Conservation Authority and/or the Niagara Parks Commission.*
 - v. Adequate entrances and exits to roads shall be so located as to minimize travel hazards. Ribbon development along roadways shall be discouraged.*
 - vi. Adequate off-street loading, parking spaces and access points shall be provided for all commercial and industrial development. Access points shall be clearly defined by pavement breaks, landscaping, curbing or other acceptable means. Outside storage may be limited.*
 - x. The lands shall be appropriately zoned and, where necessary, a Development Agreement be entered into.*
 - xi. Development on treed areas, steep slopes, ravines, watercourses and any other natural or cultural resource shall be avoided.*

“Agriculture-Related” is defined as a small scale industrial and commercial activity that are directly related to and serves agriculture uses. The proposed use falls squarely within this definition, as it involves the processing, storage, and the purchase of agricultural produce from local growers for resale, alongside the provision of farm supplies and services. The operation is scaled to serve the Niagara Region farm base, is not urban in character, and requires a rural location to be functional and economically viable.

The proposed agricultural supply & service facility will be located on an underutilized fallow agricultural lot. The development does not displace active specialty crop production and will not constrain the ability of surrounding farms to continue their operations. Instead, by consolidating NOVC’s supply, processing, and storage functions, the facility directly supports the viability of local farm operations. This is consistent with the goals of Section 7.2 of the OP, which encourage small-scale agricultural commercial/industrial activities that enhance farm viability while preserving the long-term agricultural character of the area. The proposed facility will have adequate water supply provided by existing municipal servicing from East and West Line while having adequate private septic servicing as indicated by the attached Septic Design report.

Access will be provided via two driveways from East and West Line, both of which connect to parking and loading areas designed to meet Section 7.4.3(a) of the Town OP. A total of 49 parking spaces (including two barrier-free spaces) and 11 loading docks will be provided. These facilities ensure that commercial traffic is accommodated entirely on-site, avoiding ribbon development and preventing conflicts with agricultural traffic on East and West Line. Landscaping and fencing further mitigate trucking activity impacts on nearby residences. There will be 49 parking with two Barrier Free spaces in addition to 11 loading docks, ensuring adequate provision of parking and loading areas. The eastern access connects the customer parking lot and the eight loading bays to the east while the western access connects the employee parking lot and three loading docks.

Given the success of the NOVC brand that has been built over the years, and like their existing location on Niagara Stone Road / Niagara Regional Road #55, ownership is intending to operate the proposed ag-related facility on a year-round basis that will sell produce grown from the wide variety of local growers. The proposed ag-related use of the subject property will support the increased viability of local and Regional farming operations and ensure that the primary function of the surrounding agricultural lands is protected long into the future. The proposed ag-related uses will contribute to the economic viability of NOTL and the Niagara Region as indicated by the attached maps outlining the scope of NOVC’s operations. **(Attachment 3)** The maps show that NOVC conducts their business dealings primarily in the Niagara Region and NOTL while servicing

customers across Ontario. The proposed ag-related use will maintain a size and scale that is appropriate for the property's current rural setting and meets the intent of the Town OP. The proposed development will not negatively impact adjacent uses and will not hinder nearby agricultural operations. It will reinforce Niagara's agricultural economy.

The proposed surplus farm severance is governed by several policies described below:

- Section 7.4 4) e): *"Consents may be granted for a residence surplus to a farming operation as a result of a "farm consolidation" (refer to Greenbelt Plan for definition) where the dwelling existed prior to December 16, 2004 provided that:*
 - i. *The lot area shall comply with requirements of the authority having jurisdiction for the type of development proposed and the type of private system to be used. The zoning prohibits in perpetuity any new residential use on the retained parcel of farmland created by the severance, and that the zoning ensures the parcel will continue to be used for agricultural purposes;*
 - ii. *The size of any new lot does not exceed an area of 0.4 hectares (1 acre) except to the extent of any additional area deemed necessary to support a well and private sewage disposal system as determined by the Ministry of the Environment and Climate Change, Ministry of Municipal Affairs, or persons appointed on behalf;*
 - iii. *The farms are both located within the Town of Niagara-on-the-Lake;*
 - iv. *The new lot is located to minimize the impact on the remaining farm operation;*
- Section 21.2 defines the following consent policies:
 - 1. *"Under certain circumstances, where a Plan of Subdivision is not necessary for proper and orderly development, a consent to a land conveyance may be granted in accordance with the following principles in addition to the policies contained within the Regional Niagara Policy Plan. In all cases, the preservation of prime agricultural land from the encroachment of urban-type development shall be a primary objective*
 - 3. *The Town will recommend to the Land Division Committee that consents for severance where the site already contains a building, should only be permitted if existing sanitary sewage disposal, water supply and drainage are adequate and the new lot lines to be created do not render any aspect of such services unsatisfactory.*
 - 4. *The Town will recommend to the Land Division Committee that consents shall be granted only when the land fronts on an existing public road. The public road is to be of a reasonable standard of construction and maintained year-round.*
 - 6. *The size of any parcel of land created by a consent should be appropriate for the proposed use and without limiting the generality of the foregoing:*
 - a) *The lot area and frontage should not be less than the requirements for the relevant classification in the implementing by-law.*
 - b) *Where existing buildings are involved, the proposed new lot lines shall take into account required yard and setbacks set out in the Zoning By-law.*
 - 9. *Proposed new lots lines shall take into account the existing pattern of surrounding lands. Wherever possible, the new lines shall avoid creating irregular boundaries for the parcel in question or that remaining. Where lands in the Agricultural designation are affected, every attempt shall be made to avoid creating a lot pattern which would make it difficult to farm.*

The proposed severance for the surplus farm dwelling conforms to Section 7.4.4(e) of the Town OP. The residence predates December 16, 2004, and has become surplus through the consolidation of NOVC's farm operations. The new lot is limited to 0.4 hectares, meeting policy requirements, and will be zoned to prohibit future residential development on the remnant parcel. This ensures that the retained parcel remains in long-term agricultural use while allowing the surplus dwelling to remain as a legal residential use. The severance is the result of the consolidation of existing agricultural supply & service facilities located within NOTL and the residence is surplus to NOVC's operations. The severed surplus farm parcel meets the sizing requirements of 0.4 ha / 0.99 ac. The remnant parcel is to be zoned for agricultural purposes only. The surplus farm dwelling will not affect the proposed agricultural supply & service facility and will not hinder nearby farming operations as it is simply a residential use. The surplus farm dwelling can then exist as of right and meets the intent of the Town OP.

In keeping with the consent policies of Section 21.2, the proposed severance does not introduce urban-type development but rather facilitates the continued operation of an ag-related facility. Both the severed and retained parcels will have access to municipal water, appropriate private septic, and frontage on East and West Line, which is a year-round maintained public road. The configuration of the parcels reflects existing lot patterns in the area and avoids the creation of irregular shapes that could hinder agricultural operations. The severed and remnant parcel will have access to existing municipal water services on East and West Line and both lots will have private septic systems. Both lots will have access onto East and West Line, a municipal road maintained year-round. The severed parcel presently has adequate frontage of 69.76 m / 228.87 ft while the retained parcel has a frontage of 65.88 m / 214.50 ft in excess of the required 30.48 m / 100 ft and 38.10 m / 125 ft required in the Suburban Residential (RS) and the Agricultural (A) zone respectively. The shape of the severed parcel is that of a shape and is consistent with similar residential parcels taking on the form of a rectangle while the remnant parcel, while irregular is proposed to be used for an ag-related use. As such, the shape of the lots following the consent is suitable for the proposed development.

Section 6.7 - Town of Niagara-on-the-Lake Zoning By-Law 500A-74

Zoning By-Law 500A-74 controls the use of land outside of the Urban Area within Niagara-on-the-Lake. As illustrated on **Attachment 4**, the subject property is currently under split zoning. The top half of the property extending 63.5 m / 208.33 ft south from the northern lot line is zoned Suburban Residential (RS) while the remainder of the property is zoned Rural (A).

The applicant is proposing to retain the Suburban Residential (RS) zoning on the Surplus Farm Dwelling (Part 1) while rezoning the remnant parcel (Part 2) Rural (A-XX) – Site Specific Zone. The severed parcel will receive some site-specific provisions relating to depth & setback requirements while the remnant parcel will be site-specific zoned to prohibit residential uses along several provisions to enable the proposed agricultural supply & service facility.

The list of permitted uses for both zonings are listed below:

- **Rural (A) - Permitted Uses**

- a) Rural Uses

- A farm including accessory buildings, providing that in the event that the structures or the land is to be used for the purpose of a Specialized Farm Use as defined in Section 2.32 of this by-law, that a certificate of Compliance shall have been obtained from the Ministry of the Environment and the Ministry of Agriculture and Food.
 - Any use or enterprise customarily carried on in the field of general agriculture subject to the foregoing
 - A farm produce storage building

- **Suburban Residential (RS) - Permitted Uses**

- a) Residential Uses

- A one (1) -family dwelling

A series of Zoning Tables (**Table 5 & Table 6**) have been provided below to illustrate that the proposed lands are compliant with the existing ZBL 500A-74. The required amendments have been bolded & highlighted in yellow.

Table 5 - Surplus Farm Dwelling		
Provision	Suburban Residential (RS)	Provided
Minimum Lot Frontage	38.48m	69.76m
Minimum Lot Area	0.4 ha.	0.4 ha.
Minimum Depth	60.96m	58.02m
Maximum Lot Coverage	15%	7.64%
Minimum Front Yard Setback	15.24m	12.79m
Minimum Interior Side Yard Setback	3.05m	Western Lot Line: 13.5m

		Eastern Lot Line: 15.19m
Minimum Rear Yard Setback	15.24m	14.7m
Minimum Dwelling Floor Area	92.90m ²	203.3m ²
Maximum Building height	10.67m	4.5m
Minimum Required Parking	1 P/S	2+ P/S

Proposed Site-Specific Zoning By-Law Amendments

- a) **MINIMUM DEPTH** – The reduced depth arose as a result of the 2.94 m / 9.65 ft wide road widening dedication which reduced the initial depth from 60.96 m / 200 ft to 58.02 m / 190.35 ft. The reduction in depth is minor and the severed farm parcel will continue to operate normally.
- b) **MINIMUM FRONT YARD SETBACK** – The reduced front yard setback arose as a result of the 2.94 m / 9.64 ft wide road widening dedication which reduced the initial front yard setback from 15.73 m / 51.60 ft to 12.79 m / 41.96 ft. The reduction is minor and will not affect the overall function of the property.
- c) **MINIMUM REAR YARD SETBACK** – The reduced rear yard setback arose as a result of the severance. The severance has been designed to ensure that the severed parcel is in line with the requirements of the NOP. The NOP requires that severed surplus farm dwellings be a minimum of 0.4 ha / 0.99 ac. Furthermore, the setback is from the shed to the rear lot line with the main dwelling being located beyond the rear yard setback requirements and combined with the 3 m / 9.84 ft landscaping buffer, ensures that the dwelling will not be impacted by the operations of the centre.

The requested amendments will provide for the severance of a surplus farm dwelling while maintaining the intent of the zoning by-law.

Table 6 - Remnant Parcel		
Provision	Rural (A)	Provided
Minimum Lot Frontage	38.10m	65.88m Total 12.5m for West Entrance 53.38m For East Entrance
Minimum Lot Area	4.05 ha.	1.76 ha.
Maximum Lot Coverage	15%	38.32%
Minimum Front Yard Setback	15.24m	15m
Minimum Interior Side Yard Setback	3.05m	Western Side Yard: 12.05m Eastern Side Yard: 9m
Minimum Rear Yard Setback	15.24m	10.63m
Maximum Building height	10.67m	7.19m
Minimum Required Parking	N/A	49 P/S
Minimum Required Barrier Free Parking Spaces	1 – 25 Required P/S = 1 BFA P/S	2 BFA P/S
Minimum Required Loading Spaces	Over 4,645m ² / 50,000 SF = 3 + 1 additional loading space for each additional 4,645m ² / 50,000 SF (Total: 4 Loading Spaces)	11 Loading Spaces

Proposed Site-Specific Zoning By-Law Amendments

- a. **LOT AREA** – Consistent with Section 4.6 1b) ii of the Greenbelt Plan, the proposed lot is the minimum size to enable the development of the proposed use, an ag-related use which is permitted in the PPS and Greenbelt Plan. While this proposed lot (remnant parcel) is smaller in size than the present bylaw provides, its small size is consistent with Provincial Policy. It's small size also ensures it is "compatible with and shall not hinder surrounding agricultural operations" as required in the PPS Section 4.3.2.1.

Furthermore, the proposal focuses on implementing a facility on a smaller parcel, making efficient use of the lands. Abutting the subject property to the west is an ag-related facility on a lot that is proposed to be approximately 3.1 ha / 7.66 ac large just shy of the 4.05 ha / 10 ac requirement and has demonstrated compatibility with their surrounding uses.

- b. **LOT COVERAGE** - Every effort has been made to ensure the proposed agricultural supply & service facility impacts as little agricultural land as possible. Initially the existing 2.19 ha / 5.41 ac property with the dwelling was created many years ago. The proposed development consolidates three other existing operations in NOTL and uses the property as efficiently as possible.

While the coverage is high the development has been designed to ensure proper drainage and septic services are provided. The property is bounded on the south by vineyards, along the westerly property boundary is a garden with the home located on the western edge of the property. The front yard is landscaped which screens parked vehicles. The easterly boundary abuts the storm water management pond and green space for the similar use agricultural produce facility next door.

The increased lot coverage does not cause any negative impacts on the adjacent agricultural operations or those nearby.

- c. **FRONT YARD SETBACK** – The reduction in the front yard setback is minor as the proposed 15 m / 49.21 ft setback is deficient from the required 0.24 m / 0.79 ft and is appropriate for the proposed use. The building will be separated from the driveway with landscaping and the building façade at that point of the site is designed to be aesthetically pleasing using windows, metal panel cladding, & bricks instead of a featureless grey wall.
- d. **REAR YARD SETBACK** – The intent of the rear yard setback is to ensure adequate separation between buildings on different lots. Abutting south of the subject property is an existing vineyard part of the adjacent farm. The buildings located on the parcel front directly onto Niagara Stone Road ensuring that the proposed development will not hinder the nearby agricultural operation to the south.
- e. **PARKING** – As the proposed agricultural supply & service facility has no parking ratio provided in the current zoning by-law, the applicant is proposing a ZBLA to implement the proposed parking ratio of one P/S per employee. The owner has indicated that they will have 16 employees in total (eight seasonal, eight full-time) and as such, requires 16 parking spaces. The proposed agricultural supply & service facility has head office uses, retail space, warehouse storage space and 11 loading bays (three on the west side and eight on the east side of the building. The owner's experience has shown that 49 parking spaces is sufficient to accommodate employees who will work here during different times of the year and different time of the day.

The Surplus Farm Dwelling is permitted in the Suburban Residential (RS) zone as "A one (1) – family dwelling".

The proposed ag-related facility on the remnant parcel is a permitted but not explicitly stated use as "Any use or enterprise customarily carried on in the field of general agriculture subject to the foregoing" in the Rural (A) zone. As such, a ZBLA is being requested to further amend Bylaw 500A-74 to rezone the subject property from Rural (A) to Rural (A-XX) – Site Specific Zone. As this proposal also includes the severance of a surplus

farm dwelling, the proposed development will be zoned to restrict all forms of residential development on the remnant parcel.

As illustrated and described by the excerpt of the attached Draft Zoning By-law Amendment for the subject property, the proposed amendment will result in the following site-specific amendments pertaining to the permitted uses of the subject property.

SPECIAL EXCEPTION XY – NIAGARA ORCHARD & VINEYARD CORPORATION (21.A. XY) ZONE:

1. In addition to the permitted uses of “Section 4 – Rural (A) Zone”, the following use shall apply on the subject lands:
 - a) Agricultural Supply & Service Facility
2. That all the uses permitted in a “Rural (A) Zone” shall continue to be permitted except that the following uses shall be prohibited on the lands shown on Schedule “A” attached:
 - a) Residential uses

Given the success of the NOVC brand that has been built over the years, ownership is intending to operate the proposed ag-related facility on a year-round basis that will sell process and distribute produce and farm supplies. The proposed severance of the surplus farm dwelling will not interfere with the primary function of the proposed facility. The proposed ag-related facility will contribute to the economic viability of existing independent farming operations within the Niagara Region, while maintaining a size and scale that is appropriate for the property’s current rural setting and meets the intent of the Zoning By-law.

The proposed development will provide 49 car parking spaces, two barrier free parking spaces, and 11 loading docks. Amending the Zoning By-law to permit an appropriately scaled ag-related facility that is permitted to sell and distribute goods and services related to agriculture, will implement the policies of the Provincial plans, ROP, and Town OP by facilitating the economic diversification of local farms, while maintaining land use compatibility. Adding permissions for an “Agriculture-related use” alongside the requested relief from existing zoning provisions will be a positive addition to the Niagara agricultural system and will not negatively impact ongoing farming operations surrounding the property, or in the immediate rural community but enhance said operations.

As such, the requested amendments to the Zoning By-law are consistent with the policy direction provided by the Town of Niagara-on-the-Lake’s Official Plan.

Section 7 – Development Considerations

In accordance with the August 15th, 2024, Pre-Consultation Agreement with the Town-of-Niagara-on-the-Lake, several supporting reports and studies have been prepared to guide the proposal, including:

7.1 Archaeological Assessment and Ministry Letters

A Stage 1 & 2 Archaeological Assessment was prepared by Detritus Consulting Ltd. dated May 13, 2025, in support of the proposed development. The assessment concluded that no artifacts or other archaeological resources were identified during the Stage 1 & 2 archaeological assessment. **(Attachment 10)**

7.2 Landscaping Plan & Details

A Landscaping Plan has been prepared by James McWilliam Landscape Architects, dated August 2024 and revised on September 11th, 2025 **(Attachment 11)**. The plan provides a comprehensive planting strategy to buffer the proposed agricultural supply & service facility, integrate stormwater features, and ensure compatibility with the surrounding agricultural and residential context.

The severed parcel containing the farm dwelling will retain most of its existing landscaping features, including grassed areas and a variety of mature trees located within the front and side yards. As a result of potential

conflicts with drainage, a landscape buffer separating the single detached dwelling and the facility will be designed as part of the SPA detailed design process.

The western side yard will be vegetated with sod and planted with 2m tall Eastern White Cedars at regular intervals. The planting scheme will provide effective visual screening, mitigate potential trucking activity & light spillover, and strengthen compatibility with nearby residents and farms.

Buffering along the eastern side yard will be designed and refined as part of the SPA detailed design process.

The landscaping is coordinated with engineered site servicing. Sod and tree planting will stabilize soils and reduce runoff, while integrating with the subgrade stormwater retention system and septic areas identified on the Site Plan. This ensures that stormwater is managed to municipal standards and that planting directly supports long-term sustainability of the site.

The landscaping strategy directly implements Section 7.4.3(a) of the Town OP by ensuring that the proposed facility imposes no operating constraints on adjacent farms and does not negatively affect residential uses. Planting, and site design features collectively mitigate potential conflicts, ensuring the development remains compatible with surrounding agricultural and residential lands.

Two modest-scale entrance signs are proposed. At the eastern entrance, a 1.2 m / 3.93 ft pylon sign will provide site identification. At the western entrance, a ground-mounted sign measuring 1.0 m by 0.6 m / 3.28 ft by 1.97 ft with an overall height of 3.65 m / 11.98 ft is proposed. Both signs are designed to comply with the Town's sign by-law, maintain a rural scale, and minimize visual intrusion.

7.3 Private Onsite Wastewater Servicing Report

A *Private Onsite Wastewater Servicing Report* prepared by T.I. Services on July 10th 2025 has demonstrated that the proposed on-site septic and wastewater servicing system will be adequate to support the operations of the proposed agricultural supply & service facility. The report has calculated that the total maximum sanitary sewage flows are estimated at 5,300 L /day with a contingency of 1,000 L/day bringing the total maximum daily sanitary sewage flows to be 6,300 L/day. **(Attachment 12)**

To meet the 6,300 L/day requirement, the consultant is recommending the implementation of a double chamber septic tank with a minimum capacity of 18,900 L complete with an effluent filter on the outlet pipe connecting the septic tank to the tertiary tank. The effluent will leech into the subsurface environment using a Shallow Buried Trench that will be at least 210m long in total.

As such, the proposed septic system has been designed to meet the needs of the proposed agriculture supply & service facility.



Section 8 - Conclusion and Recommendation

This report has illustrated that the proposed ag-related use meets the objectives, policies, and development criteria of the Provincial Planning Statement (2024), the Greenbelt Plan (2017), the Niagara Regional Official Plan (2022), and the Town of Niagara-on-the-Lake Official Plan (2017).

The proposed use meets the policy direction for these uses.

- The proposed agricultural supply & service facility is on a minimally sized lot and will not take any land out of agricultural production as it is using previously underutilised lands for agricultural operations,
- There will be no negative impact on any nearby agricultural operations as it is built to support said operations,
- The proposed facility will enable the economic diversification of existing farming operations and contribute to their viability.
- The development will make a positive contribution to the Regional agricultural network.

Overall, the proposal has been shaped by a clear intent to support Niagara Region's agricultural economy while respecting the character of the area. Consolidating operations from multiple locations into a single purpose-built facility reduces pressure on other rural and settlement areas, and allows for a more efficient, better-designed building. The low-profile form, muted colours, landscaping, and orientation of truck activity all help ensure the building fits with its surroundings. The proposed development has been thoughtfully designed as an agricultural service hub designed to serve growers and strengthen the existing cluster of agri-food businesses along East and West Line and the broader NOTL context.

It is recommended that the proposed Zoning By-Law Amendment & Severance of the Surplus Farm dwelling be approved as they represent good planning.

Prepared by,

Stephen Bedford, MCIP, RPP, PLE
Principal Planner
LANDx Developments Ltd



Proposed Zoning By-law Amendment & Consent to Sever Application

Planning Justification Report

727 East and West Line, NOTL.

**ATTACHMENT 1 - AERIAL IMAGERY OF
SUBJECT PROPERTY**



Attachment 1: Aerial Image of Subject Property



Proposed Zoning By-law Amendment & Consent to Sever Application

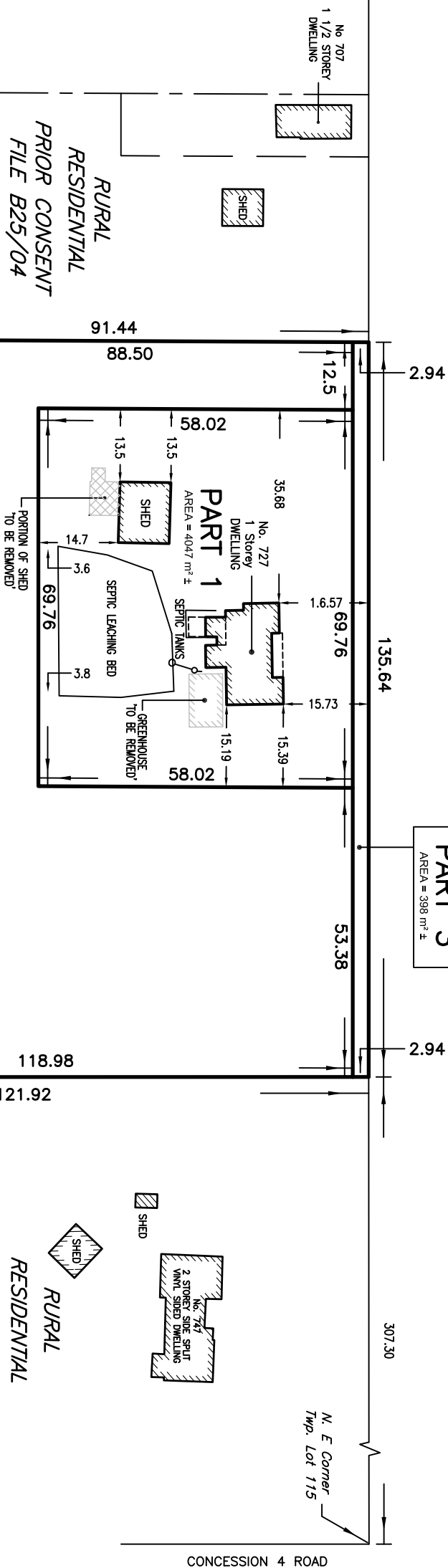
Planning Justification Report

727 East and West Line, NOTL.

ATTACHMENT 2 - SEVERANCE SKETCH

EAST AND WEST LINE
ROAD ALLOWANCE BETWEEN TOWNSHIPS OF NIAGARA AND THE MILITARY RESERVE
(MUNICIPAL TRAVELLED ROAD — width varies)

PART 3
AREA = 538 m² ±



REG'D. PLAN TP--163

LOT 5

RURAL RESIDENTIAL

RURAL
RESIDENTIAL
PRIOR CONSENT
FILE B25/04

TOWNSHIP OF NIAGARA

PART 2

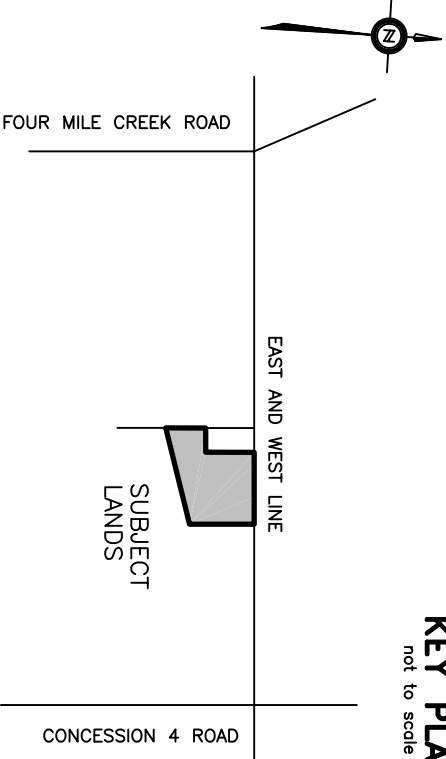
AREA = 1.76 Ha. ±

AGRICULTURAL WINERY
PILLITTERI BLOCK
REG'D. PLAN TP--85

METRIC

DISTANCES SHOWN ON THIS PLAN ARE
IN METRES AND CAN BE CONVERTED
TO FEET BY DIVIDING BY 0.3048.

KEY PLAN
not to scale



SKETCH FOR SEVERANCE APPLICATION

SCALE 1 : 1000
10 0 10 20 30 40 50 metres

ROY S. KIRKUP, O.L.S.
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CAUTION

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EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.

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NOTES

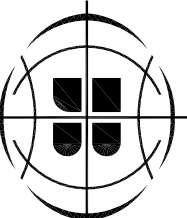
GEOGRAPHIC LOCATION BEING PART OF TOWNSHIP LOT 115,
GEOGRAPHIC TOWNSHIP OF NIAGARA, TOWN OF
NIAGARA—ON—THE LAKE, REGIONAL MUNICIPALITY OF NIAGARA.

DISTANCES SHOWN HEREON ARE BASED ON FIELD
MEASUREMENTS AND CALCULATIONS USING OFFICE RECORDS.

THIS SKETCH IS PREPARED FOR
SEVERANCE APPLICATION ONLY AND IS NOT TO BE USED
FOR MORTGAGE OR TRANSACTION PURPOSES

REV 4: MAY 06, 2025
REV 3: DECEMBER 02, 2024
REV 2: SEPTEMBER 18, 2024
REV 1: MAY 14, 2024
DATE: DECEMBER 19, 2023
ROY S. KIRKUP
ONLINE LAND SURVEYOR

THIS SKETCH IS NOT VALID UNLESS EMBOSSED WITH THE ORIGINAL SURVEYORS SEAL.



J.D.BARNES
LAND INFORMATION SPECIALISTS
LIMITED
SURVEYING
MAPPING
GIS
4318 PORTAGE ROAD — UNIT 2, NIAGARA FALLS, ON L2E 6A4
T: (905) 358-3693 F: (905) 358-6224 www.jdbarnes.com

DRAWN BY:	GP	CHECKED BY:	RSK	REFERENCE NO.:	23-16-367-00_11dc
PLOTTED:	DECEMBER 19, 2023			DATED:	DECEMBER 19, 2023

FILE: 23-16-367-00

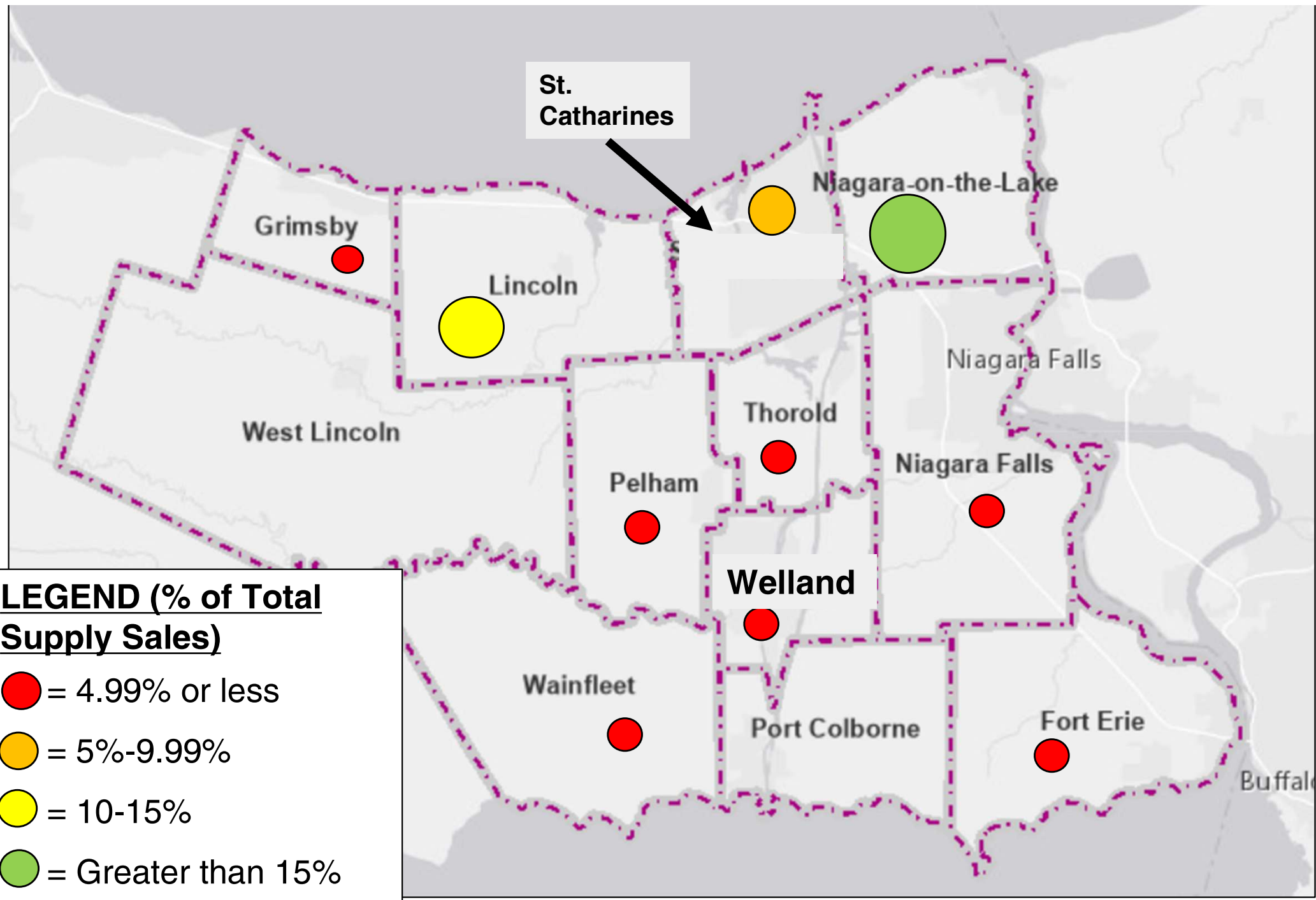


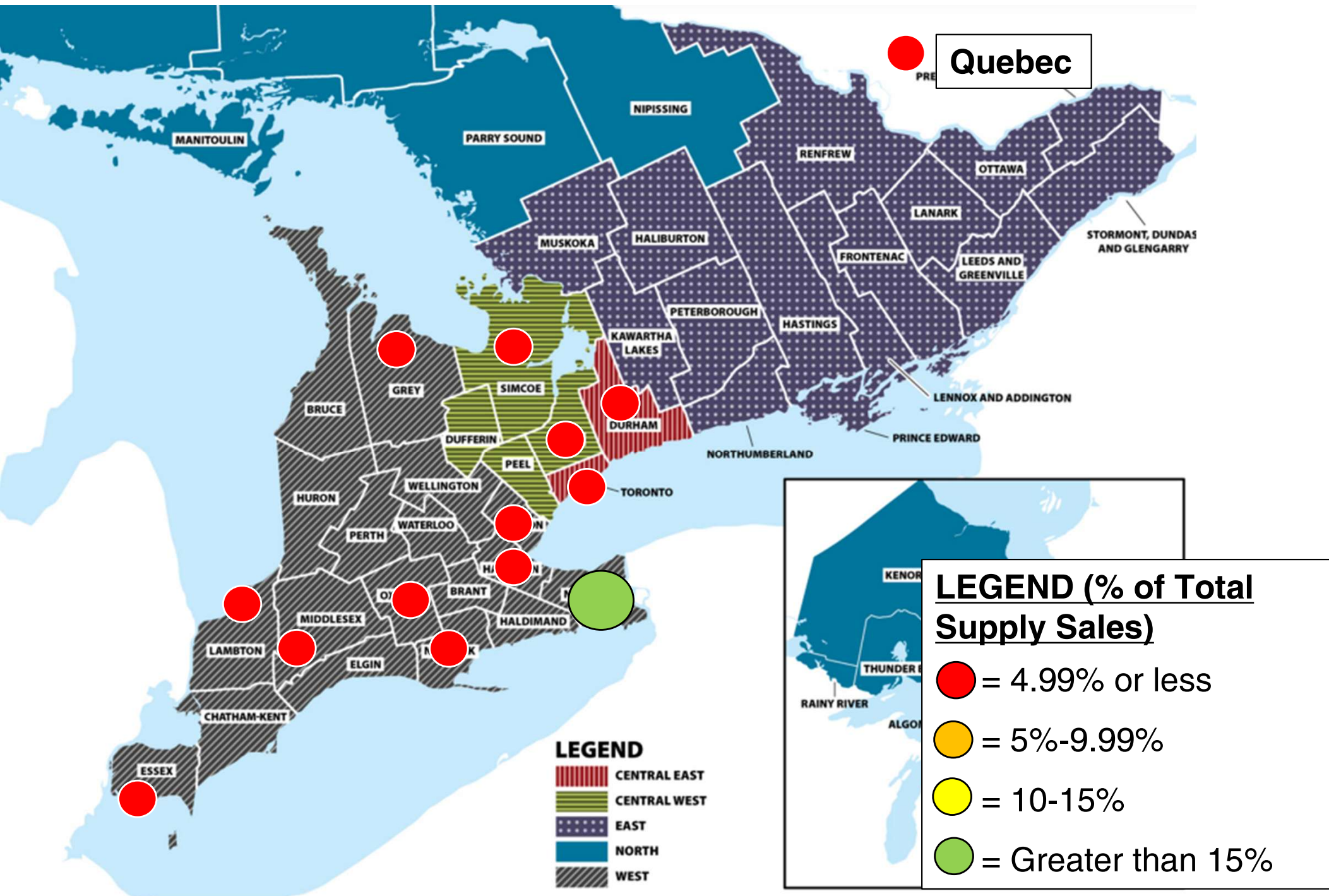
Proposed Zoning By-law Amendment & Consent to Sever Application

Planning Justification Report

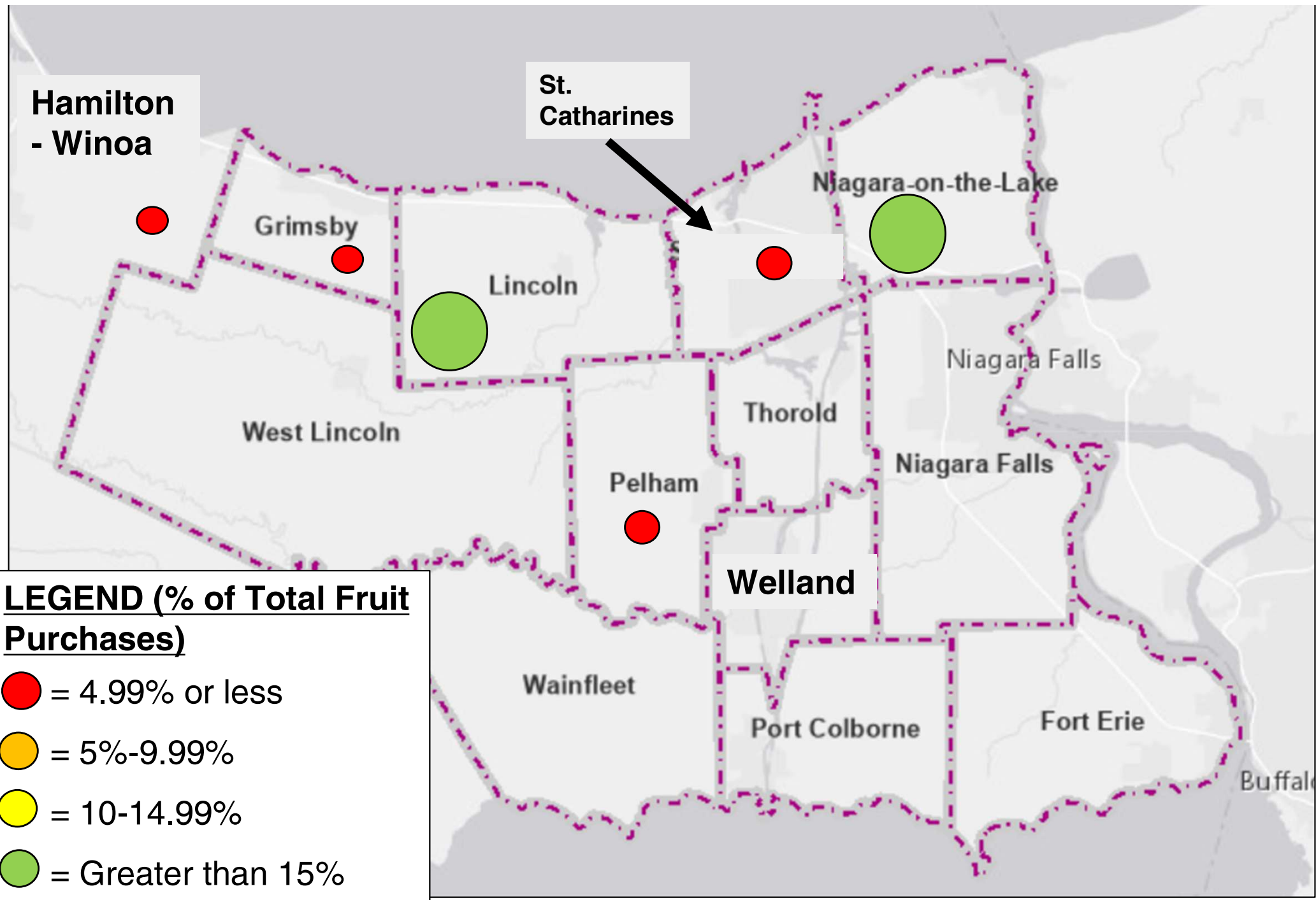
727 East and West Line, NOTL.

**ATTACHMENT 3 - NOVC CUSTOMER
BASE**





Attachment 3: 2023 NOVC Supply Sales by Municipalities (Ontario) (% of total) (2/3)



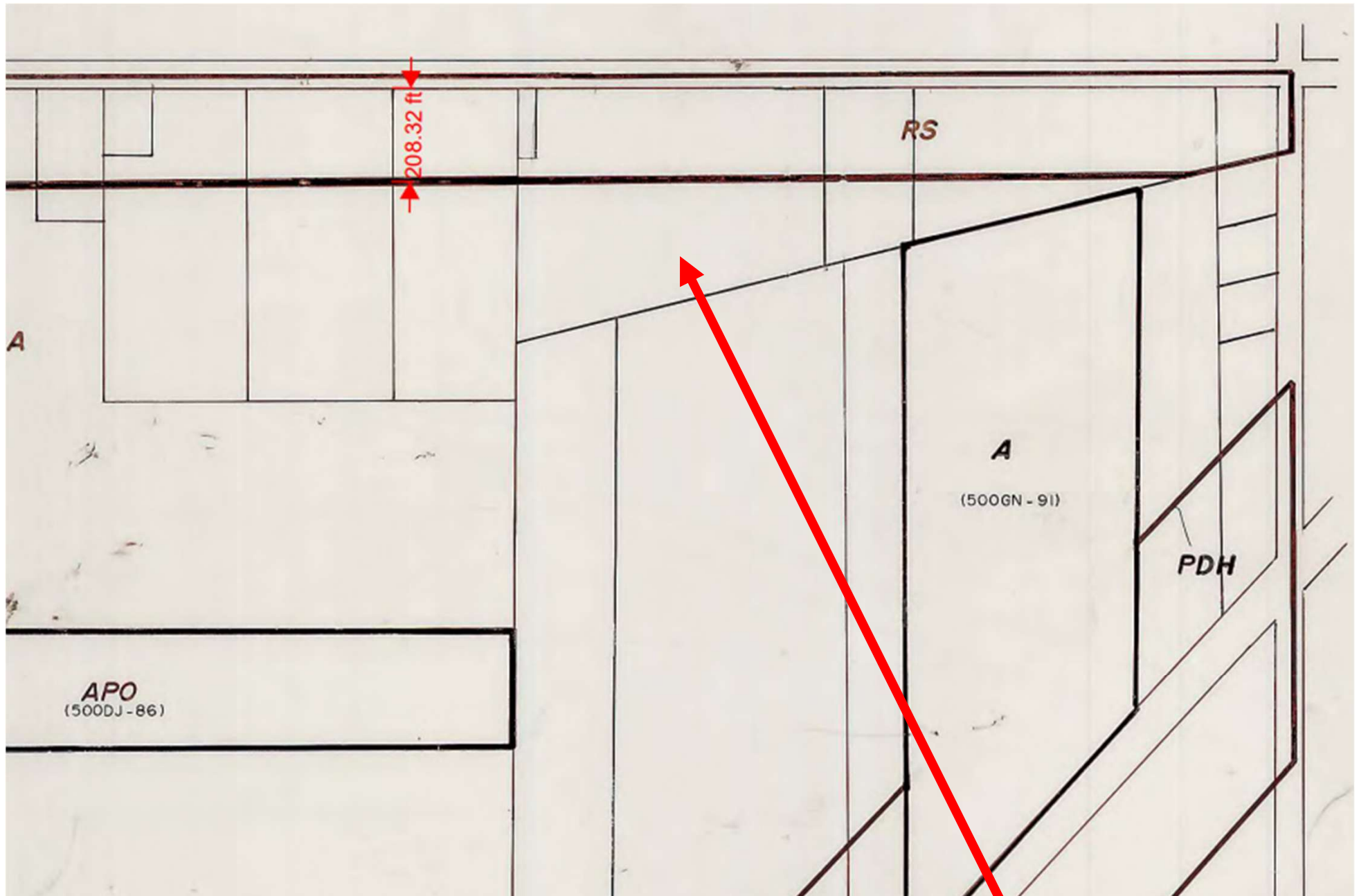


Proposed Zoning By-law Amendment & Consent to Sever Application

Planning Justification Report

727 East and West Line, NOTL.

**ATTACHMENT 4 - NOTL ZONING BY-LAW
500A-74 SCHEDULE C (VIRGIL)**



Subject Property

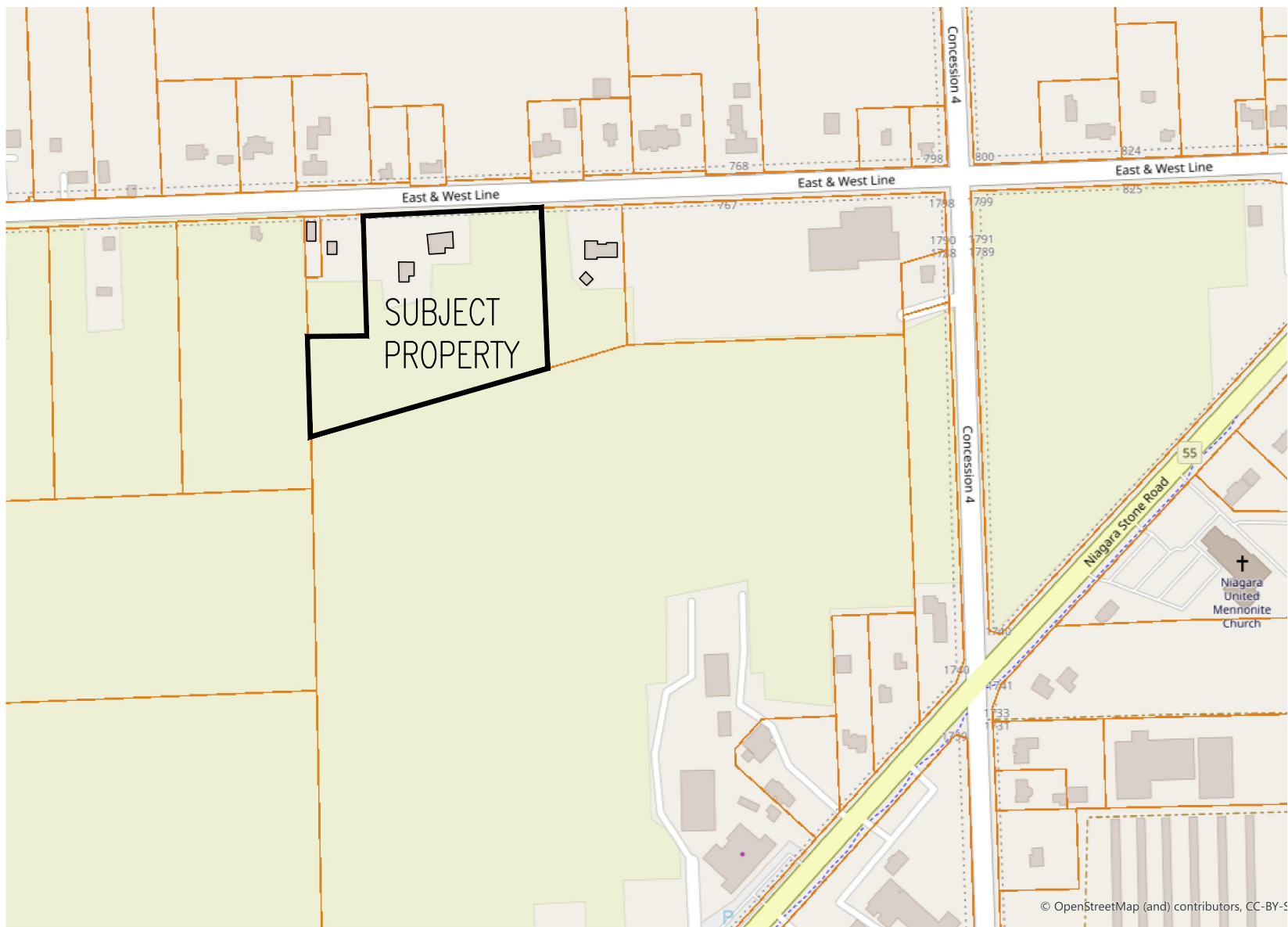


Proposed Zoning By-law Amendment & Consent to Sever Application

Planning Justification Report

727 East and West Line, NOTL.

**ATTACHMENT 5 - SITE PLAN, FLOOR
PLANS, & ELEVATIONS**



KEYMAP

SCALE: _N.T.S.

PROPERTY, DIMENSIONS AND BEARING INFO; REFERENCED FROM SURVEYORS DRAWING BY, Roy S. Kirkup O.L.S. OF J.D. BARNES LIMITED, REFERENCE NO. : 23-16-367-00_1LDC, DATED: SEPT. 18, 2024

SITE STATISTICS - 727 EAST & WEST LINE

Zoning
RS - SUBURBAN RESIDENTIAL (ADJACENT TO STREET TO 63.5m SETBACK FROM EXIST. STREET PROP LINE)
A - AGRICULTURAL (63.5m SETBACK FROM STREET AND FURTHER)

PART 1 (EXISTING RETAINED)

LOT FRONTAGE ±69.76m
LOT AREA ±4,047m² (4,047m² MIN REQ'D) [1.00 acres]
LOT COVERAGE ±7.6% (309.3m², Dwelling + Shed)

PART 2 (SEVERED)

LOT FRONTAGE ±12.50m + 53.38m = 65.88m (38.10m MIN REQ'D)
LOT AREA ±17,626m² (40,500m² MIN REQ'D) [4.36 acres]
PORTION OF PART 2 (EAST SIDE) TO BE REZONED FROM 'RS' TO 'A' (APPROX. 3,242m²)

LOT COVERAGE ±38.32% (15% MAX LOT COVERAGE)

LANDSCAPE COVERAGE 3,704m² / 17,626m² = ±21.0%

OBC BUILDING CLASSIFICATION - 3.2.2.70. GROUP F2 UP TO 4 STOREYS
1 STOREY BUILDING A AREA 3,200m² MAX; 2,208m² PROP. (FACING 1 STREET)
1 STOREY BUILDING B AREA 3,200m² MAX; 2,044m² PROP. (FACING 1 STREET)
1 STOREY BUILDING C AREA 3,200m² MAX; 2,543m² PROP. (FACING 1 STREET)
TOTAL BUILDING A + B + C = 6,754m² (72,700ft²)

FRONT YARD SETBACK 15.24m MIN REQ'D, 15.0m PROV'D (BUILDING A)
SIDE YARD SETBACK (WEST) 3.05m MIN REQ'D, 12.05m PROV'D (BUILDING B)
SIDE YARD SETBACK (EAST) 3.05m MIN REQ'D, 9.0m PROV'D (BUILDING A)
REAR YARD SETBACK 15.24m MIN REQ'D, 10.63m PROV'D (BUILDING B)

MINIMUM LANDSCAPE BUFFER ADJACENT TO RESIDENTIAL 'RS' ZONED LOTS 3m MIN REQ'D, >3m PROV'D

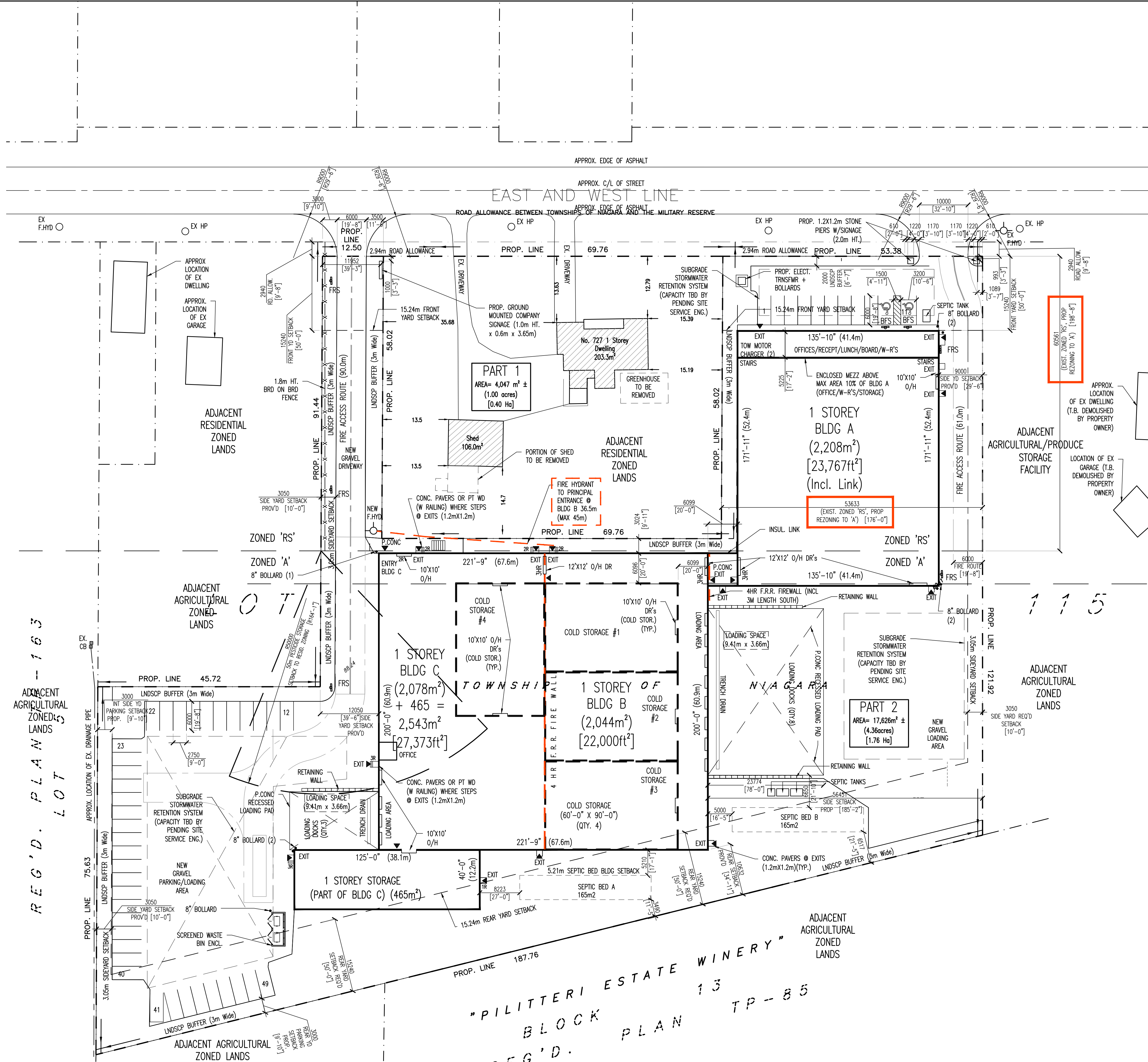
PARKING

MIN P/S Required: 1P/S Per Employee (16 Employees) = 16P/S, Provided: 49
MIN Loading Spaces Required: GFA >4,645 m² = 4, Provided: 11
MIN BFA P/S Required: 1-25 = 1 BFA P/S, Provided: 2

MAXIMUM BUILDING HEIGHT 10.67m REQ'D, 7.19m PROV'D

OCCUPANT LOAD BY DESIGN (20 EMPLOYEES)

LEGEND	
	FIRE ROUTE
	FIRE ROUTE SIGN
	HYDRANT (EX. OR NEW)
	BARRIER FREE SIGN
	FIRE DEPARTMENT CONNECTION
	LIGHT FIXTURE

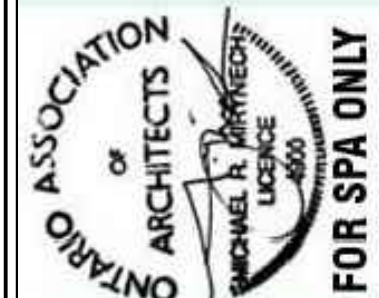
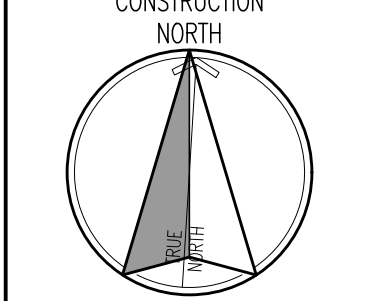


OVERALL SITE PLAN - 727 EAST AND WEST LINE - AGRICULTURAL / PRODUCE STORAGE FACILITY

SCALE: 1:400

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CONTRACTOR TO SITE VERIFY ALL DETAILS AND DIMENSIONS AND COMMENCE WITH THAT RELATED PORTION OF THE WORK. ONLY SIGNED SEALED AND STAMPED DOCUMENTS ARE TO BE USED FOR CONSTRUCTION PURPOSES.

No.	Rev.	Date	By	Reason
11	MJ	2025-08-13		REV. BLDG LAYOUT ON SITE
12	MJ	2025-08-20		REV. BLDG LAYOUT ON SITE
13	MJ	2025-07-03		REV. SEPTIC & DRAINAGE
14	TV	2025-07-11		REV. SEPTIC & DRAINAGE
15	MJ	2025-08-13		FOR REVIEW
16	MJ	2025-08-02		FOR REVIEW
17	MJ	2025-08-08		FOR SPA-DONAL MAND



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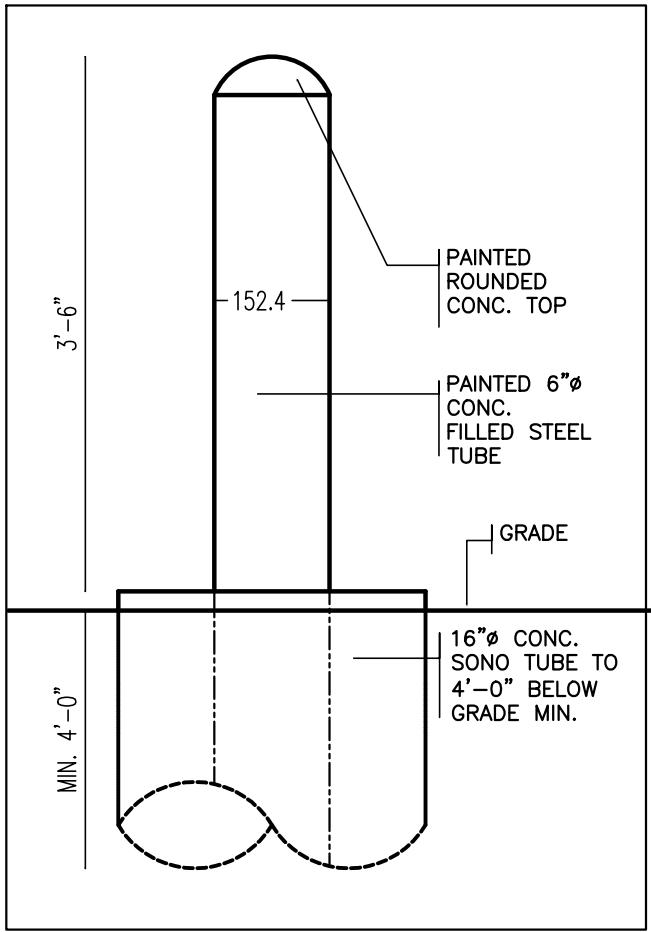
2M architects

drawn by:	MJ
design by:	MRM
approved by:	LJM
scale:	AS NOTED
date:	SEP 08, 2025

project title:	PROP. AGRICULTURAL / PRODUCE STORAGE FACILITY
location:	727 EAST & WEST LINE, NOTL, ON
drawing title:	PROPOSED SITE PLAN

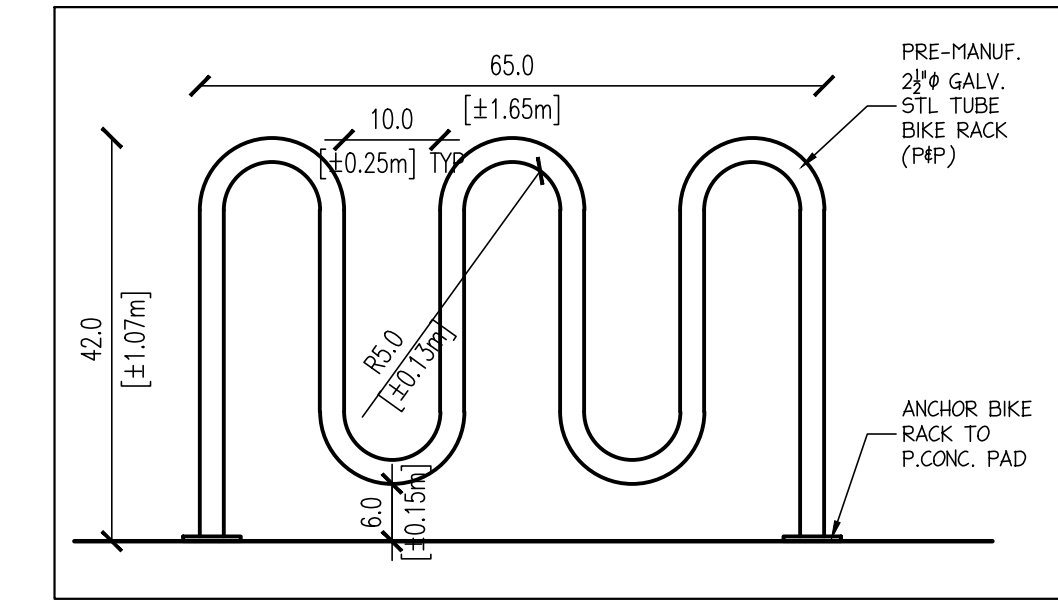
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revision number:	17
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SP1



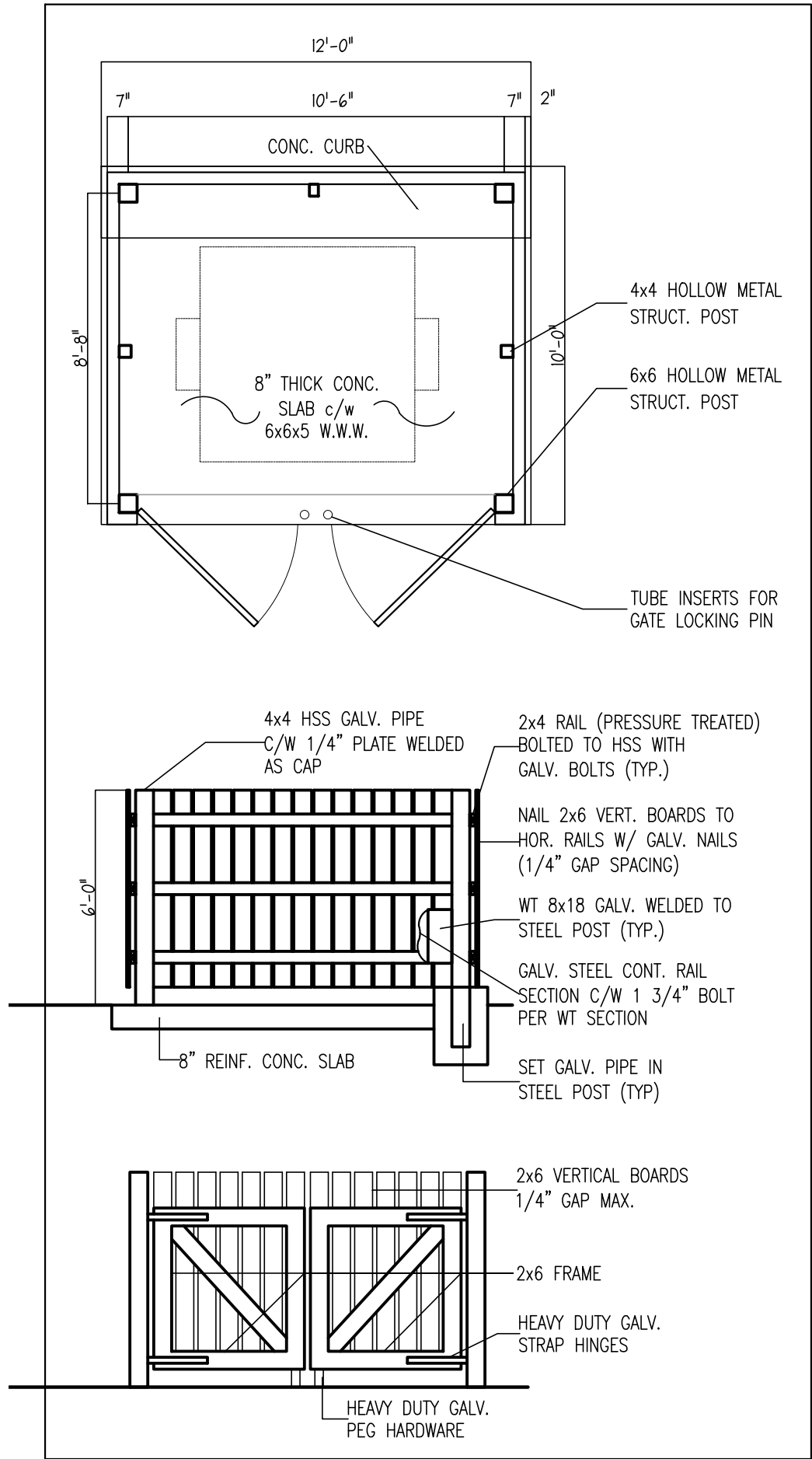
BOLLARD

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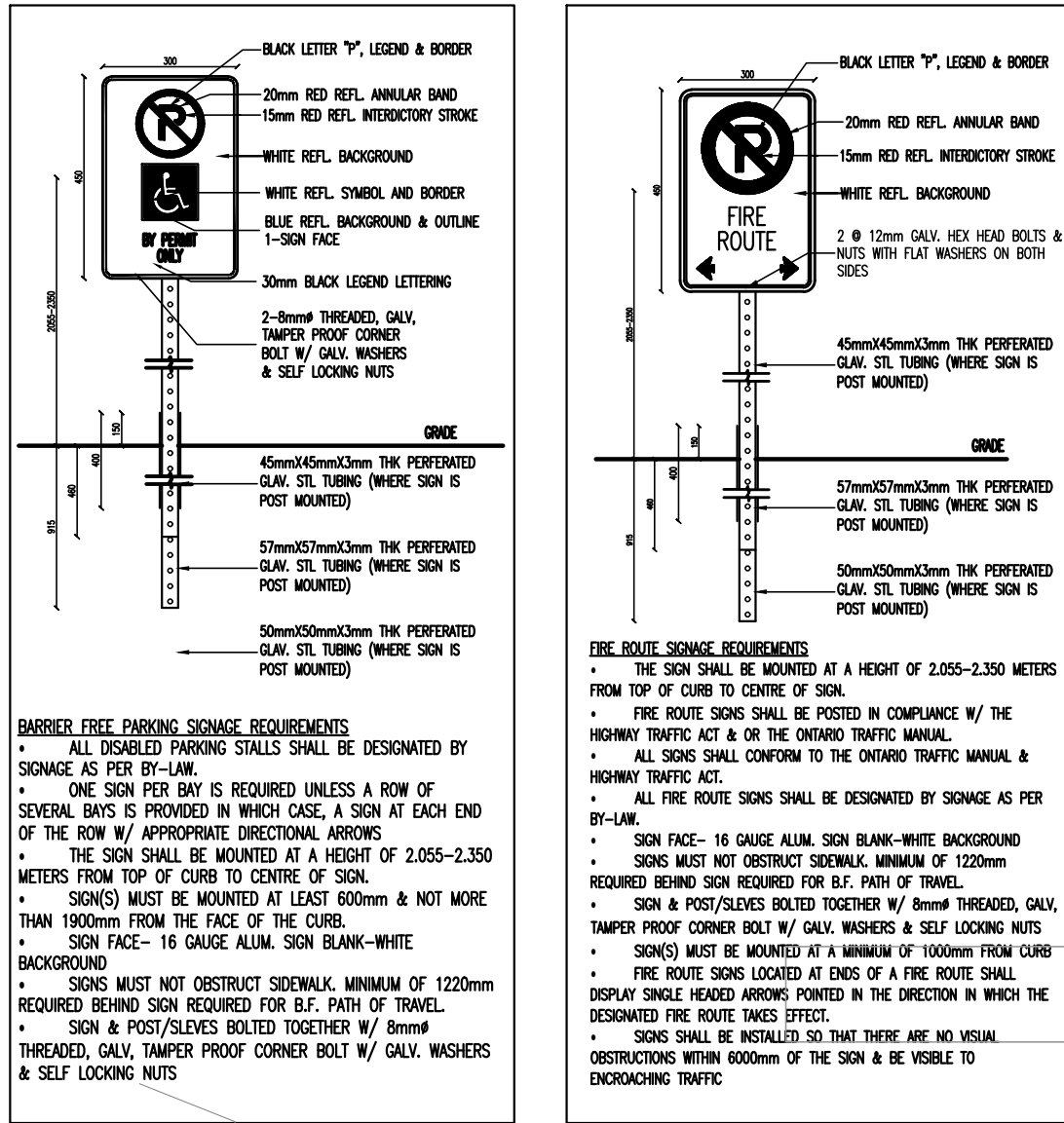
TYP. BIKE RACK

SCALE: NTS



WASTE ENCL. TYP.

SCALE: NTS

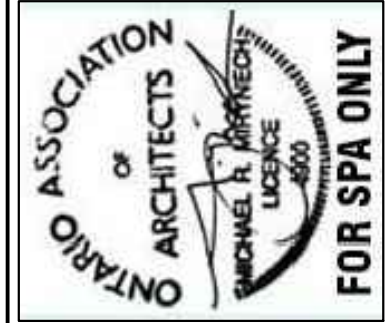


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SCALE: NTS

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NO.	BY:	DATE	REVISION:
01	MJ	2024-04-25	FOR REVIEW
02	MJ	2024-09-05	FOR SPAZING AMEND.



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www.2marchetts.ca

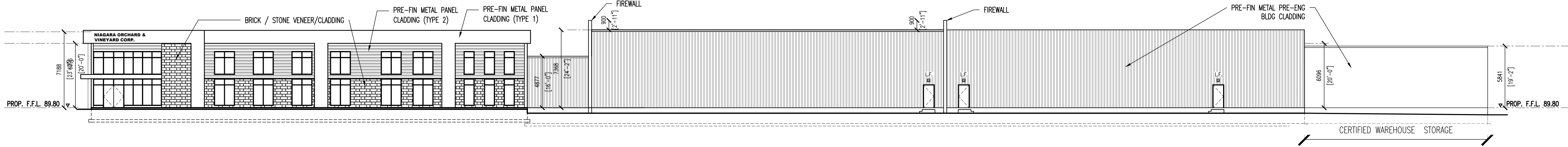
2M architects

Drawn by:	MJ	Design by:	MRM	Plot scale:	1:1
Approved by:	LJM	Scale:	AS NOTED		
Date:	SEP 08, 2025				

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Location:	727 EAST & WEST LINE, NOTL, ON
Drawing title:	PROPOSED SITE PLAN

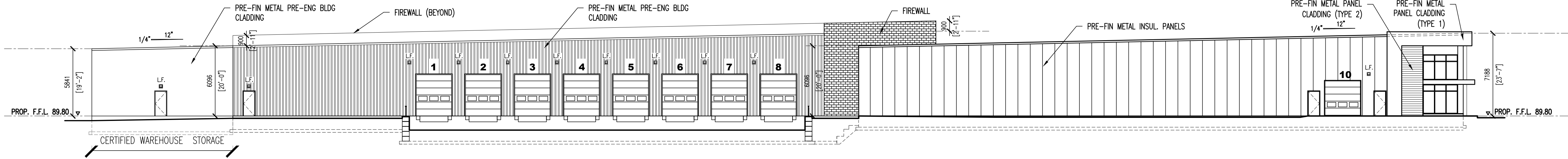
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Drawing number:			

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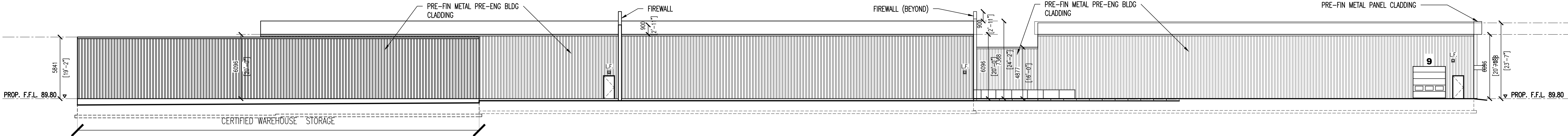
NORTH ELEVATION (KEY PLAN)

SCALE: 1:200



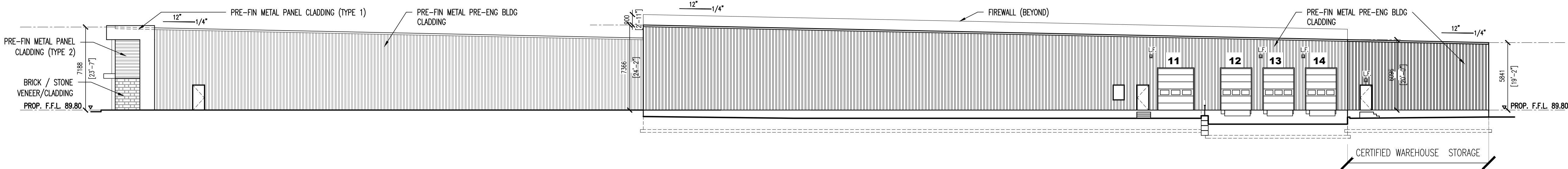
EAST ELEVATION

SCALE: 1:200



SOUTH ELEVATION

SCALE: 1:200

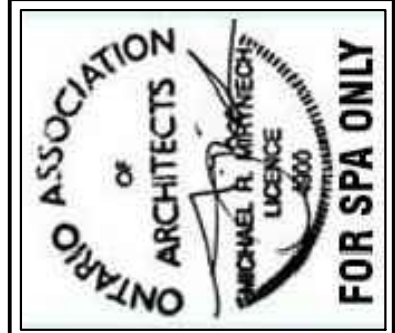


WEST ELEVATION

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NO.	BY	DATE	REVISION
07	MJ	2025-02-07	FOR REVIEW
08	MJ	2025-07-16	REVISED ELEVATIONS FOR REVIEW
09	MJ	2025-07-25	REVISED ELEVATIONS FOR REVIEW
10	MJ	2025-08-11	REVISED ELEVATIONS FOR REVIEW
11	MJ	2025-09-02	CLADDING NOTES
12	MJ	2025-09-08	FOR SPA ZONING AMEND.



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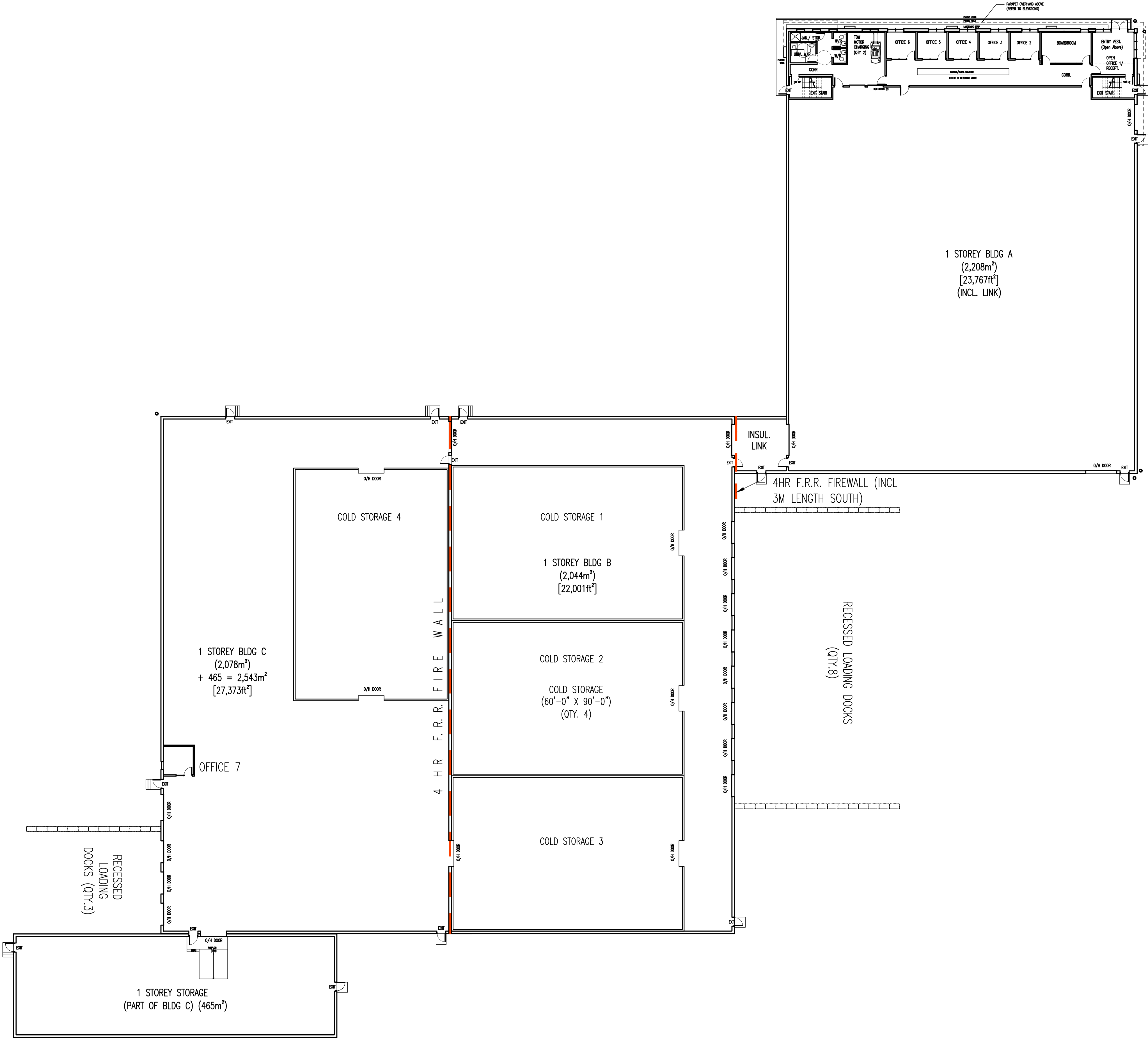
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Design by:	MRM	Scale:	AS NOTED
Approved by:	LJM	AS NOTED	
Date:	SEP 08, 2025		

Project Title:	PROPOSED AGRICULTURAL STORAGE AND SUPPLY FACILITY
Location:	727 EAST & WEST LINE, NOTL, ON
Drawing Title:	PROPOSED ELEVATIONS

Job Number:	24-12
Revision Number:	12
Drawing Number:	
SP3	

OVERALL FLOOR PLAN - 1ST

SCALE: 1:250



job number: 24-12	revision number: 06
drawing number:	

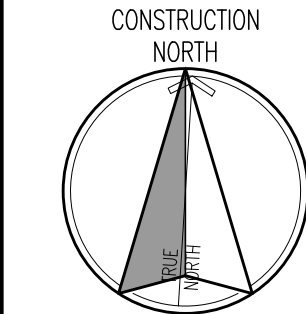
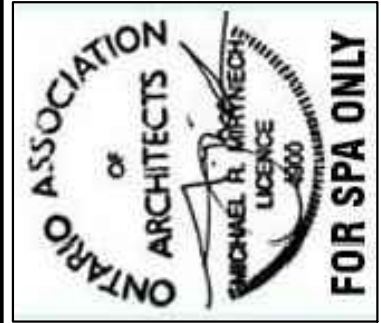
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727 EAST & WEST LINE, NOTL, ON

PROPOSED OVERALL 1ST FLOOR

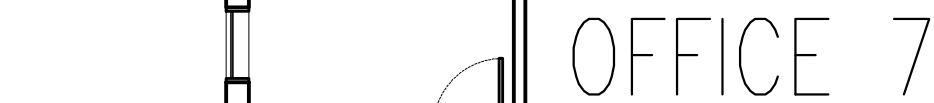
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approved by: LJM	scale: AS NOTED	
date: SEP 08, 2025		

2M architects inc.
115 Lake Street
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Fax: 905-687-9997
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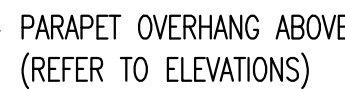


NO.	BY:	DATE:	REVISION:
01	MJ	2024-12-05	FOR REVIEW
02	MJ	2025-02-03	FOR REVIEW
03	MJ	2025-02-07	FOR REVIEW
04	MJ	2025-07-16	FOR REVIEW
05	MJ	2025-08-13	FOR REVIEW
06	MJ	2025-09-08	FOR SPA-ZONING AMEND.

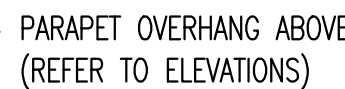
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SCALE: 1:100



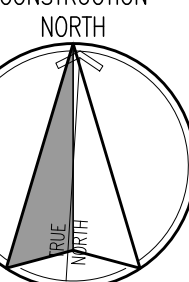
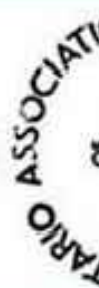
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PROP. AGRICULTURAL / PRODUCE
STORAGE FACILITY

Session by:	Session by:	Int. grade:
AJ		

2M architects inc
115 Lake Street



NO:	BT:	DATE:	REVISION:
01	MJ	2024-12-05	FOR REVIEW
02	MJ	2025-02-03	FOR REVIEW

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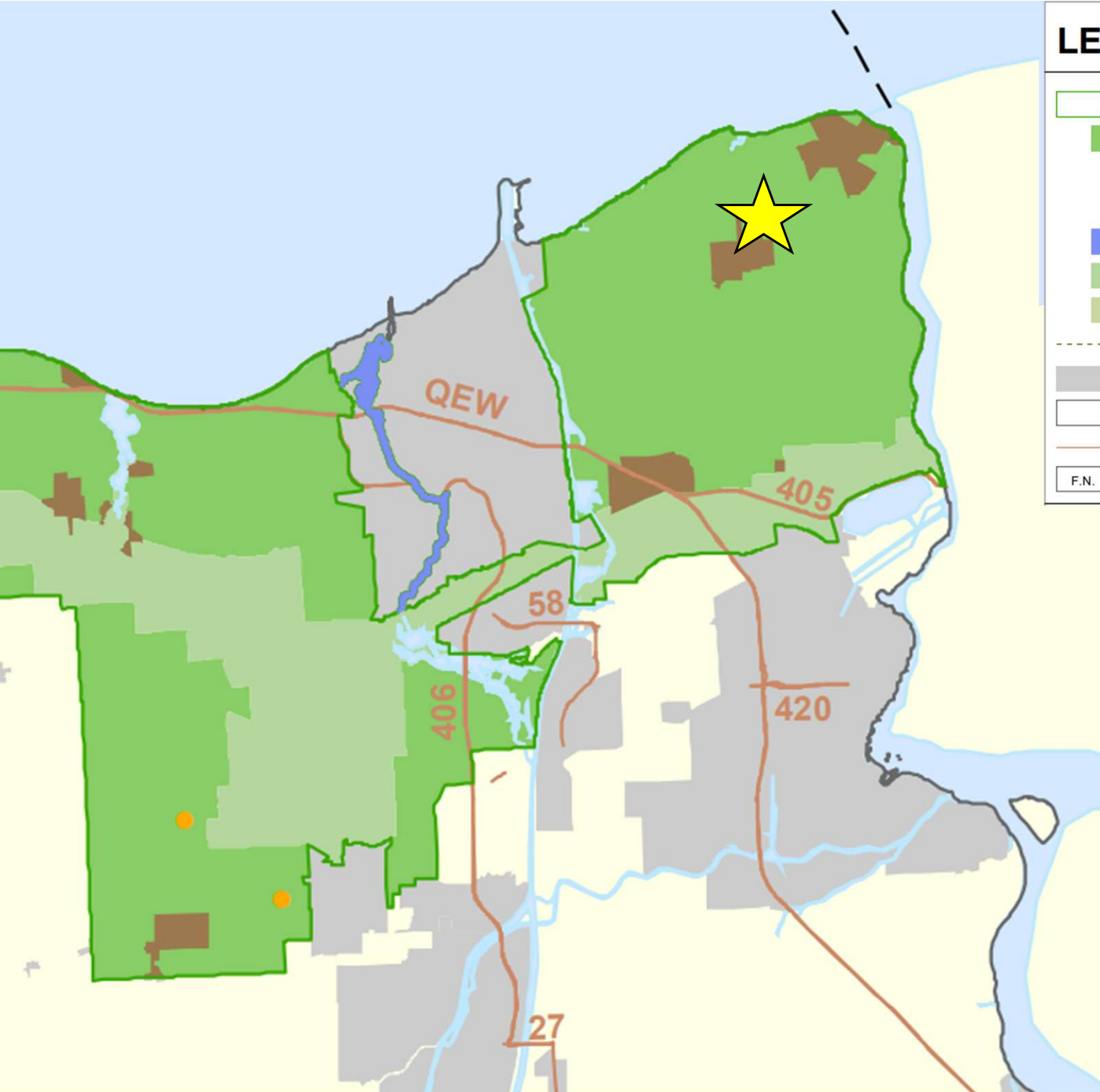
Planning Justification Report

727 East and West Line, NOTL.

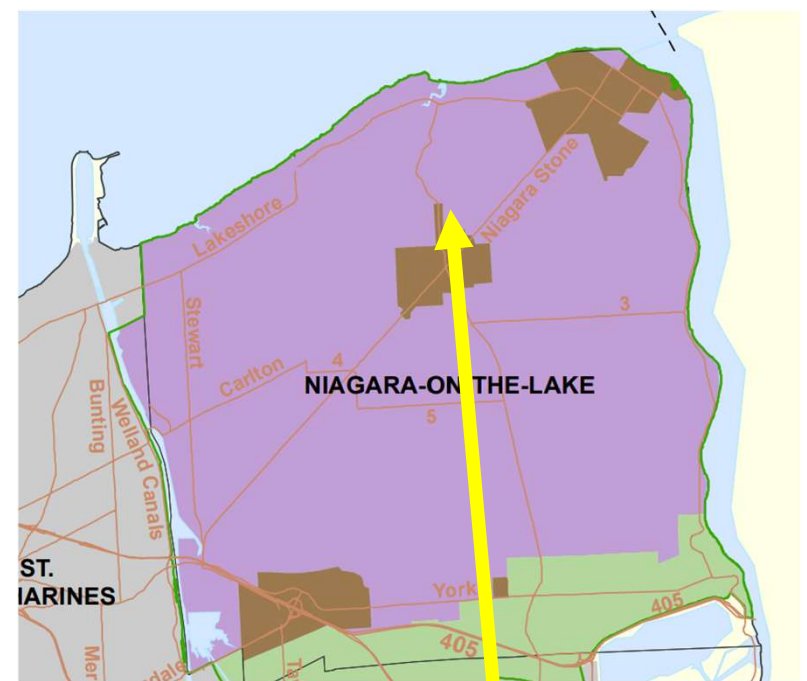
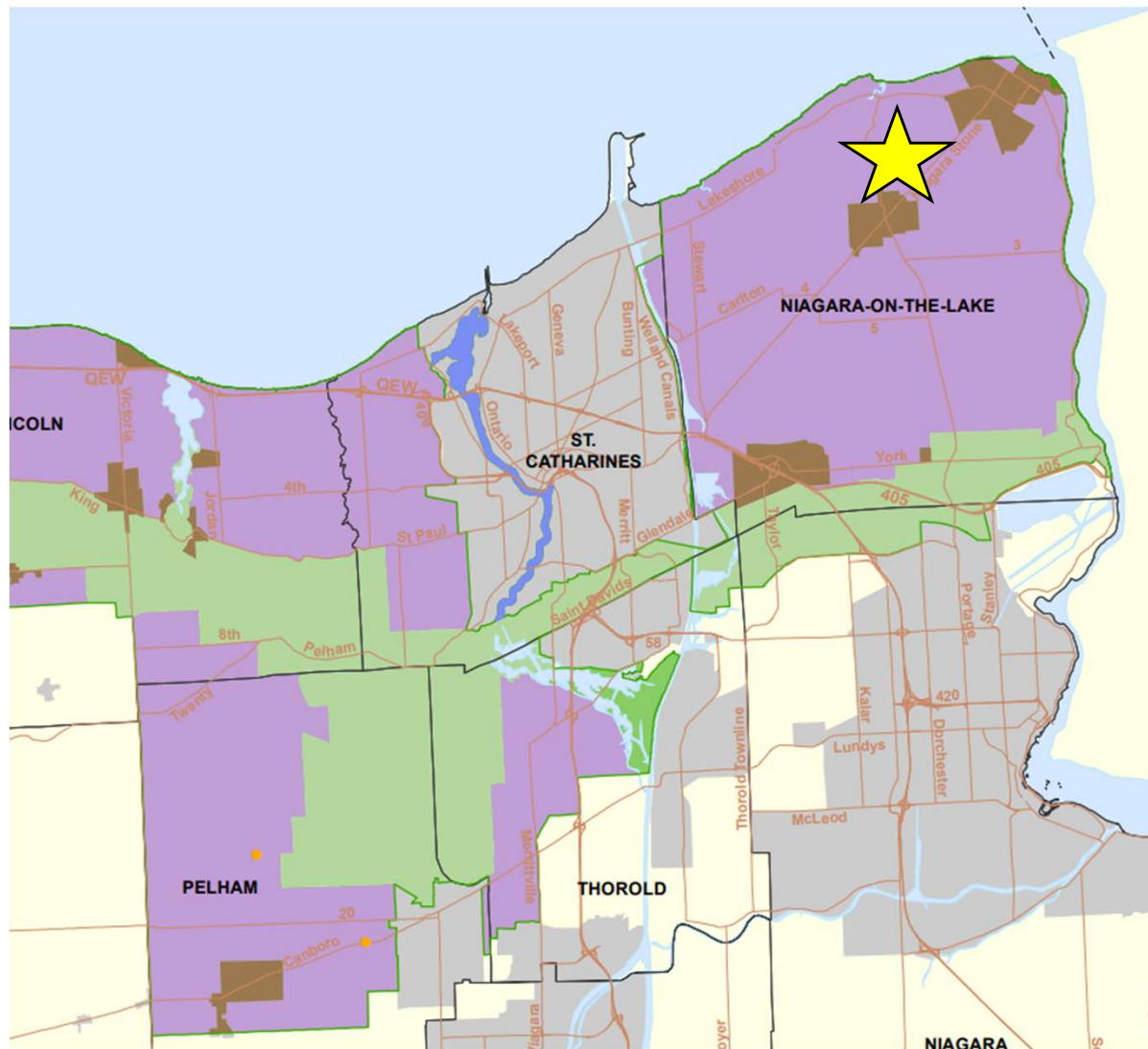
**ATTACHMENT 6 - GREENBELT PLAN
SCHEDULES**

LEGEND

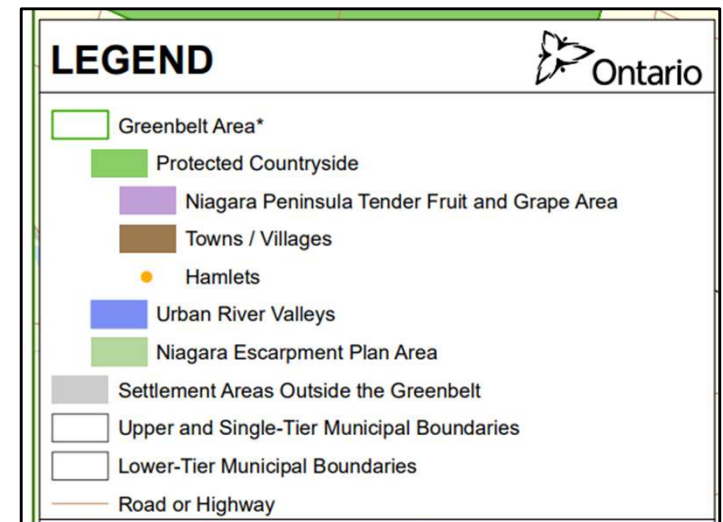
- Greenbelt Area*
- Protected Countryside
- Towns / Villages
- Hamlets
- Urban River Valleys
- Niagara Escarpment Plan Area
- Oak Ridges Moraine Area
- External Connections
- Settlement Areas Outside the Greenbelt
- Upper and Single-Tier Municipal Boundaries
- Road or Highway
- F.N. First Nations



 = Subject Property



★ = Subject Property





Proposed Zoning By-law Amendment & Consent to Sever Application

Planning Justification Report

727 East and West Line, NOTL.

**ATTACHMENT 7 - PUBLICATION 851
PERMITTED USES**



Apple storage and distribution centre serving apple farm operations in the area



Farmers' market primarily selling products grown in the area*



Processing of produce grown in the area (e.g., cider-making, cherry pitting, canning, quick-freezing, packing)*



Grain dryer farm operations in the area



Agricultural research centre*



Winery using grapes grown in the area*



Abattoir processing and selling meat from animals raised in the area*



Flour mill for grain grown in the area



Farm equipment repair shop*



Livestock assembly yard or stock yard serving farm operating in the area



Auction for produce grown in the area



Farm input supplier (e.g., feed, seeds, fertilizer) (serving farm operations in the area)

Figure 2. Examples of agriculture-related uses provided all PPS criteria are met.

* Source: Shutterstock.



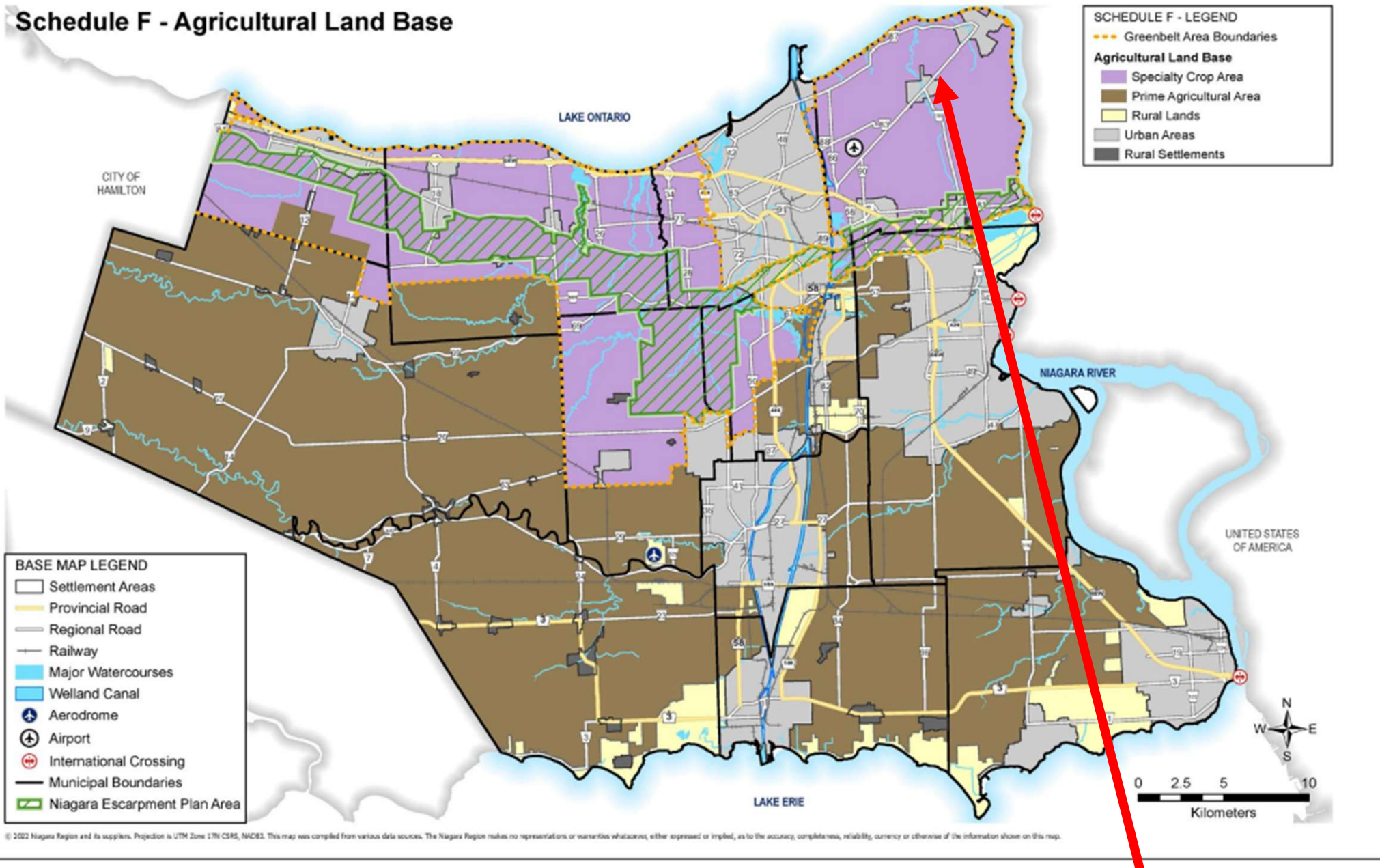
Proposed Zoning By-law Amendment & Consent to Sever Application

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727 East and West Line, NOTL.

**ATTACHMENT 8 - NIAGARA REGION
OFFICIAL PLAN SCHEDULE F -
AGRICULTURAL LAND BASE**

Schedule F - Agricultural Land Base



Subject Property



Proposed Zoning By-law Amendment & Consent to Sever Application

Planning Justification Report

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**ATTACHMENT 9 - NOTL OFFICIAL PLAN
SCHEDULE C - LAND USE PLAN "VIRGIL"**



-  Agricultural*
-  Non-Farm Rural
-  Service Commercial
-  Niagara District Airport
-  Extractive
-  Conservation
-  Escarpment Protection Area
-  Escarpment Natural Area
-  Area of Natural & Scientific Interest
-  Major Open Space
-  Wetland (including adjacent lands)
-  Special Study Area
-  Exception - See Exceptions, Section 7
-  Niagara Escarpment Plan Boundary

Subject Property



Proposed Zoning By-law Amendment & Consent to Sever Application

Planning Justification Report

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ATTACHMENT 11 - LANDSCAPING PLAN & DETAILS

General Instructions:

- Topsoil for Sodded Areas:**

- soil texture based on the Canadian System of Soil Classification, to consist of 20-70% sand and contain 5-10% organic matter by weight
- Fertility: major soil nutrients present in the following ratios,
 - Nitrogen (N) 20-40 micrograms of available N per gram of topsoil,
 - Phosphorus (P) 10-20 micrograms of phosphate per gram of topsoil,
 - Potassium (K) 80-120 micrograms of potash per gram of topsoil,
 - Calcium, magnesium, sulphur, and micro nutrients present in balanced ratios to support germination and/or establishment of intended vegetation

- ### Spreading of Topsoil:

Sod:

Mineral Fertilizer:

- Sodded areas – 11% nitrogen, 8% phosphorus and 4% potash (11-8-4) at a rate of 4.5 kg. per square metre. (10 lbs per 1000 sq. ft.)
- Planting beds - 7% nitrogen, 7% phosphorus, and 7% potash (7-7-7) at the rate of 40 grams (4 oz) per bushel of topsoil.

Preparation of Planting Beds:

Note: if the existing soil conditions are clay or wet in nature, contact the landscape architect for instructions for a suitable soil mixture or drainage detail.

Mulch:

Plant Material:

All shrubs and tree material shall be container grown, potted, W/B or B/B, unless otherwise noted. Contractor shall make requests for root condition substitution in writing to the landscape architect prior to commencement of planting operations.

Plant Material Installation:

The individual plant grouping total as illustrated on the planting plan supersedes the estimated quantity on the master plant list. Contractor must report any discrepancies to the landscape architect in writing before commencing any work. Contractor will assume full responsibility if landscape architect is not notified on discrepancies.

General Maintenance:

Proper maintenance procedures are to be fully administered for all newly constructed landscape work on accordance with Landscape Ontario specifications. This shall apply during the construction and maintenance and warranty period. Contractor is responsible for maintenance of sod and plantings until final acceptance by landscape architect.

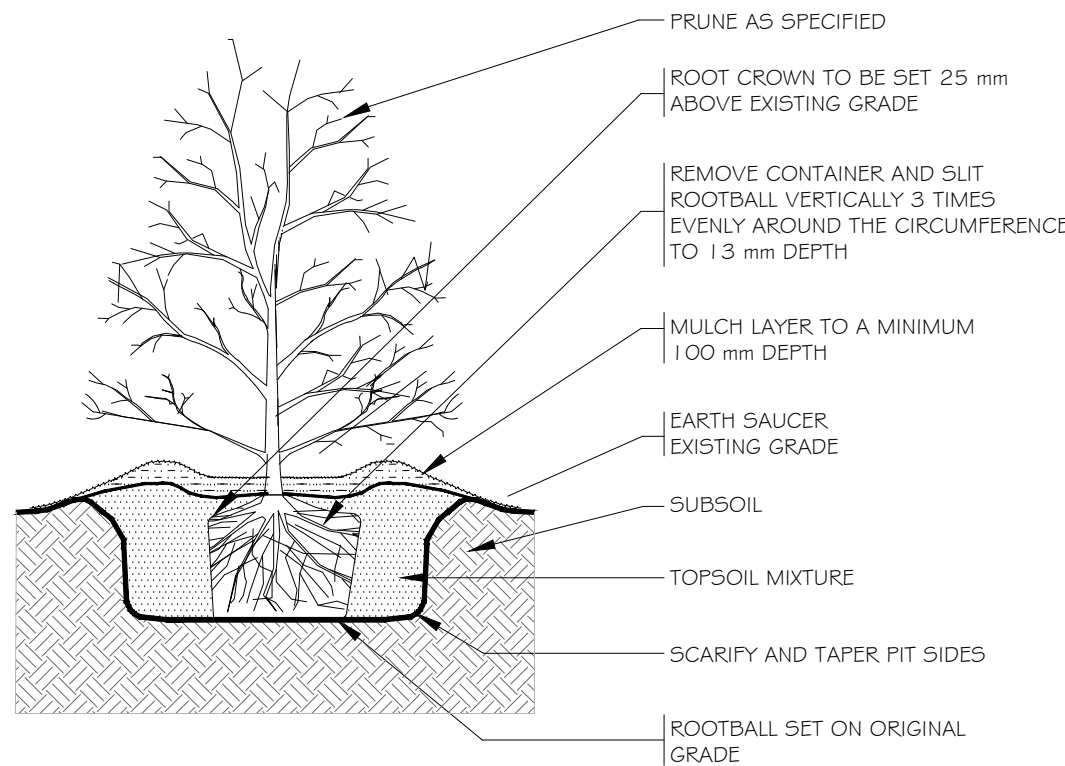
General Requirements:

Use above specifications in conjunction with the general landscape specifications of the Ontario Landscape Contractors Association, The Nursery Sod Growers Association of Ontario and with the Guide Specifications for Nursery Stock of the Canadian Nursery Trades Association. Use only plant material true to name, size and grade as specified on planting plan: provide sufficient labels or markings to indicate clearly the variety, size and grade of each specimen or bundle.

Obtain approvals for substitutions as to variety, size or grade from the landscape architect. Use only nursery stock, grown under proper horticultural practices, viable, free from pest and disease and undamaged. Obtain all necessary permits before commencement of construction. Report in writing any discrepancies in the drawings, specifications and contract documents to the landscape architect before the end of the bidding process and commencement of construction. These specifications may be superseded by additional specifications set out in the tender documents. Contractor to review all documents.

Warranty:

727 East West Line - Plant List						
, CT = Container Grown						
Key	Botanical Name	Common Name	Size	Qty	Condition	Comments
Coniferous Trees						
To	Thuja occidentalis	Eastern White Cedar	2.0m ht.	198	CT	Branched to Ground



D1 TYPICAL SHRUB PLANTING DETAIL SCALE: NONE
ALL SPECIES / SIZES

4	REVISED	SEPT.11/25
3	REVISED	SEPT.04/25
2	REVISED	AUG. 28/25
1	REVISED	JULY 14/25
NO.	DESCRIPTION	DATE



JAMES McWILLIAM
LANDSCAPE ARCHITECT

jmcwilliam@jmladesign.com

PROJECT

**727 EAST WEST LINE
NIAGARA ON THE LAKE, ON.**

DRAWING

LANDSCAPE DETAILS

NORT



SCALE: AS NOTED

DATE: AUGUST 2024

DESIGN BY: J.S.M

DRAWN BY: T.F.G

SHEET: 10

L2



Proposed Zoning By-law Amendment & Consent to Sever Application

Planning Justification Report

727 East and West Line, NOTL.

**ATTACHMENT 12 - PRIVATE ONSITE
WASTEWATER SERVICING REPORT**



July 10, 2025

Niagara Vineyards & Orchids Corp
C/O Arnie Lepp
R.R #5 1196 Irvine Road
Niagara-on-the-Lake, ON L0S 1J0

Re: Private Onsite Wastewater Servicing Report – Agricultural Service & Supply Facility 727 East & West Line NOTL

To Whom It May Concern,

T.I Services is pleased to present the private onsite wastewater servicing report for the proposed agricultural warehouse facility located within the municipal jurisdiction of Town of Niagara-On-The-Lake with a current civic address of 727 East & West Line, Niagara-on-the-Lake, Ontario L0S 1J0.

The purpose of this report is to provide details on the proposed preliminary onsite wastewater treatment system (commonly referred to as a septic system), including maximum daily sewage flow calculations, proposed septic system components and capacities, as well as septic design and layout meeting all *Ontario Building Code* requirements to support the planning approvals process. It also includes details on existing features related to the existing residential property.

If there are any questions regarding the information contained in this report, please do not hesitate to contact the undersigned.

Warm Regards,

Trevor Imhoff, B.E.S
Owner, T.I Services
23 Ludlow Crescent Brantford, ON N3P 1V2
BCIN # 42698
Ph: (519) 802-7873 | Email: tiservicesinfo@gmail.com

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1.0 Introduction

The proposal includes a severance of the civic address located at 727 East & West Line Niagara-on-the-Lake, Ontario and the development consists of an Agricultural Service and Supply Facility with a total square meter of 7,129m² and includes ten (10) loading bays. The main purpose of the buildings will be orchard and vineyard equipment supply and sales, as well as cold fruit storage and distribution. The floor plans include proposed offices and reception area to support the main purpose of the buildings and will include four (4) water closets, four (4) wash basins, and two (2) showers. The buildings will be serviced by municipal potable water supply and a proposed private onsite wastewater treatment system. The proposed development is to be built in the municipal jurisdiction of the Town of Niagara-On-The-Lake, hereby referred to as the “The Site” with the closest intersection to the east being East & West Line and Concession 4 Road with agricultural fields to the south and rural residential to the east and west of The Site. See *Appendix A –Site Location*

The Site includes an existing rural residential single dwelling unit (SDU) and detached garage. The proposed severance will include two parts; Part 1 having a proposed area of 1.00 acre (0.4 Ha) for the existing SDU, and Part 2 having a proposed area of 4.36 acres (1.76Ha) for the proposed Agricultural Service and Supply Facility.

The proposed onsite wastewater treatment system will include a tertiary Class 4 Level IV system including a sewage lift station and two separate shallow buried trench leaching beds to service the Agricultural Service and Supply Facility.

2.0 Existing Site Features and Soil Characteristics

The Site was inspected by T.I Services on June 27, 2025 at approximately 10:00AM. Visual inspections of the existing agricultural field and visual inspection of the existing well and septic system servicing the existing residential building was completed. A utility probe was used to determine approximate location of existing leaching bed.

The existing Site features include a residential Single Dwelling Unit (SDU) containing 3 bedrooms, 2 bathrooms with a finished floor area of 1,400ft². Based on this the estimated maximum daily sewage flows according to *Table 8.2.1.3.A* of the *Ontario Building Code* is 1,600L/day. The septic system servicing the SDU appears to be a traditional Class 4 Level I septic system with a septic tank and in-ground absorption trenches. At the time of the Site inspection the septic tank was not visible, however it was marked in orange spray paint. At the time of the inspection there were no signs of malfunction with the septic tank and the ground around the septic tank was dry. The existing leaching bed was visually inspected and at the time of inspection was functioning with no evidence of soggy/soft ground or break-out.

The existing well is located north of the SDU in the front yard and contains a steel case with a Well Tag #A092690 (Ministry of Environment, Conservation and Parks, 2025). Please see *Appendix E – Site Photos*.

Soil conditions to determine soil permeability (T-Time) were completed by Soil-Mat Engineering through their Geotechnical study (see separate report). Boreholes were completed within the area of the proposed leaching beds (BH6 and BH7) and existing soil conditions were described as “Silty Clay/Clayey Silt”. Grain size analysis

was also completed by Soil-Mat Engineering and was determined for both BH6 and BH7 with T-Time of >50min/cm.

Preliminary groundwater conditions were also assessed by Soil-Mat Engineering and it is noted that although the boreholes were backfilled prior to static groundwater levels to stabilize, based on their investigations, combined with drilling experience in the area, groundwater is estimated at depths of 2 to 3 metres below the existing ground surface.

3.0 Site Specific Design

3.1 Daily Sewage Flow Calculations

Sanitary Sewage Flows

The proposed daily sanitary sewage flow calculations for the proposed Agricultural Facility are broken down by the expected type of use of the building and follows *Table 8.2.1.3.B Other Occupancies* under *Part 8 Sewage Systems* of the *Ontario Building Code Act, 1992 (OBC)*. Confirmation from the owners indicate there will be no irrigation or other process water entering the septic system. The sanitary sewage flow calculations are based on “Warehouse” calculations and broken down as follows:

- Total number of Water Closets; and
- Total number of Loading Bays.

Table 1.0 Maximum Daily Sanitary Sewage Flow Calculations

Description	Units	# Units	L/d per Unit	L/d
Warehouse Water Closets	# of Water Closets	4.0	950.0	3,800.0
Warehouse Loading Bays	# Loading Bays	10.0	150.0	1500.0
			TOTAL	5,300.00

Therefore the total maximum sanitary sewage flows are estimated at 5,300 L/day.

There is also currently a 1,000L/day contingency used to design the current septic system. This contingency is added only due to the uncertainty of how Niagara Region may require calculating the maximum daily sewage flows and to show the capability of The Site being able to be adequately serviced.

Therefore the total maximum daily sanitary sewage flows that will be used to design the onsite wastewater treatment system will be 6,300 L/d.

For further breakdown on wastewater calculations and minimum septic system component requirements please see *Appendix B – Maximum Daily Sewage Calculations*.

3.2 Septic Tank Capacity Calculations

The septic tank was designed according to *clause 8.2.2.3. Septic Tanks* of the *Ontario Building Code (OBC)* at three (3) times the calculated daily sanitary sewage flows. The septic tank capacity formula serving the Agricultural Facility is calculated as:

$Q \times 3 = \text{Minimum (L) Septic Tank Capacity}$

$$6,300 \text{ L/Day} \times 3 = 18,900 \text{ L}$$

Whereas Q equals the total daily design sanitary sewage flow in liters from the agricultural facility.

Therefore, a double chamber septic tank meeting CSA B66 Construction Standard with a minimum capacity of 18,900 L is proposed. An effluent filter will be equipped on the outlet pipe of the septic tank prior to the tertiary tank.

The effluent from the septic tank will flow by gravity to the tertiary tank, whereby additional treatment will occur prior to flowing to the pump tank. The tertiary tank manufacturer, and therefore sizing is not included in this current design and report to allow for flexibility to decide on final technology and will be confirmed during final building and septic permit applications.

A minimum one (1/2) day capacity is recommended to size the pump tank and therefore the minimum capacity would be 3,150 L.

To see the proposed locations of the septic system please see *Appendix C – Onsite Wastewater Treatment Design and Layout*.

3.3 Shallow Buried Trench Calculations

The treated effluent is proposed to be dispersed into the subsurface environment utilizing two separate Shallow Buried Trenches (SBT) as the leaching beds. The loading rate of the SBT is calculated based on the soil permeability (T-Time of >50min/cm) and is in accordance with *Table 8.7.3.1A. Length of Leaching Chamber in Shallow Buried Trench* with the following formula:

$$L = Q / 30$$

$$210 \text{ m} = (6,300 \text{ L/d}) / 30$$

Whereas L equals the total length of chamber required in meters; and

Whereas Q equals the total daily design sanitary sewage flow in litres.

Therefore, the total minimum length of SBT is calculated at 210 m.

3.4 Proposed Treatment Summary

The proposed onsite wastewater treatment system includes primary and tertiary treatment of sanitary, residential strength sewage, with final treatment occurring within the in-ground Shallow Buried Trenches.

The components of the onsite wastewater treatment system will include:

- One (1) 9,100 L sewage lift station/pump tank equipped with a grinder pump connected to an audible and visual alarm system.
- A 2" high density polyethylene (HDPE) (or equivalent) manifold piping sending sewage from the lift station to the primary septic tank.
- One (1) Primary 18,900 L CSA double chamber septic tank equipped with an effluent filter.

- One (1) Tertiary septic tank sized to handle up to 6,300L/day sewage flows (technology/manufacturer to be determined during final septic permit application).
- Two (2) Shallow Buried Trench (SBT) Leaching beds each containing four (4) trenches each 27.0m in length with 1.5" pressurized PVC piping and chamber spaced 2.0 m on centre. Each trench depth will be between 600mm and 900mm and width will be between 500mm and 1000mm.

4.0 Qualifications of Lead Consultants

Trevor Imhoff, B.E.S is the owner of T.I Services. He received his Honours Bachelor Degree from the University of Waterloo with a Minor in Biology and Diploma in Ecological Restoration and Remediation. He has 12 years experience solving complex environmental problems. Trevor is currently qualified under the Ministry of Housing as a licensed *Independent Designer* for *Part 8 Sewage Systems* and *Part 9 Housing and Small Buildings*. He has over 10 years experience in the onsite wastewater treatment industry conducting hundreds of onsite wastewater inspections and designs for both residential and commercial properties. Over the course of his career he has worked for two engineering firms, spent 2.5 years as a Municipal Septic Inspector and member of the Ontario Building Officials Associations (OBOA). He has been an *Independent Designer* since 2014.

Recent similar successful projects T.I Services have completed includes but are not limited to:

- Be In Christ Church Tertiary Septic System Design, Town of Pelham (2024);
- Waterview Farms Septic and Constructed Wetland Greenhouse and Warehouse Operation (2021), Town of Lincoln (Ministry of Environment, Conservation and Parks approval);
- Lepp Distillery Onsite Wastewater Design and Installation (2020), Town of Niagara-On-the-Lake;
- Orchid Greens Greenhouse Expansion (2020), Town of Niagara-On-The-Lake;
- Virgil Greenhouses Help House (2019), Town of Niagara-On-The-Lake;
- Pioneer Farms Advanced Tertiary Wastewater Design (2019), City of St. Catharines.

5.0 Conclusion

T.I Services is confident that the proposed onsite wastewater treatment system was designed conservatively in order to handle the calculated maximum sanitary sewage flows from the proposed agricultural facility. Maximum daily sewage flows were calculated based on past experience working with Niagara Region Sewage Regulating Office with additional contingency sewage flows provided. It is expected the actual maximum daily sewage flows would be less than what is calculated currently.

6.0 REFERENCES

Niagara Region (2025). Navigator. Retrieved from:

<https://navigator.niagararegion.ca/portal/apps/webappviewer/index.html?id=4500745f3cd141ddb707913a444e7886>

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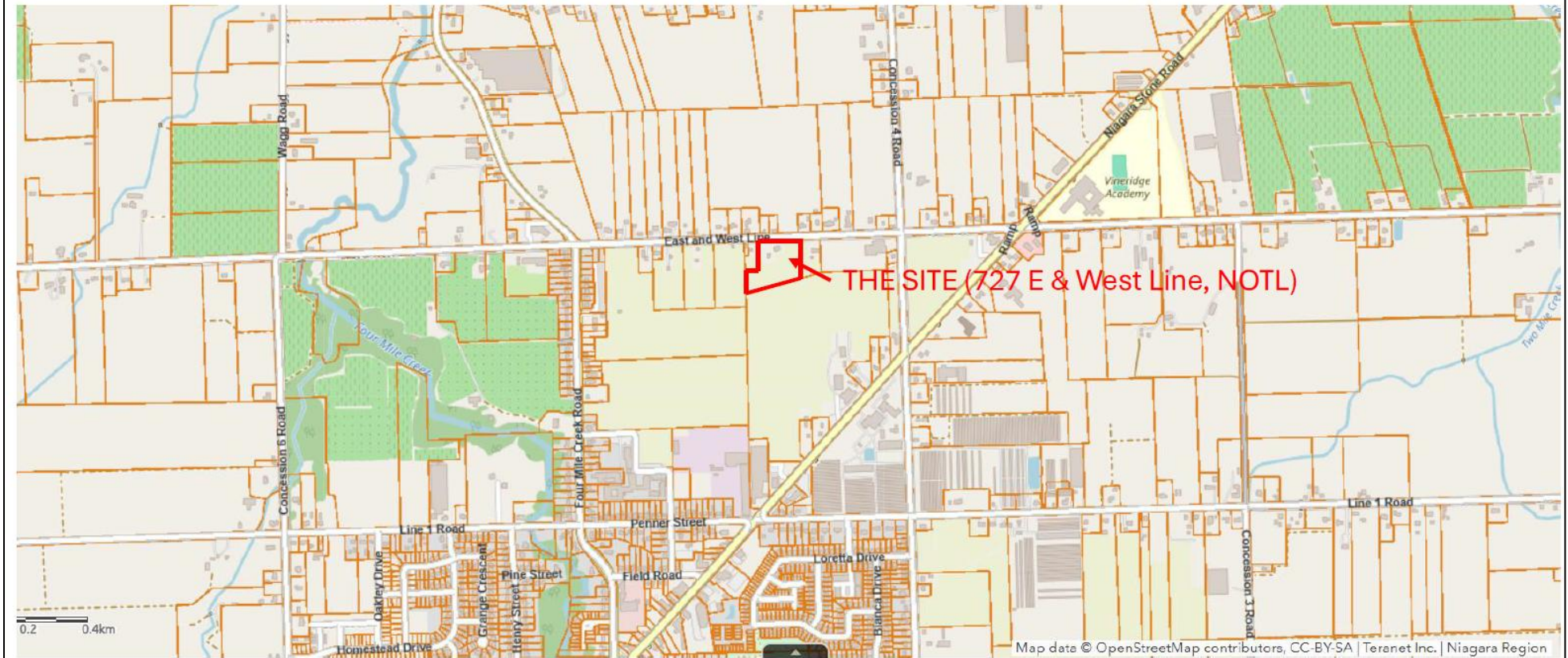
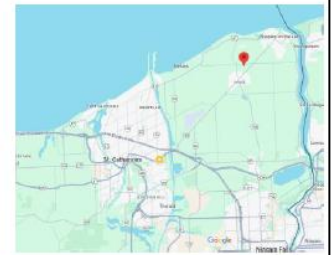
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<https://www.ontario.ca/page/map-well-records>

APPENDIX A – SITE LOCATION

727 E & West Line,
Niagara-on-the-Lake, Ontario
LOS 1J0



Source: Niagara Region (2025)

APPENDIX B – MAXIMUM DAILY SEWAGE FLOW CALCULATIONS

T.I SERVICES

23 Ludlow Crescent Brantford, ON N3P 1V2
 Phone: (519) 802-7873
 Email: tiservicesinfo@gmail.com
 BCIN # 42698

Owner:
 Niagara Orchids and Vineyards
 Corp.

Site Location:
 727 East and West
 Line, NOTL

EXISTING Sewage Flow

Description	Units	# Units	L/d per Units	L/d
Existing Residential Building #1 (to be severed)	# bedrooms, # fixture units (FU), sq footage; or	3 bedroom, 2 bath, 1400ft2 single family dwelling	N/A	1600
			Total:	1600

PROPOSED Sewage Flows

Warehouse Building	# of employees per 8 hour shift; or	16	75	1200
	# of toilets; and	4	950	3800
	# of urinals; and	0	450	0
	# of loading bays	10	150	1500
Total Proposed Sewage Flows based on combination of total number of toilets, urinals and loading bays.			Total:	5300

Contingency Sewage Flows: 1000

Total Calculated Max Daily Sewage Flows: 6300

Agricultural Facility Septic System Requirements (6,300L/day flow)

Septic Components	Calculations	Minimum Requirement	Units	Proposed/Required	Units
Primary Septic Tank	Q X 3	18900	Litres	18,900	Litres
Tertiary Septic Tank	N/A	N/A	N/A	6,300	Litres/day flows
Final Pump Tank	Q / 2	3150	Litres	3150	Litres
Tertiary Shallow Buried Trenches	Q / 30	210	Meters	216	Meters

*Soil-Mat T-Time Analysis estimates clay soil with T-Time >=50 min/cm

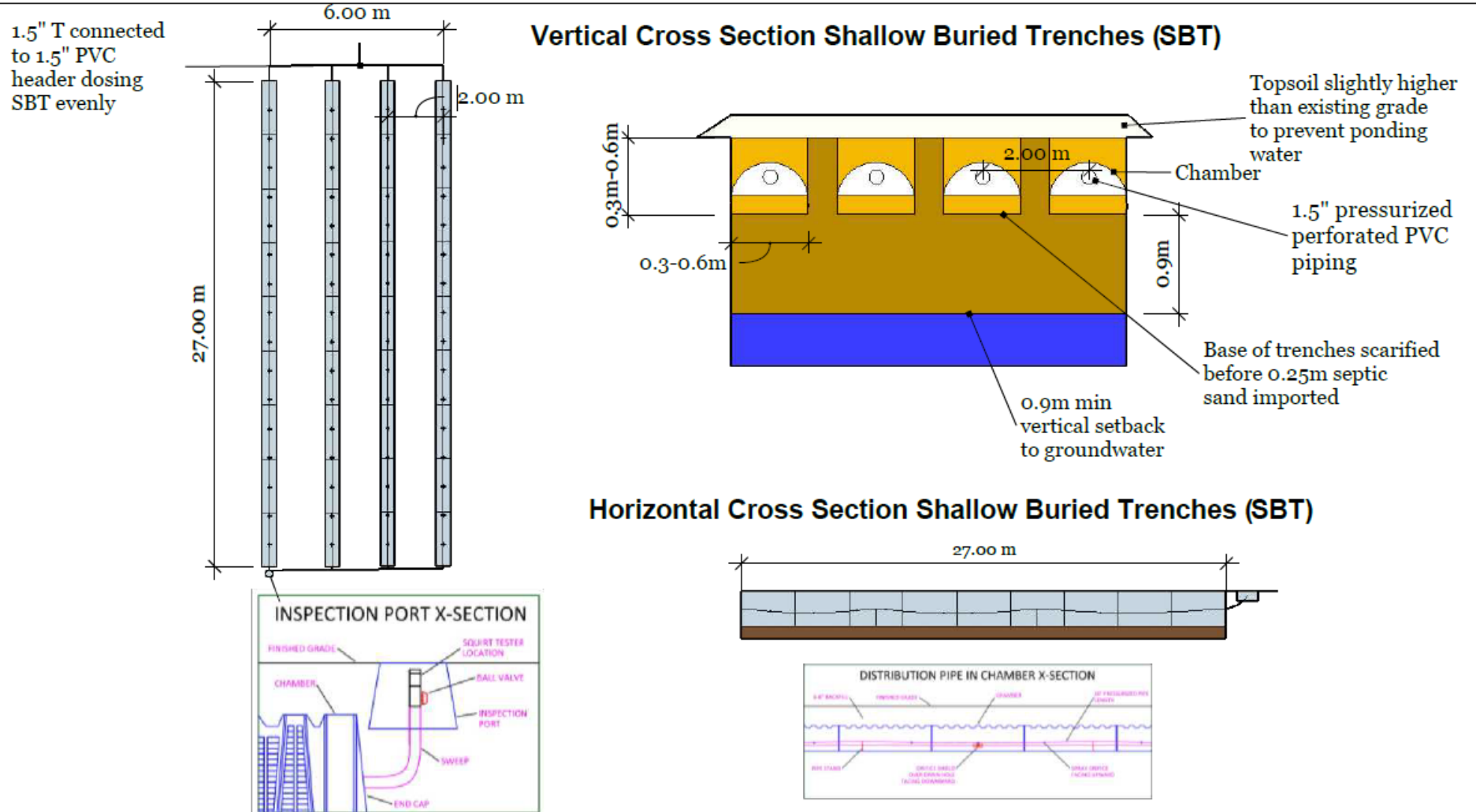
The site plan illustrates the layout of the proposed wastewater treatment facility. Key features include:

- Buildings:** Building A (64.02 m x 6.02 m), Building B (5.20 m x 6.02 m), and Building C (6.39 m x 3.03 m).
- Septic System:** A 9,100L concrete sewage lift/pump station with a 2" pressurized HDPE manifold leading to a septic tank. The system includes a Concrete Pump Tank, a Tertiary Tank (6,300L/day), and a Primary CSA 18,900L min double chamber concrete septic tank.
- Piping and Trenches:** 4 Shallow Buried Trenches with 1.5" pressurized PVC piping and chamber spaced 2.0m o.c. are shown in two locations. A Pressurized flow divider and 1.5" pressurized poly-pipe are also indicated.
- Other Features:** Existing Septic Tank, Existing Well, Existing Neighbour, and Approx. location of existing leaching bed.
- Dimensions and Scale:** Various dimensions are provided for buildings and tanks. A scale bar shows 4.00 m, 18.00 m, 8.00 m, and 24.00 m.

MM/DD/YY		REMARKS
1	06 / 13 / 25	
2	07 / 10 / 25	
3	-- / -- / --	

A

APPENDIX D – SHALLOW BURIED TRENCH CROSS SECTIONS



T.I Services 23 Ludlow Crescent Brantford, ON N3P 1V2 Ph: (519) 802-7873 tiservicesinfo@gmail.com	Title: Shallow Buried Trenches Cross Sections - Agricultural Facility 727 E & West Line NOTL			01 A
	Client: Niagara Orchid and Vineyard Inc.	Designer: BCIN #: 42698	MM/DD/YY	
			1 06 / 13 / 25	
			2 07 / 10 / 25	
			3 -- / -- / --	
			REMARKS	

APPENDIX E – SITE PHOTOS

The Site



Septic Tank



Septic Tank Probed



Leaching Bed Area - North



Leaching Bed Area – South



Agricultural Field



Well Location



Well Tag

