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December 5, 2025

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Town Administration Building
1593 Four Mile Creek Road
P.O. Box 100
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RE: 263 CONCESSION ROAD 6, TOWN OF NIAGARA-ON-THE-LAKES
ZONING BY-LAW AMENDMENT THIRD RESUBMISSION
OUR FILE: 09144U

On behalf of our client, Parth Patel & Sejal Patel (the "Owner"), we are pleased to re-submit the following materials for a Zoning By-law Amendment ("ZBA") Application for the lands municipally known as 263 Concession Road 6 in the Town of Niagara-on-the-Lake (the "Subject Lands") to facilitate the development of the proposed lands for agricultural-related uses.

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

- Concept Plan, dated October 14th, 2025, prepared by Ace Architecture;
- Draft Zoning By-law Amendment

Summary of Revisions to Draft Zoning By-law

- Prohibition of single detached dwelling within the "Rural (A) – Site Specific Zone – XXX."
- Including provisions for a maximum Gross Floor Area for the proposed agricultural-related use.
- New definition for Farm Produce Storage Building which clarifies the inclusion of temperature-controlled storage.
- Removal of the request for increased lot coverage.

Supporting Agricultural Operations

Further, to the revisions summarized above, it was requested through discussion with Town staff, that additional information regarding the supporting agricultural operations initially intended to support the proposed agricultural-related uses, would be beneficial in the evaluation of the applicable provincial and municipal policies and guidelines for agricultural-related uses.

The Owner has advised that they have received interest from a total of twenty-three (23) existing agricultural operations, with a diversified agricultural portfolio, as illustrated in **Appendix 1 - Supporting Agricultural Operations**.

In summary, the identified supporting agricultural operations have an average land area of 24.51 ha (60.57 ac) and are located an average of 29 km away from the Subject Lands. **Figure 1 – Identified Supporting Agricultural Operations** illustrates the radial distribution of the supporting agricultural operations, relative to the location of the Subject Lands. While most of the initial supporting agricultural operations are located within 35 km from the Subject Lands, it is expected that when the development becomes operational the business would attract more agricultural operations within the identified 10 km and 25 km radius due to the location of the Subject Lands.

The Subject Lands is situated on a regional arterial road (York Road/Highway 81) and in proximity to a 400 series highway (QEW and 405), making it easily accessible to the identified surrounding agricultural operations. Based on the information provided by the Owner, the identified supporting agricultural operations expressed that they would need to travel an average of 44 km for alternate facilities to meet their storage demands. Therefore, the proposed development of the Subject Lands reduces the travel for supporting agricultural operations by an average of 15 km and has the potential to service additional market demand once operational. As opined by Agricultural Opinion Letter prepared by Colville Consulting, dated August 5,2025, this provides reduced transportation costs, reduced risk of spoilage, and additional marketing opportunities.

Appendix 1 further illustrates that the identified supporting agricultural operations have an average demand of 2,012 sq. feet of storage space, with a total demand of 46,280 sq. feet. The proposed 41,000 sq. feet of agricultural equipment storage and temperature-controlled farm produce storage will provide a supply area that sufficiently accommodates the demand for storage of the initial supporting agricultural operations. While there is a minor shortfall of approximately 5,000 sq. feet, this shortfall is not determined to be detrimental to the proposed operations of the development. The operational plan to provide rental agricultural equipment to the supporting agricultural operations will decrease their individual demands for storage, as the machinery will be provided and stored in a single location, rather than having each supporting agricultural operation erecting buildings for their own storage needs, thereby preserving agricultural lands on their own farmland throughout Niagara Region.

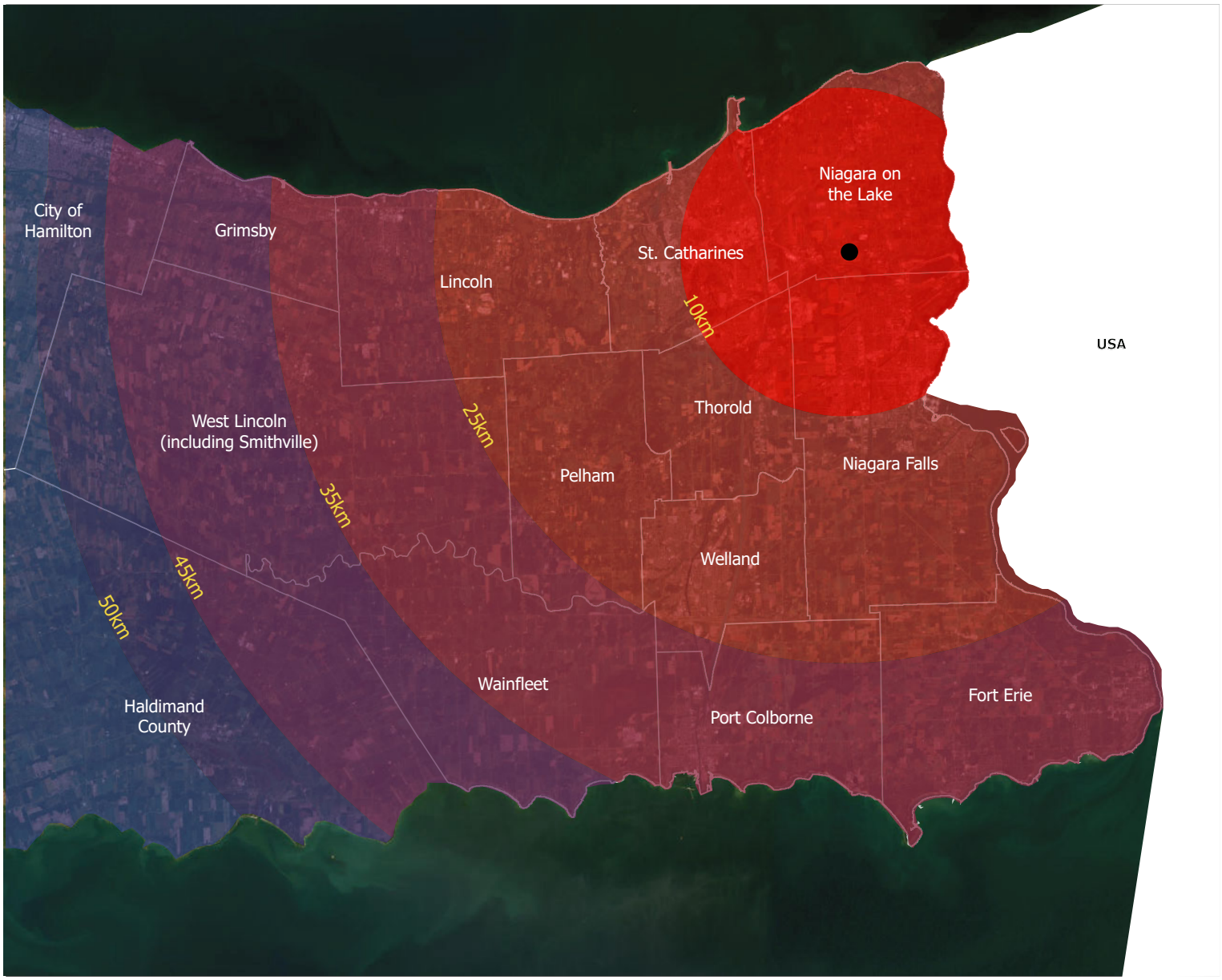


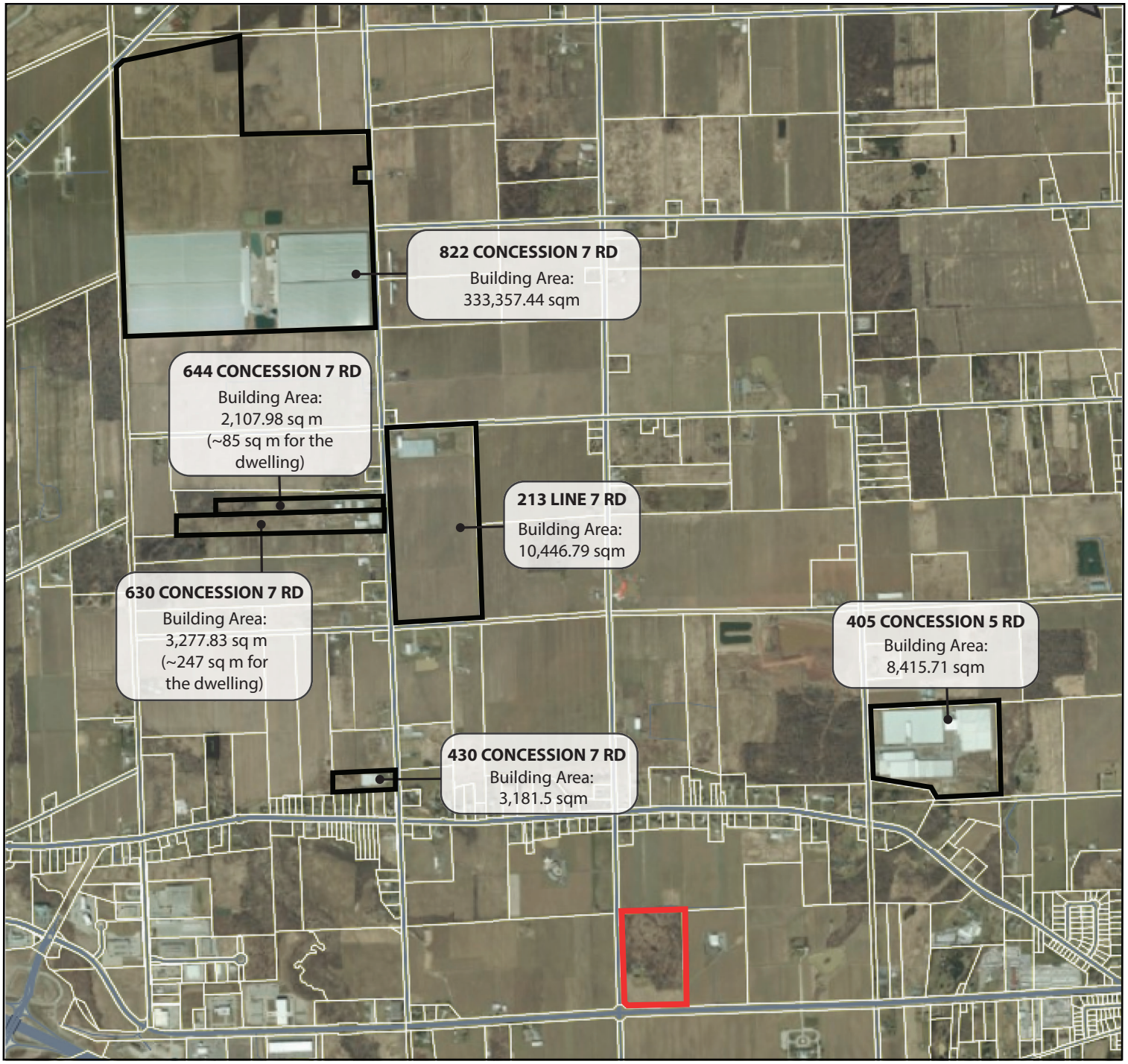
Figure 1 - Identified Supporting Agricultural Operations

- Subject Lands
- 4 identified agricultural operations wihtin 0-10 km
- 4 identified agricultural operations wihtin 11-25 km
- 5 identified agricultural operations wihtin 26-35 km
- 5 identified agricultural operations wihtin 36-45 km
- 4 identified agricultural operations wihtin 46-50 km
- 1 identified agricultural operation beyond 50 km
- USA area not being serviced

Surrounding Agricultural Built Form

Additionally, it is our understanding, through discussion with Town staff and the public comments received and expressed during the Public Meeting, that additional information demonstrating the proposed development's conformity to the permitted use of small-scale industrial or commercial activity, as permitted in the Agricultural designation of the Town's Official Plan, is being requested for the evaluation of the proposed development. As expressed in Sections 2.2, 3.4, 3.5 and 3.6 of our Planning Justification Report, it is our opinion that the determination of the activity for an agricultural-related use being considered "small-scale" is dependent upon the on-site site operational considerations, such as the traffic generated by the development and the required servicing needs to support the development. Furthermore, it is our opinion that building massing within the Town of Niagara on the Lakes is controlled through the lot coverage regulations of the Zoning By-law, which restricts development of the Subject Land to a maximum of 15% of the lot area. As the proposed development contemplates an approximate 4.6% lot coverage, the proposed development complies with the lot coverage regulations of the Zoning By-law, which are intentionally being reduced by the proposed draft ZBA for the application.

In addition to being well below the maximum lot coverage regulations of the Zoning By-law, it is noted that the surrounding area has existing buildings with a similar building footprint within the agricultural area of the Town, as illustrated in **Figure 2 -Surrounding Agricultural Built Form**. A comparative analysis of these buildings is provided in **Appendix 2 – Surrounding Agricultural Built Form,** which demonstrates that the proposed building footprint is below both the median building area and lot coverage of buildings within the surrounding agricultural area of the Town. Thereby demonstrating that the proposed building footprint is comparable to existing structures within the surrounding agricultural area of the Town.



Data Source: VuMap

Figure 2 – Surrounding Agricultural Built Form

Subject Lands

Surrounding Properties

SUMMARY

In summary, as expressed within our Planning Justification Report dated August 2025, it remains our opinion that the proposed Zoning By-law Amendment (ZBA) application for the Subject Lands is appropriate, for the reasons as follows:

1. The Proposal has had appropriate regard to matters of provincial Interest (Section 2 of the Planning Act).
2. The Proposal is consistent with the policies of the PPS, 2024.
3. The Proposal conforms to the policies of the Greenbelt Plan.
4. The Proposal conforms to the applicable policies of the Regional Official Plan.
5. The Proposal conforms to the NOTL Official Plan.
6. The Proposal contains uses that are consistent with the agricultural-related uses, as guided by the OMAFRA Guidelines.
7. The Proposal provides diversification to the agricultural sector of the Town, which benefits the agricultural land base and the agricultural economy.
8. The Proposal is compatible with the surrounding agricultural area and will be more appropriate on the Subject Lands instead of being relocated to Settlement Areas.
9. The Proposal will be adequately serviced and will adhere to Regional By-law No. 2017-30.
10. Access to and from the Proposal will be planned and designed to be efficient and support optimized circulation throughout the southern portion of the Subject Lands.
11. The Proposal conserves the existing natural heritage resource, which is the woodlot located on the Subject Lands, as development will be located entirely on the southern portion of the Subject Lands.
12. The Proposal will permit development that will not cause any environmental or public health and safety concerns.
13. The proposed area of development does not contain any archaeological resources within the development area.

If you have questions or require any further information to assist with your review, please do not hesitate to call or email.

Thank you,

MHBC

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Partner

Eric Brathwaite, BA, CPT
Senior Planner

Cc: Client
Aimee Alderman, Manager of Planning, Niagara-on-the-Lakes

Appendix 1 - Supporting Agricultural Operations

CITY	FARM LAND (Acres)	FARM LAND (Ha)	PRODUCATION	STORAGE SIZE DEMANDS (Sq.Ft.)	DISTANCE TO SUBJECT LANDS (KM)	DISTANCE TO ALTERNATE STORAGE FACILITY (GRIMSBY/SMITHVILLE/FROTHILL/PORT COLBORNE) (KM)	AGRI EQUIPMENT STORAGE NEEDED	AGRI TEMP CONTROL FACILITY NEEDED
Fort Erie	30	12.14	Cash Crop and Fruit Orchard	2,000	34	59	yes	yes
Grimsby	98	39.66	Cash Crop and Vegitables Farm	2,000	47	50	yes	yes
Grimsby	100	40.47	Cash Crop, Livestock and Fruit Farm	2,200	46	53	yes	yes
Lincoln	34	13.76	Fruits Orchard & Vegitables Farm	1,600	26	44	yes	yes
Lincoln	47	19.02	Cash Crop and Vegitables Farm	2,000	37	42	yes	yes
Lincoln	86	34.8	Cash Crop, Livestock and Fruit Orchard	6,988	38	50		yes
Lincoln	65	26.3	Cash Crop and Vegitables Farm	4,380	48	56	yes	yes
Lincoln	21	8.5	Livestock	2,134	28	30		yes
Lincoln	112	45.32	Cash Crop and Groginseng Farm	1,500	28	35	yes	yes
Lincoln	30	12.14	Fruits Orchard & Vegitables Farm	1,100	48	50	yes	yes
NOTL	56	22.66	Fruits Orchard & Vegitables Farm	700	4	47	yes	yes
NOTL	17	6.88	Vineyard	1,500	8	26		yes
NOTL	157	63.54	Cash Crops and Nursery	6,000	11	41		yes
NOTL	12	4.89	Plums & Grapes	450	11	48		yes
Niagara Falls	54	21.85	Cash Crops and Medicinal Plants Farm	500	5.5	46	yes	yes
Niagara Falls	38	15.38	Cash Crop and Vegitables Farm	500	6.5	49	yes	yes
Pelham	64	25.9	Fruits Orchard & Vegitables Farm	1,528	54	41	yes	yes
Pelham	23	9.31	Fruits Orchard & Vegitables Farm	1,800	31	37		yes
Smithville	88	35.61	Fruits Orchard & Vegitables Farm	900	39	50	yes	yes
Smithville	103	41.68	Cash Crop, Fruits and Vineyard Farm	1,870	41	47	yes	yes
Smithville	50	20.23	Vineyard and Fruit Orchard	1,180	41	48	yes	yes
St. Catherines	20	8.09	Vineyard	1,150	17	42		yes
St. Catherines	88	35.61	Cash Crop, Fruits and Vineyard Farm	2,300	17	31	yes	yes
Average Supporting Agricultural Operation	60.57	24.51	N/A	2,012	29	44	N/A	N/A

Appendix 2 – Surrounding Agricultural Built Form						
Property Address	**Lot Area (Ha)**	**+/- Subject Lands**	**Building Area (Sqm)**	**Building Area +/- Subject Lands**	**Lot Coverage**	**Lot Coverage +/- Subject Lands**
263 Concession Road 6 (Subject Lands)	10.18 ha	0	3,994.83 sqm	0	3.92 % (~4.6% including dwelling)	0
405 Concession 5 Rd - Farm/ Greenhouse	18.75 ha	8.57 ha	8,415.71 sqm	4,420.88 sqm	44.89 %	40.96 %
213 LINE 7 ROAD NIAGARA ON THE LAKE	28.90 ha	18.71	10,446.80 sqm	6,451.97 sqm	3.62 %	-0.31%
822 Concession 7 Rd, Niagara-on-the-Lake, ON L0S 1J0 – St Davids Hydroponics Plant	83.47 ha	73.29 ha	333,357.44 sqm	329,362.61 sqm	39.94 %	36.01 %
430 Concession Rd 7 - Hillside Greenhouses	1.99 ha	-8.19 ha	3,181.5 sq m	-813.33 sq m	15.98%	12.06%
630 Concession Rd 7 - Forklifts and Equipment	6.97 ha	-3.21 ha	3,277.83 sq m (~247 sq m for the dwelling)	-717 sq m	4.70% (~5.02% including dwelling)	0.78%
644 Concession Rd 7 - Forklifts and Equipment	4.03 ha	-6.15 ha	2,107.98 sq m (~85 sq m for the dwelling)	-1,886.85 sq m	5.21% (~5.46% including dwelling)	1.29%
Median	12.86 ha	+2.68	5,846.78 sq m	-1,851.95	5%	1.08%