

Date: 16 April 2026
 Project No: 24086

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

Attn: Mr. Connor MacIsaac

Re: Responses to the Open House Comments for 1317 York Road, Niagara-on-the-Lake - Proposed 5 Townhouses and 1 Single-Detached Dwelling.

Dear Connor,

We acknowledge receiving the open house comments from the public on April 7, 2026. Please accept the responses to the public comments and reference that address the comments.

Comment	Response / Action Drawing Reference
Appendix 1 – Summary of Staff Comments	
1. Building	
a) No further comments.	Noted.
2. Fire and Emergency	
a) No further comments.	Noted.
3. Heritage	
a) The requested ministry clearance letter dated, June 23, 2025 for the Stage 1 and 2 Archaeological Assessment has been received. There are no further heritage related concerns.	Noted.
4. Public Works and Infrastructure	
a) Updated Site Plan and Site Servicing Plan is requested showing that the proposed driveway aprons at the street are not to encroach within the frontage of neighboring properties, that barrier curb is to be installed and minimum separation maintained between the separate driveway accesses, and that the minimum 8 metre setback from the corner property line to the proposed driveway for Townhouse A (Unit 1) is being maintained.	a) Updated. Please refer to Site Servicing Drawing and Site Plan dated 16APR2026. b) Please find hydrant flow test results attached as part of resubmission. c) Noted.



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<p>b) The fire hydrant flow test results are to be incorporated in the future detailed Functional Servicing Report (FSR), which will be submitted and reviewed at the time of the future Subdivision application.</p> <p>c) See detailed comments in the attached Operations Comment Letter.</p>	
5. Urban Forestry	
<p>a) Note for future consideration: During the subdivision stage, the Tree Protection Plan will need to be updated to include appraisals of all Town-owned trees that are proposed for removal. Details of requirements will be discussed at pre-consultation meeting.</p>	<p>Noted. To be addressed at the time of draft plan of subdivision.</p>
6. Planning	
<p>General</p> <ul style="list-style-type: none"> • A pre-consultation meeting is recommended to discuss the Draft Plan of Subdivision submission requirements. Site Plan, Elevation Drawings and Floor Plans – April 10, 2026. • Identify proposed setback to covered steps / balcony of Unit A. • Identify size and location of parking areas, including setback from exterior and interior lot lines. Parking areas must be setback a minimum of 1-meter from interior property lines and a minimum of 2 meters from exterior lot lines. 	<p>Pre-consultation for DPS. Noted.</p> <p>No covered steps for Unit A hence the setbacks are not measured. However, setback measurements are provided. Please refer to site plan dated 16APR2026.</p> <p>Sizes and distances already mentioned. Please refer to site plan dated 16APR2026.</p>
7. Urban Design	
<p>a) Per the Town’s Planning Services Agreement with the Niagara Region, the Town has engaged with a Regional Urban Design Specialist to review urban design considerations with respect to the proposed development, in consideration of the St. Davids Urban Design Guidelines. Please refer to the attached Urban Design Review Letter.</p>	<p>Noted.</p>
8. Enbridge	
<p>a) Refer to comments dated March 19, 2026.</p>	<p>Noted.</p>
9. District School Board of Niagara	
<p>a) No further comments.</p>	<p>Noted.</p>



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10.Niagara Escarpment Commission (NEC)	
a) NEC staff's September 10, 2025 comments have been sufficiently addressed. We have no further comments.	Noted.
11. Niagara Region	
a) Refer to comments dated April 1, 2026.	Noted.
<p>Regional Road Allowance The subject property has frontage along Regional Road 81 (York Road). The applicant is to be aware of the following Regional property requirements:</p> <ul style="list-style-type: none"> • A road widening of approximately 3.04 m on the west side of York Road and 2.28 m on the east side of York Road (to be confirmed by field survey) is required to achieve the designated road allowance of 13.1 metres (measured from the legal centreline). • A daylighting triangle of 6 metres by 6 metres is required at the corner of York Road and Tanbank Road to maintain sightlines. <p>Property conveyances will be requested as a condition of approval at the time of future Draft Plan of Subdivision. The required conveyances are to be shown on all future site/engineering plans prepared for this development</p>	Indicated in draft subdivision plan prepared by OLS.
<p>Road Use Permits</p> <p>The Conceptual Site Servicing Plan, prepared by Quartek (dated March 3, 2026) is showing the closing of the existing driveway and a new driveway, new sanitary sewer lateral and water service to Unit 6 (single-detached dwelling fronting onto York Road). Engineering staff has reviewed the plans and provide the following comments:</p> <ul style="list-style-type: none"> • A portion of York Road that is impacted by this property is currently a “No Dig” area until a Stage 3 Archaeological Assessment (at minimum) has been completed and receives Ministry of 	Noted.



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<p>Citizenship and Multiculturalism review and acknowledgement.</p> <ul style="list-style-type: none">Regional staff require the storm lateral to connect straight out from the property and, if necessary, continue along the boulevard to the existing catch basin, provided the work occurs before the planned Regional road reconstruction in 2029–2030. Please note that this timeline may change based on budget constraints, road priorities, and completion of the archaeological work. If the storm lateral installation can be coordinated with the Regional road reconstruction instead, Town staff should contact the Region’s project manager to arrange for its inclusion in the project. For more details on the project, please see webpage: https://www.niagararegion.ca/projects/regional-road-81-and-100-reconstruction/default.aspxNo storm sewer connections on York Road can be constructed until a Stage 3 Archaeological Assessment (at minimum) has been completed and receives Ministry of Citizenship and Multiculturalism review and acknowledgement. PLOPA202501648, PLZBA202501818 April 1, 2026Restorations in the Regional right-of-way need to include a note to be in accordance with the Regional standards: https://www.niagararegion.ca/living/roads/permits/construction-encroachmentspecifications.aspx <p>These updates can be made at the time of future Draft Plan of Subdivision application.</p>	
<p>The applicant is responsible for obtaining any applicable Regional road use permits:</p> <ul style="list-style-type: none">Construction encroachment permit is required for any construction work to be completed on or below the Regional road allowance.Entrance permit is required for any private road entranceway, driveway, gate or facility constructed as a means of access to a Regional road.	Noted.



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<ul style="list-style-type: none">• Sign permit is required for placing any sign, notice or advertisement within 20 metres of the centreline of a Regional road.• Road occupancy permit is required for any item that will be installed and remain on a Regional road allowance for a period of time. <p>Permit applications can be made through the following link: https://www.niagararegion.ca/living/roads/permits</p>	
<p>Protection of Survey Evidence</p> <p>Survey evidence adjacent to Regional road allowances is not to be damaged or removed during the development of the property.</p> <p>As a condition of Draft Plan of Subdivision approval, a clause is to be included in the draft plan agreement requiring the applicant to obtain a certificate from an Ontario Land Surveyor stating that all existing and new evidence is in place at the completion of said development.</p>	Noted. At the time of draft plan of subdivision.
<p>Regional Cycling Network</p> <p>The subject property has frontage on a roadway identified as part of the Regional Cycling Network. If the cycling route is currently not established and identified with signage, it is the intent of the Region to make provisions for doing so when an appropriate opportunity arises.</p> <p>Please be aware that the addition or upgrade of cycling facilities may require other changes to the road cross-section.</p>	Noted.
<p>Regional Infrastructure</p> <p>There is a 400 mm diameter Regional Watermain on York Road at the subject property. Regional infrastructure is not to be damaged or disturbed by any future construction works for the proposed development.</p> <p>Please be aware that the Regional watermain is</p>	



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<p>currently being reconstructed.</p> <p>Additional information is available on the project webpage: https://www.niagararegion.ca/projects/york-road-watermain-replacement/default.aspx</p>	
<p>Connections to the Regional main are not permitted given local servicing is available. It is understood that servicing laterals for the proposed single detached dwelling fronting onto York Road will need to cross the Regional watermain to connect to the municipal watermain and sanitary sewer.</p> <p>A detail was included on the Conceptual Site Servicing Plan, prepared by Quartek (dated March 3, 2026). The contractor is to provide cross section for these services confirming vertical separation between proposed sanitary and water services to the trunk watermain.</p> <p>The contractor is to submit crossing methodology including confirmation of support system detail for Regional review a minimum of 2 weeks prior to undertaking the work.</p> <p>The following note must be added to the engineering drawing: The Contractor will be required to contact the Niagara Region Operations and Maintenance Managers for Area 3 at (905) - 295-4831 (Niagara Falls Water Treatment) a minimum of three business days prior to construction.</p> <p>As part of the future Draft Plan of Subdivision application, staff will require an updated Servicing Plan to address the comments above.</p>	Noted.
<p>Waste Collection Niagara Region provides curbside waste collection services for developments that satisfy its Procedure for Requirements for Waste Collection. The proposed development may be eligible to receive regional collection provided that the owners/tenants bring the waste to the curbside on</p>	Noted.



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<p>their designated pick-up day, and that the following limits are not exceeded: Low Density Residential</p> <ul style="list-style-type: none"> • Green – no limit (collected weekly) • Waste – 2 bags/cans per unit (collected bi-weekly) <p>Circular Materials Ontario is responsible for the delivery of residential blue and grey box recycling collection services, and related information can be found at the following link: https://www.circularmaterials.ca/resident-communities/niagara-region/</p>	
<p>Conclusion</p> <p>From a Provincial and Regional policy standpoint, it is the responsibility of Town staff to evaluate whether the proposed OPA and ZBA is consistent with the Provincial Planning Statement and conforms to the Niagara Official Plan. Staff note these applications do not impact any matters governed under the PSA between the Region and Town.</p>	Noted.
<p>As part of a future Draft Plan of Subdivision application, as detailed above, Regional staff will review and comment on the required road widening allowance and daylight triangle, engineering plans in relation to servicing works and restoration on York Road, a detailed servicing plan, and waste collection.</p> <p>Should you have any questions regarding the above comments, please contact the undersigned at Katie.Young@niagararegion.ca.</p> <p>Please send notice of Council’s decision on the applications when available.</p>	Noted. Included in draft subdivision plan.
<p>12. Niagara Peninsula Conservation Authority (NPCA)</p>	
<p>a) There are no NPCA-regulated features located on, or nearby by to this address at this time. As such, the NPCA offers No Objections to proposed development.</p>	Noted.



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13. Bell Canada	
a) No comments at this time.	Noted.
14. Mississaugas of the Credit First Nation (MCFN)	
a) Refer to comments dated March 27, 2026	Noted.
<p>This letter is to confirm receipt of the project-related correspondence sent by the Town of Niagara-on-the-Lake, on March 27, 2026, regarding 1317 York Road, Niagara-on-the-Lake.</p> <p>The Mississaugas of the Credit First Nation (MCFN) are the Treaty Holders of the land on which the project will take place – specifically, the Mississaugas Treaty at Niagara of 1781. The MCFN holds Indigenous and Treaty Rights specific to the project location and its environs, which may be adversely impacted by it. The Department of Consultation and Accommodation (DOCA) is designated by the MCFN to handle consultation matters on its behalf.</p> <p>The DOCA consultation team has reviewed the project-related correspondence identified above, in addition to any associated documentation. The following DOCA Units have completed a review and their questions and comments have been included below.</p> <p>Archaeology Unit Primary Reviewer: Adam LaForme, MCFN DOCA- Manager of Archaeology</p> <p>Questions and Comments: It is MCFN-DOCA's expectation to be fully engaged during archaeological assessments. However, we were not invited to participate in the archaeological assessments for this project. Therefore, MCFN-DOCA cannot confirm the results and recommendations. DOCA expects to be notified of any and all future project updates and/or changes. If you have any questions for the DOCA consultation team, please feel free to contact us.</p>	
15. Enbridge Gas	



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<p>Thank you for your circulation. Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development. Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.</p>	<p>Noted.</p>
<p>16. Public Works and Infrastructure Services.</p>	
<p><u>SITE SERVICING</u></p> <p>Staff have reviewed the updated Functional Servicing Report (revised March 2026) by Quartek Group Inc. and offer the following comments with respect to the proposed site servicing strategy.</p> <p>Please note that Town staff were made aware by Niagara Region staff that there is currently a no-dig restriction imposed on this section of York Road which resulted from an on-going Archeological Assessment that the Region is having completed as part of background study requirements in support of the future York Road reconstruction project.</p> <p>This means that the site would not be permitted to complete the proposed storm sewer connection or site servicing installations required along the York Road frontage until such time as the no-dig restriction is lifted.</p>	<p>Noted.</p>
<p><u>WATER</u></p> <p>The Functional Servicing Report has indicated that the proposed townhouse units along Tanbark Road are to be serviced via the existing 250 mm diameter Town watermain on Tanbark Road.</p> <p>The single detached dwelling proposed along York Road is to be serviced from the existing 200 mm diameter Town watermain on York Road. Each of the five (5) townhouse units along Tanbark Road and the one (1) single-detached dwelling along York Road are to have a new 25 mm diameter</p>	<p>Noted.</p> <p>Hydrant flow test results added to FSR.</p>



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<p>water service connection installed connecting to the respective watermains.</p> <p>All existing water services not being utilized for the site are to be decommissioned and capped at the main. All details for existing and proposed site services, including all associated road and boulevard restoration requirements, are to be identified on the future Site Servicing Plan. Construction and restoration requirements along York Road are subject to Niagara Region's approval as this road is owned and maintained by the Region and not the Town. Hydrant flow tests are to be conducted for the hydrants in proximity to the site to confirm the existing watermain flows, with the hydrant flow test results and analysis to be included in the future updated Functional Servicing Report.</p>	
<p><u>SANITARY</u></p> <p>The Functional Servicing Report has indicated that new individual sanitary laterals will be installed for the five (5) townhouse units connected to the existing 200 mm diameter sanitary sewer on Tanbark Road, with the one (1) single detached dwelling on York Road receiving a new sanitary lateral connected to the 250 mm diameter sanitary sewer on York Road. The Functional Servicing Report concludes that based on the estimated sanitary demands for the proposed townhouse units and single detached dwelling, the existing sanitary sewer infrastructure has adequate capacity to service the proposed development with no capacity constraints.</p> <p>All existing sanitary service laterals not being utilized for the site are to be decommissioned and capped at the main. All details for existing and proposed site services, including all associated road and boulevard restoration requirements, are to be identified on the future Site Servicing Plan. Construction and restoration requirements along York Road are subject to Niagara Region's approval as this road is owned and maintained by the Region and not the Town.</p>	Noted.



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<p><u>LOT GRADING & STORMWATER MANAGEMENT</u></p> <p>The Stormwater Management Report (dated March 2026) by Quartek Group Inc. has outlined an updated stormwater management strategy for the site which proposes to direct stormwater runoff to an underground detention system which is designed to provide temporary on-site detention prior to discharging to the Region’s storm sewer located along York Road. Stormwater runoff from the site will be controlled utilizing an inlet control device at the on-site CBMH structure, which will then outlet to the existing catchbasin along York Road via a new 200 mm diameter storm sewer connection.</p> <p>Staff acknowledge that during review and consideration of an alternative site servicing concept, there was consideration for extension of the existing Regional storm sewer along York Road, with discussion about the extended portion of sewer being assumed by the Town. However, the revised site servicing strategy is proposing a new storm sewer connection to the existing catchbasin along York Road, rather than having the existing storm sewer extended along York Road. The Town considers the proposed 200 mm diameter storm sewer as a storm service lead for the proposed development and will not be assuming responsibility or maintenance of this sewer.</p> <p>Furthermore, it is understood that the proposed 200 mm diameter storm sewer connection is to be an interim servicing solution for the site, until such time as the Region completes the future reconstruction of this section of York Road, at which time a final connection from the proposed outlet structure to the new Regional storm sewer would be completed. As the on-site stormwater detention infrastructure is meant to mitigate and</p>	<p>Please note the storm sewer design has changed. The existing storm sewer on York Road is now proposed to be extended west, and the proposed storm lateral from the development will no longer connect directly into the existing catchbasin. The extended portion of the storm sewer is to be assumed by the Town.</p>



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<p>control stormwater runoff to the Region’s storm sewer, the Town does not require the conveyance of an easement over this infrastructure as the Town will not be responsible for its future maintenance.</p> <p>Please note that the individual water and sanitary service for the single detached dwelling proposed along York Road are required to cross the proposed storm sewer connection for the site. The future Site Servicing Plans submitted for the development will need to include cross sections confirming that there are no conflicts with the proposed service connection crossings.</p>	
<p><u>MUNICIPAL RIGHT-OF-WAY</u></p> <p><u>Road Widening and Daylighting Triangle</u></p> <p>It is understood that the Niagara Region has required as part of this development proposal a road widening and daylighting triangle which are to be conveyed across the York Road frontage of the subject property. The dimensions and details of the requested road widening and daylighting triangle are subject to the approval and acceptance of the Niagara Region. Staff acknowledge that the Site Plan drawing has been updated to reflect that the driveway proposed for Townhouse Unit A is now located fully outside of the limits of the required daylighting area.</p>	
<p><u>Entrances</u></p> <p>Town Policy requires that all driveway accesses maintain a minimum setback of 8 metres from a corner property line which is measured from the exterior lot line to the closest point of the entranceway or curb cut. The individual driveway accesses are also required to maintain a minimum 1 metre setback from adjacent property lines.</p> <p>Staff acknowledge that the 8-metre setback required from the corner property line is shown as being maintained when measured from the closest edge of driveway for Townhouse Unit A (Unit 1). However, the current Site Plan drawing indicates</p>	<p>Noted.</p>





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<p>that the driveway aprons are proposed to flare out at the road a significant width beyond the actual driveway widths. This results in the necessary setback not being maintained from the corner property line when measured from the curb cut at the road. The Site Plan drawing will need to be updated to address the proposed driveway aprons and ensure that the driveway for Townhouse A (Unit 1) is not shown as encroaching within the necessary setback.</p> <p>The current Site Servicing Plan also indicates that the existing curb along the entire Tanbark Road property frontage is to be replaced with a depressed curb. The future Site Plan and Engineering plans will need to be revised to indicate that the driveway aprons are maintained within the respective property frontages, and that barrier curb is to be installed between the separate driveway accesses.</p>	
<p><u>Utilities</u></p> <p>In addition to the Town's property line setback requirements, individual driveway accesses are also required to maintain a minimum 1 metre setback from all above-ground utilities. Staff note that the updated Site Plan drawing is indicating that the existing bell utility fronting Townhouse E (Unit 5) is shown to be directly adjacent the proposed driveway access, with what appears to be no maintained setback. There is no indication that the existing infrastructure is to be relocated.</p> <p>The applicant should confirm whether the existing utility is intended to be maintained in its current location or whether it is to be relocated. The utility associated with the existing infrastructure will need to confirm their requirements for the existing infrastructure.</p>	Noted.
<p><u>Sidewalks</u></p> <p>Town staff acknowledge that the existing sidewalk along the Tanbark Road property frontage will be replaced with a 1.8 metre curb faced sidewalk, in accordance with OPSD standards.</p>	Noted.



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<p><u>CONCLUSION</u></p> <p>Public Works & Infrastructure Services staff have reviewed the updated materials submitted in support of the Official Plan and Zoning By-law Amendment application for lands municipally known as 1317 York Road and offer no objection to the current applications, subject to the following items being addressed:</p> <ul style="list-style-type: none"> • Confirmation of whether the existing bell utility fronting proposed Townhouse E (Unit 5) is to be maintained or relocated, with the associated plans updated accordingly. • Updated Site Plan and Site Servicing Plan showing that the proposed driveway aprons at the street are not to encroach within the frontage of neighboring properties, that barrier curb is to be installed and minimum separation maintained between the separate driveway accesses, and that the minimum 8 metre setback from the corner property line to the proposed driveway for Townhouse A (Unit 1) is being maintained. <p>It is understood that site servicing installations required along York Road are not permitted to take place until the no-dig restriction currently imposed on this section of York Road is lifted. Information and details regarding the on-going Archaeological Assessment and lifting of the no-dig restriction will need to be determined through the Niagara Region.</p>	<p>The existing Bell utility fronting Unit 5 will not be relocated. The driveway has been adjusted to provide the required clearance.</p>
Urban Design Review	
<p>These outstanding elements can be addressed at subsequent planning approval stages and do not affect the principle of use question relevant to the OPA and ZBA stage.</p> <ol style="list-style-type: none"> 1. To implement section 7.2.2 General Architectural Guidelines ensure <ul style="list-style-type: none"> • That utility meters are screened from view. If these are individualized for 	<p>Noted.</p>



Comment	Response / Action Drawing Reference
<p>each townhouse unit, these can be tucked set within the side walls of the portico steps and screened with landscaping. If these are banked along the end wall of the townhouse block then these can be set within an architectural screen.</p>  <p>Example of a gas meter screened from view within a recess.</p>	
<ul style="list-style-type: none"> The design of the exterior fencing that is seen from the street is an opportunity to express craftsmanship like in this example from Niagara-on-the-Lake 	<p>Noted.</p>



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1. Landscape Design to emphasize and complement the Gateway at Tanbark and York Road. The landscape design for the development could respond and complement the gateway through additional landscaping elements at the corner and outside of any daylight triangles. This can be a simple clustering of shrubs, small ornamental trees, a stone element etc.	Noted.

If you have any questions or comments, please contact me directly.

Thank you,

Zamima Khan
Intern Urban Planner

cc. Matthew Trendota – Architect – Quartek Group