



Office of the Lord Mayor
Town of Niagara-on-the-Lake
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Statement from Lord Mayor Gary Zalepa - Strong Mayor Direction Regarding Zoning By-law ZBA-18-2024 (263 Concession 6 Road)

For Immediate Release

May 25, 2026

As Lord Mayor, I take the responsibility of using Strong Mayor Powers very seriously. These powers are not intended to replace Council debate or diminish the important role of public input, but rather to ensure that decisions can be made efficiently and responsibly, and in alignment with provincial priorities and municipal interests, when circumstances warrant it. These powers permit the Lord Mayor to bring certain by-laws forward that advance provincial priorities, and these by-laws pass with the support of only one-third of the Council.

In this instance, as discussed in Recommendation Report PBDS-26-003, additional information was received from the applicant, including revised site-specific zoning provisions intended to ensure that the proposed agricultural-related use remains directly supportive of local farm operations and does not expand to serve a broader non-agricultural customer base. Further input was also received from the Ministry of Agriculture, Food, and Agribusiness (OMAFRA) regarding the applicable provincial policy framework and agricultural-related use criteria.

I directed Staff to bring forward draft Zoning By-law ZBA-18-2024 for lands municipally known as 263 Concession 6 Road to the May 26, 2026, Council Meeting for approval consideration. The application relates to agricultural-related uses and was supported by professional planning reports and analysis. The proposal was consistent with the Provincial Planning Statement and conformed with Provincial, Regional, and Town planning policies.

The proposal aligns with the Provincial Planning Statement policies for agricultural-related uses within prime agricultural areas because the proposed produce storage, agricultural equipment storage, and agricultural market uses are intended to directly support surrounding farm operations and locally produced agricultural goods. The application was also found to conform with the Greenbelt Plan, Niagara Official Plan, and Town Official Plan, as it would not remove active agricultural land from production, would not create land use conflicts with surrounding agricultural operations, and would maintain the primary agricultural function of the area.

Although some concerns were raised by public comments related to the appearance and character of the development, the proposal complies with the Town's zoning standards for height, setbacks, scale, and lot coverage, with additional design considerations such as landscaping, screening, and visual compatibility to be addressed through the Site Plan process.



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An important factor in my direction under these powers was that the matter had already been appealed to the Ontario Land Tribunal (OLT). Staff advised that the estimated cost of defending this matter through a one- to two-day OLT hearing would be approximately \$50,000, including legal counsel, planning consultants, preparation, and hearing costs.

Council and community members may hold differing views on the application itself, and I respect those perspectives. However, after reviewing the professional planning advice, the applicable policy framework, and the significant financial implications of a prolonged legal battle with an uncertain likelihood of success, I believe it would not be responsible to commit additional taxpayer dollars to litigation that is unlikely to change the outcome.

This direction, issued on May 15, 2026, was made with consideration for sound planning principles, fiscal responsibility, and the long-term interests of the Town and its residents.

[Read the direction on the Town's website.](#)

Sincerely,

Lord Mayor
Gary Zalepa