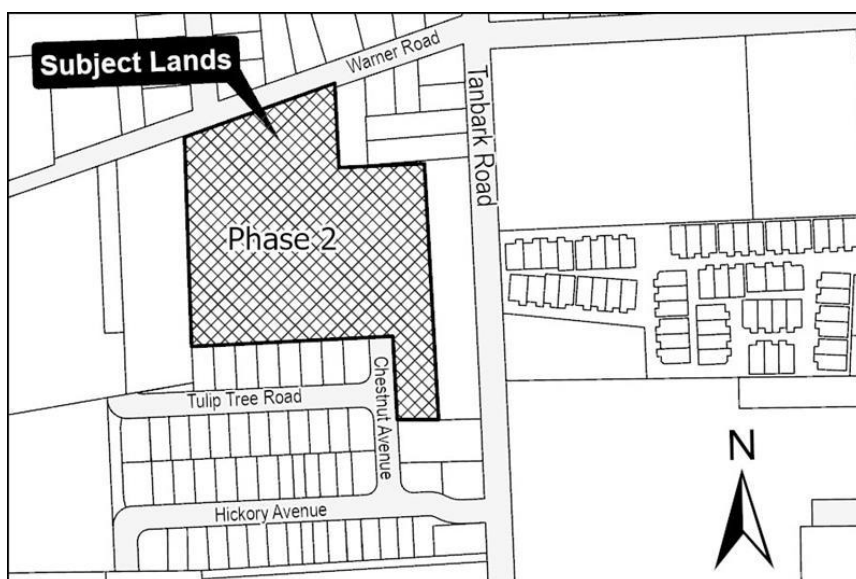


	What:	Notice of Decision for a Zoning By-law Amendment and Draft Plan of Subdivision (under Sections 34 and 51 of the <i>Planning Act</i> , R.S.O. 1990, c. P.13, as amended).
	When:	Approved at the June 23, 2026 , Council Meeting & June 26, 2026 , Special Council Meeting
	Regarding:	Zoning By-law Amendment – By-law 4316FD(2)-26 (File ZBA-19-2025) Draft Plan of Subdivision – File 26T-18-25-01 Tawny Ridge Estates Phase 3 (Block 27 within Phase 2) Southside of Warner Road, Niagara-on-the-Lake

What is this?



Town Council for Niagara-on-the-Lake has considered written and oral submissions and approved a Zoning By-law Amendment and Draft Plan of Subdivision on the subject lands identified as Block 27 of the Council-approved Tawny Ridge Phase 2 Draft Plan of Subdivision (File 26T-18-22-03, approved January 30, 2024 and February 6, 2024) (see the location map).

Zoning By-law 4316FD(2)-26

The By-law provides site-specific zones “Residential Multiple (RM1-40(b-i))” and “Residential Multiple (RM1-40(b-ii))” on Block 27 to facilitate the subdivision development with provisions for lot frontage, lot area, lot coverage, front, side and rear yard setbacks, building height, driveway setbacks, and permitted encroachments.

Tawny Ridge Phase 3 Draft Plan of Subdivision

The Draft Plan of Subdivision proposes five (5) new blocks to accommodate a total of 18 on-street townhouse dwellings, with three (3) blocks containing three (3) townhouse dwelling units each, one (1) block containing four (4) townhouse dwelling units, and one (1) block containing five (5) townhouse dwelling units. The Draft Plan of Subdivision only applies to Block 27 of the Council-approved Tawny Ridge Phase 2 Draft Plan of Subdivision. The Draft Plan and Conditions of Approval are attached to this Notice.

The last date for filing a notice of appeal is July 19, 2026.

A notice of appeal:

- i. must be filed with the Town Clerk;
- ii. must set out the reasons for the appeal; and
- iii. must be accompanied by the fee required by the Ontario Land Tribunal.

An appeal to the Ontario Land Tribunal (OLT) in respect to all or part of this amendment may be made by filing a notice of appeal with the Town Clerk by one (1) of the following means:

- Through the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting the Town of Niagara-on-the-Lake as the Approval Authority; or,
- Through providing physical copies of the appeal materials to Town Hall at the address below; or,
- Through providing electronic copies of the appeal materials to the Town Clerk at clerks@notl.com.

The appeal fee can be paid online through e-file or by certified cheque/money order and submitted to the Town (certified cheque/money order to be addressed to the Minister of Finance, Province of Ontario). Further information and the required forms are available on the OLT website at www.olt.gov.on.ca.

Further notice and appeal eligibility:

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed Draft Plan of Subdivision and Zoning By-law Amendment to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Any of the Conditions of Approval may be appealed at any time before final approval of the plan of subdivision by the applicant, public body, a specified person, the Minister and the Town by filing a notice of appeal with the Town Clerk. You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of subdivision if you have made a written request to be notified of changes.

No person or public body shall be added as a party to the hearing of the appeal of the decision of Town Council, unless the person or public body, before Town Council made its decision, made oral submissions at a public meeting or written submissions to Town Council, or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

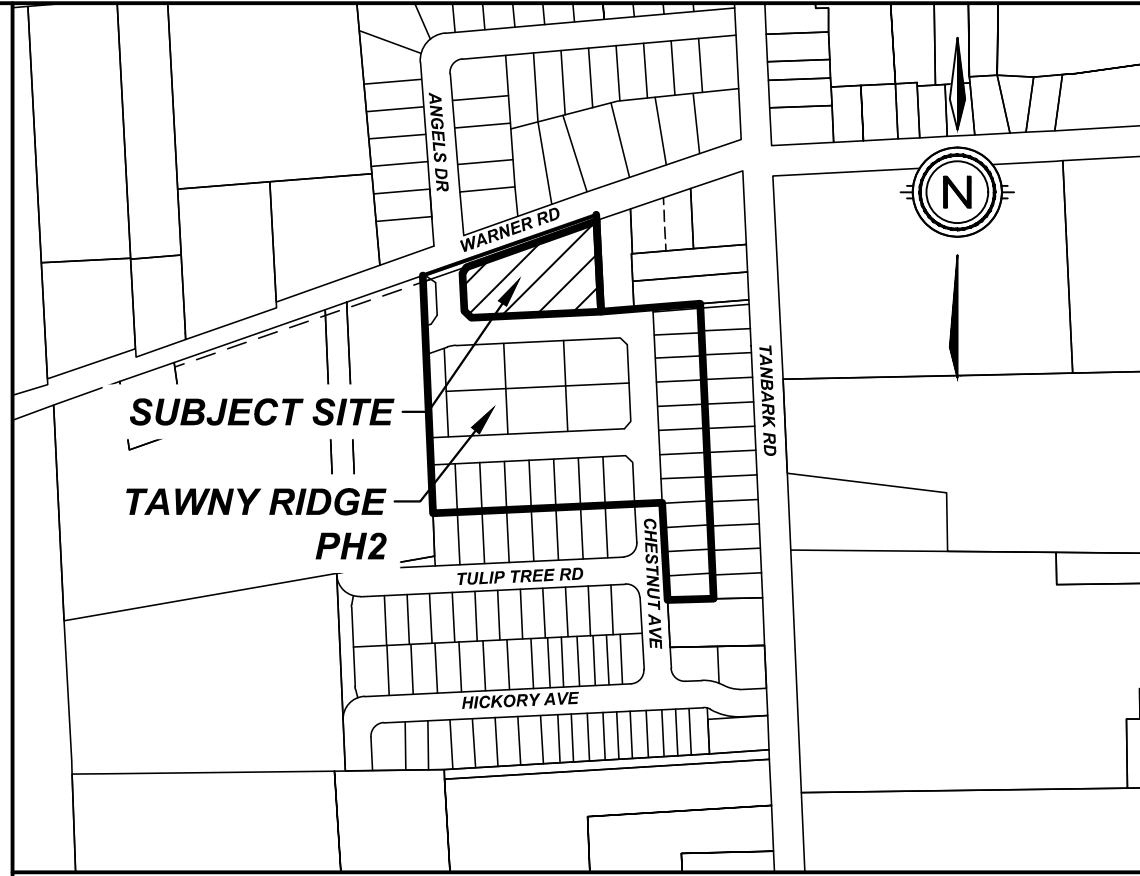
Third party appeals are restricted for these applications as per Bill 185, *Cutting Red Tape to Build More Homes Act, 2024. Planning Act* appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by the *Planning Act 1(1)*), and any “public body” (as defined by the *Planning Act 1(1)*).

Dated at the Town of Niagara-on-the-Lake, **June 29, 2026**

Grant Bivol, Town Clerk (clerks@notl.com or 905-468-3266)

Town Hall, 1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON L0S 1T0





N.T.S.

**BLOCK 27; PLAN 30M-###
PART OF LOT 95
GEOGRAPHIC TOWNSHIP OF NIAGARA
IN THE TOWN OF NIAGARA-ON-THE-LAKE
REGIONAL MUNICIPALITY OF NIAGARA**

BEING THE REGISTERED OWNER, I HEREBY AUTHORIZE UPPER CANADA CONSULTANTS TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF NIAGARA-ON-THE-LAKE FOR APPROVAL.

VAUGHN GIBBONS (ST. DAVIDS RIVERVIEW ESTATES INC.) DATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE
LANDS TO BE SUBDIVIDED ARE CORRECTLY SHOWN.

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE
LANDS TO BE SUBDIVIDED ARE CORRECTLY SHOWN.

August 8, 2025

DASHA PAGE, HON. B.Sc., O.L.S. DATE
J.D.BARNES LTD.

a) SEE PLAN e) SEE PLAN i) SILTY SAND
b) SEE PLAN f) SEE PLAN j) SEE PLAN
c) SEE PLAN g) SEE PLAN k) FULL SERVICE
d) SEE PLAN h) MUNICIPAL WATER l) SEE PLAN

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
STREET TOWN RESIDENTIAL	BLOCK 1-5	18	0.417	100.00
TOTAL		18	0.417	100.00

NET DEVELOPABLE AREA = 0.417 ha
NET DEVELOPABLE DENSITY = 43.17 units/ha

1	2	3	4
0	ISSUED FOR APPROVAL	2025-08-08	M.K
#	REVISION	DATE	INIT



DRAWING TITLE

DRAFTING MK

DATE APRIL 30, 2025

PRINTED FEBRUARY 12, 2026

SCALE 1:200

DWG No.	REV
21178-PH3-DP	0

File: 26T-18-25-01
Draft Approval Date: _____
Lapse Date: _____

Town of Niagara-on-the-Lake
Conditions of Draft Plan of Subdivision Approval

The conditions of draft plan approval and registration of “Tawny Ridge Estates Phase 3” Subdivision for unaddressed lands located south of Warner Road and west of Tanbark Road in St. Davids, File 26T-18-25-01 are as follows:

1. That approval applies to the “Tawny Ridge Estates Phase 3” Draft Plan of Subdivision, being part of Lot 6 on Plan 326 and Part of Township Lots 94 and 95 Niagara Part 1 on 30R16051, Niagara-on-the-Lake, Regional Municipality of Niagara, prepared by Upper Canada Consultants Engineers, Drawing Number 21178-PH3-DP and dated February 12, 2026, showing 5 Blocks for 18 on-street townhouse units. For greater clarity, this approval applies only to Block 27 of Draft Plan of Subdivision File 26T-18-22-03 (“Tawny Ridge Estates Phase 2”).
2. That the owner enters into one or more agreements with the Town of Niagara-on-the-Lake (the “Town”) agreeing to satisfy all requirements, financial and otherwise, of the Town including the provision of services, roads, signage, grading, drainage, trees, sediment and erosion control, streetlighting, and sidewalks. The agreement shall also specifically prohibit development on the lands, save and except for a model home (as permitted by Town policy and subject to any necessary agreements), until such time as grading and services are adequately provided, to the satisfaction of the Town.
3. That if final approval is not given to this plan within three (3) years of the draft approval date and an extension has not been granted, draft approval shall lapse. If the owner wishes to extend the draft approval, a complete application form and written explanation of the request must be received by the Town prior to the lapsing date.
4. That the subdivision agreement between the owner and the Town with regard to the subject lands be registered by the Town against the lands to which it applies, pursuant to the provisions of the *Planning Act*.
5. That the owner provides an undertaking to the Town agreeing that a properly executed copy of the transfer of the lands to the municipality will be deposited to the Clerk concurrently with the registration of the final plan of subdivision.
6. That the owner agrees in the subdivision agreement that any outstanding taxes will be paid prior to the registration of the final plan of subdivision.
7. That the owner receives final approval to a Zoning By-law Amendment to provide land use regulations for the development of the land in accordance with the Draft Plan of Subdivision.

8. That the owner agrees in the subdivision agreement that, prior to the issuance of a building permit, each dwelling within the subdivision will be subject to review by the Town's Urban Design Review Panel respecting urban design considerations in accordance with the St. Davids Urban Design Guidelines, to the satisfaction of the Director of Planning, Building and Development Services.
9. That the owner provides a preliminary 30M plan and a letter to the Director of Planning, Building & Development Services stating how all conditions of draft plan approval have been satisfied at the time of request for condition clearance.
10. That the owner agrees to include the following warning clause in all Agreements of Purchase and Sale or Lease or Occupancy, and that it also be included in the subdivision agreement:

"These lands are in proximity to lands designated for agricultural uses. The lands may be subject to noise, odour, and/or dust from nearby agricultural operations, which may interfere with some activities of the dwelling occupants."

11. That the owner provides a written acknowledgement to Niagara Region stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region, as servicing allocation will not be assigned until the plan is registered, and that any pre-servicing will be at the sole risk and responsibility of the owner.
12. That the owner provide a written undertaking to Niagara Region stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision, shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and that a similar clause be inserted in the subdivision agreement between the owner and the Town of Niagara-on-the-Lake.
13. That the Developer/Owner shall ensure all streets and development blocks can permit access to and egress from collection locations throughout all phases of development, in accordance with Niagara Region's Procedure for Requirements for Waste Collection. On any streets where through passage is not provided/maintained, the Developer/Owner shall provide a temporary cul-de-sac / turnaround area designed according to the required minimum dimensions.
14. That the access reserves shown as Block 32 (Warner Road) and Block 33 (Chestnut Avenue) as shown on the 30M Plan associated with the subdivision agreement by-law 2023-013 (Town File 26T-18-24-07) be lifted by the Town upon the completion and issuance of a Preliminary Certificate of Primary Services.
15. That the Owner requests to lift the reserves, in accordance with Condition 14, through the Town Clerk once a Preliminary Certificate of Primary Services has been issued.

16. That the detailed design drawings with calculations for the watermain system, the sanitary sewer system and the stormwater drainage system required to service this proposal be submitted to the Town's Public Works Department for review and approval.
17. That the owner provides the cost of all on-site and off-site works as well as the number of working days required to complete the proposed works to establish the appropriate security deposits and securities to be identified in the subdivision agreement.
18. That the owner agrees in the subdivision agreement to grant to the Town any required easements for services or utilities.
19. That the owner dedicates daylighting triangles on all lots or blocks abutting proposed intersections in accordance with Town standards and to be included in the roadway dedications of public streets to the Town.
20. That detailed servicing and overall lot grading plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site, be submitted to the Town's Public Works Department for review and approval.
21. That the proposed storm service lateral connections benefitting the two center units within Block 1 not include direct connections to the RYCB lead, and that the submitted servicing plans be provided to the Town's Public Works Department for review and approval.
22. That the owner agrees in the subdivision agreement that during the construction the site will be kept in a reasonably tidy condition so that the raising of dirt and dust is kept to a minimum and further that all roads adjacent to and in the vicinity of the development are kept clean of mud and debris as per Town's Street Cleaning Policy for new developments (Policy CDS-PLG-005).
23. That the owner agrees to the following requirements in the subdivision agreement:
 - a. That all infrastructure works will be constructed to current Town specifications.
 - b. That all proposed infrastructure will be subject to the Town's inspection at the owner's expense including qualitative and quantitative testing of any materials used in the construction of any works.
 - c. That all construction plans and supporting reports shall be subject to a peer review at the owner's cost.
 - d. That the owner be required to provide the appropriate securities and cash deposits prior to commencing the installation of infrastructure.

- e. That a sediment control plan be submitted to the Town's Public Works Department for review and approval.
- f. That a comprehensive stormwater management plan be submitted to the Town's Public Works Department for review and approval.
- g. That detailed calculations for this development (and any future phases of this development), confirming available sanitary sewer capacity in the existing downstream system, be submitted to the satisfaction of the Town's Public Works Department. Such calculations shall confirm that available capacity is not being taken from other undeveloped lands. The owner shall reference the allocated flows and drainage areas shown within "The Communal Sanitary Sewage Collection System for the Village of St. Davids" drainage area plan (Sheet No.41, Rev.6), completed by Dillon Consulting, dated May 28, 2004.
- h. That detailed servicing plans, including plan and profile views, and sanitary and storm drainage area plans, be submitted for review and approval by the Town's Public Works Department.
- i. That an overall lot grading plan be submitted for review and approval by the Town's Public Works Department noting both existing and proposed grades including driveway apron and top of foundation elevations and the means whereby overland flows will be accommodated across the site.
- j. That a streetscape plan illustrating the location of on-street parking, boulevard trees, utility pedestals, hydro transformers, pavement markings, community mailbox(s) locations, hydrants, regulatory and no-parking signs and street lighting be submitted to the Town's Public Works Department for review and approval.
- k. That all signage within the subject property (including all regulatory and no-parking signage) be installed at the owner's cost.
- l. That a street lighting and photometrics plan be submitted to the Town's Public Works Department for review and approval.
- m. That the owner provides boulevard trees in the subdivision in accordance with Town policy respecting the number, location, species, and size of trees.
- n. That access to the site for construction and servicing shall be from Warner Road, accessed via York Road or Four Mile Creek Road, and that any use of Concession 5 Road and Hickory Avenue is strictly prohibited.
- o. That the developer of the subject lands be responsible for any necessary repair, re-paving, or other such restoration to any road surface, infrastructure,

sidewalk, boulevard, and any other features within the Warner Road and the (future extension of) Chestnut Road road allowances as a result of any necessary modifications or revisions to the design of the Phase 3 lands.

- p. That all offers, and agreements of purchase and sale shall contain a clause that the purchaser will be responsible to maintain the grassed boulevard and landscape roadway islands directly in front of and adjacent to their lot where they exist.
24. That the owner/applicant verify that the cash payment contribution to the Town for oversized stormwater management infrastructure previously installed as part of the Vineyard Creek Estates development has been accounted for as part of the previous Tawny Ridge Phase 2 approvals. The cost sharing contribution value for these works are based on an area runoff (AR) calculation(s) as outlined in By-law 3979-05, and actual cost of the works and land values.
25. That the owner/applicant decommission all existing services, laterals, and any other existing components connected to Town infrastructure servicing the subject lands, and that all connections be capped at the respective main/sewer.
26. The owner shall complete to the satisfaction of the Director of Public Works & Infrastructure of the Town of Niagara-on-the-Lake and Canada Post:
- a. Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i. that the home/business mail delivery will be from a designated Centralized Mail Box; and,
 - ii. that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
 - b. The owner further agrees to:
 - i. work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision;
 - ii. install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes;
 - iii. identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision; and,

- iv. determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c. Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

27. That the subdivision agreement between the owner and the Town include the following clauses:

- a. *The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.*
- b. *The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.*
- c. *Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Multiculturalism and Citizenship (MCM) (416-212-8886) and contact a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.*

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MCM should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.

- d. *The Owner agrees to provide Enbridge Gas Inc. (Enbridge Gas) the necessary easements at no cost and/or agreements required by Enbridge Gas for the provision of local gas services for this project, in a form satisfactory to Enbridge Gas.*

Clearance of Conditions

Prior to granting final approval for the subdivision plan, the Town of Niagara-on-the-Lake Planning, Building & Development Services Department requires **written notification** from the following departments and agencies that their respective conditions have been met satisfactorily.

Department or Agency	Conditions
Town Planning, Building & Development Services	1, 2, 3, 4, 7, 8, 9, 10, 27(c)
Town Corporate Services	5, 6, 15
Town Public Works & Infrastructure Services	14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26
Niagara Region	11, 12, 13
Canada Post	26
Bell Canada	27(a, b)
Enbridge Gas	27(d)

Clearance of the conditions of final approval should be coordinated with the following contacts:

Department or Agency	Contact Name	Address	Phone	Email
Town Planning, Building and Development Services	Aimee Alderman, Director of Planning, Building and Development Services	1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON, L0S 1T0	(905) 468-3266	Aimee.alderman@notl.com
Town Public Works and Infrastructure Services	Jordan Frost, Director of Public Works and Infrastructure Services	1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON, L0S 1T0	(905) 468-3266	Jordan.frost@notl.com
Town Corporate Services Department	Grant Bivol, Town Clerk	1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON, L0S 1T0	(905) 468-3266	clerks@notl.com
Niagara Region	Katie Young, Senior Planner	1815 Sir Isaac Brock Way, P.O.	(905) 980-	Katie.young@niagararegion.ca

		Box 1042, Thorold, ON, L2V 4T7	6000 x37 27	
Canada Post	Andrew Carrigan, Delivery Planning Officer	955 Highbury Ave. N. London, ON N5Y 1A3	(226) 268-5914	andrew.carrigan@ canadapost.ca
Bell Canada				planninganddevelopment@ bell.ca
Enbridge Gas	Willie Cornelio, Sr Analyst, Municipal Planning	500 Consumers Road, North York, ON M2J 1P8	(416) 495-6411	municipalplanning@enbrid ge.com

Review of Conditions

Should any of the conditions appear unjustified or their resolution appear onerous, requests to revise or remove conditions may be presented by the owner to the Committee of the Whole. The Committee will consider requests to revise or delete conditions, subject to ratification by Town Council.