



May 04, 2023

Rick Wilson
Manager of Planning
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
Virgil, ON
L0S 1T0

Application for Removal of Holding Provision
911 Lakeshore Road
Palatine Hills Estate Winery, Town of Niagara-on-the-Lake

Dear Mr. Wilson

We are pleased to submit the enclosed Application for Removal of Holding Provision for the property municipally known as 911 Lakeshore Road in the Town of Niagara-on-the-Lake. An Application Form is included with the submission (saved as 1. Application Form - Removal of Holding Provision).

The Subject Lands were rezoned on September 17, 2018 to Rural (A-H) – Site-Specific Holding Zone through By-law 500XH-18 (saved as 2. By-law 500XH-18). The amended zoning permitted an estate winery and secondary uses the estate winery, subject to provisions related to the use.

Approved secondary uses included the retail sale of wine, hospitality room and outdoor hospitality patio where wine and food may be served, with a total floor area for all secondary uses being 210 m².

Subsection 21.A.4 of the amending By-law states the following:

The uses identified in this amending By-law shall not come into effect until the removal of the Holding (H) symbol. The “H” of this By-law shall be removed upon application from the owner, and that the lands are appropriately serviced including confirmation from the Corporation of the Town of Niagara-on-the-Lake that the dry fire hydrant on the subject lands is connected to an adequate water source on the subject lands and confirmation from the Region of Niagara or the Ministry of the

Environment, Conservation and Parks that use the uses identified in this amending By-law are serviced with an adequate septic system.

Dry fire hydrant

The Applicant has indicated that a dry hydrant has been installed on the Subject Lands, and that appropriate inspections have occurred. Through the circulation of the Application for Removal of Holding Provision, Fire and Emergency Services may choose to inspect the Subject Lands to confirm that the dry fire hydrant is adequately connected to a suitable water source.

Septic System

The Region of Niagara was contacted to confirm requirements pertaining to Removal of the Holding Provision as it pertained requirements regarding septic installation.

Amy Shanks from the Region, in an email dated December 1, 2022, provided as follows:

To confirm the sewage flow calculations, we would require details for the development, as outlined in Part 8, Tables 8.2.1.3.A. - 8.2.1.3.B of the Ontario Building Code (OBC) (i.e. number of employees, number of vehicles serviced, number of washrooms, office space, number of restaurant seats and floor plans etc).

We would also need a detailed sewage system design, and plans showing the location of the sewage system to ensure other OBC requirements can be achieved.

Should the sewage flows exceed 10,000 litres per day, review of the sewage flows would be the responsibility of the MECP and not the Region.

The email described above is included with the submission (saved as 3. Email From Niagara Region (Removal of H)). On this basis the following is provided in support of the request to ensure that the Subject Lands are serviced with an adequate septic system:

Landscape Plan and Floor Plan

Landscape Plan and Floor Plan have been prepared (saved as 4. Landscape Plan and Floor Plan). The septic calculations subsequently described are based on the Landscape Plan and Floor Plan. The Landscape Plan and Floor Plan provide the following secondary use areas:

Tasting Room – 50.34 m² GLFA
Retail Store – 18.45 m² GFLA
Outdoor Hospitality Patio – 141.21 m² GFLA

The total GFLA for all secondary uses is 210 m², and in compliance with By-law 500XH-18.

Supporting Information Regarding the Original Design

Supporting information regarding the original septic system design has been included with the submission. This information provides background on the design of the existing septic system. This information includes:

1. Engineering Report for the Pretreatment of Winery Process Wastewater for Discharge to a Class 4 Septic System (saved as 5. Palatine Rivercourt Engineering Report Oct 13 2016);
2. As-Built Drawings for the Existing Septic System (saved as 6. Palatine Wastewater Drawings As-Built); and
3. Engineering letter confirming that the septic system was installed as per the design and is acceptable (saved as 7. Palatine As Built Letter Jan04-17).

Updated Flow Calculations

Updated flow calculations have been provided based on current landscape plan and floor plan which identify secondary uses to the winery (saved as 8. Palatine_Septic ZBA_230502). The updated flow calculations demonstrate that the existing septic system has sufficient capacity to accommodate winery process water and secondary uses for the estate winery.

Fees

Cheques will be dropped off by the applicant as follows:

Niagara Region - Fee for Removal of Holding: \$700

Niagara-on-the-Lake – Fee for Removal of Holding: \$2,170

Should you require anything further or have any questions, please do not hesitate to contact the undersigned.

Yours Truly,



Jesse Auspitz, MCIP RPP
Senior Planner
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