



Planning Justification Report

Consent & Zoning By-law Amendment

**15608 & 15618 Niagara River Parkway,
Niagara-on-the-Lake**

For: Mr. William Meany

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Date: May 6, 2024

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1.0 Introduction

NPG Planning Solutions Inc. (NPG) are planning consultants to Mr. William Meany, “Owner” of approximately 0.61 hectares of land in the Town of Niagara-on-the-Lake, municipally known as 15618 Niagara River Parkway. NPG has been retained to provide professional planning advice on applications related to a boundary adjustment between 15618 Niagara River Parkway and 15608 Niagara River Parkway. To facilitate the Consent to adjust the boundary between these two properties, a Site Plan Amendment and Zoning By-law Amendment are necessary. The Zoning By-law Amendment is required to update the schedule included in the Zoning By-law No.500XC - 18 to include the updated boundary lines. The Reif Estate lands (15608 Niagara River Parkway) has an existing Site Plan agreement (SPA 141-23) which will need to be updated to reflect the new boundary lot lines as well. NPG is acting as Agent for Mr. Meany as well as Mr. Reif, Owner of the Reif Estate Lands.

This Planning Justification Report (“PJR”) provides an analysis of the proposed boundary adjustment and evaluates the appropriateness of applications for Amendments to the Zoning By-Law when assessed against policies in the Provincial Policy Statement (“PPS”), The Greenbelt Plan, the Niagara Official Plan (“Region’s OP”), the Town of Niagara-on-the-Lake Official Plan (“Town’s OP”) and the Town of Niagara-on-the-Lake’s Zoning By-law.

Sections 4.1 to 4.4 of this report provide an analysis of the proposed applications within the provincial and regional planning policies. Section 4.5 of this report discusses the proposal’s conformity with the Town’s OP while Section 5.0 provides justification for approval of the Minor Zoning By-Law Amendment respectively.

2.0 Description of Subject Lands and Surrounding Area

The Subject Lands are comprised of two parcels. The first parcel, formerly known as “The Grand Victorian,” which is labelled as Part 3 on the consent sketch and is municipally known as 15618 Niagara River Parkway in Niagara-on-the-Lake. Part 3 is approximately 0.61 hectares in size, with a frontage of 83.82 m along the Niagara River Parkway and a lot depth of 73.15 m.

There is currently a three storey 1860s-era Victorian dwelling on 15618 Niagara River Parkway which previously functioned as a country inn (see image 1.). There are numerous trees on the lands and 8 parking spaces. Behind the dwelling is a private tennis court, a pool, a shed, and a thick row of trees on the perimeter of the lands serving as a natural barrier between the Reif Estates Lands and the Grand Victorian.



Image 1. View looking west from Niagara River Parkway towards Grand Victorian/15618 Niagara Parkway.



Image 2. View of Subject Lands from the south. Fence in forefront approximately follows south limit of Part 1, and turns north along west limit.



Image 3. View looking east. Subject lands located on the left. Administration building at right. Gravel driveway terminates at fence/property line.



Image 4. View looking south of subject lands at left. Vineyard on right.

The second parcel is owned by Reif Estate Winery (See image 5) and is located at 15608 Niagara River Parkway and abuts 15618 Niagara River Parkway on the south and west lot lines. The aforementioned parcel is labelled as Part 1 and Part 2 on the consent sketch and has a lot area of approximately 32.5 hectares of land, a frontage of 101.83 m along Niagara River Parkway. The Reif Estate lands also have 800.47 metres of frontage on Line 2, and 406.69 metres on Concession 1 Road.



Image 5. View looking west from Niagara River Parkway towards Reif Estate Winery (15608 Niagara River Parkway)

The Subject lands are generally flat and are not located in an environmental protection area. The Reif Estate Lands are predominantly used for agricultural with secondary agricultural-related and on-farm diversified uses (estate winery). There are several permanent structures on the Reif Estate lands including several winery production buildings, a retail/hospitality building, and an administrative building.



Figure 1. Map of Subject Lands.

North and south of the Subject Lands are single-detached residential dwellings. East of the Subject Lands is open space, owned by the Niagara Parks Commission which acts as a buffer between the Niagara River and the Niagara River Parkway. There are no core natural heritage features on the property.

The predominant land uses within the surrounding area are rural residential and agricultural. Nearly all residential parcels front on the Niagara River Parkway. The surrounding agricultural lands are generally comprised of vineyards with several featuring commercial retail uses.

3.0 Proposed Development

3.1 Introduction

The Owner of the 15618 Niagara River Parkway is proposing a Boundary Adjustment through a Consent Application.

The Boundary Adjustment is demonstrated on the consent sketch included in the appendix of this PJR. The proposed consent seeks to sever “Part 1” from the Reif Estate lands and be merged with Part 3 (15618 Niagara River Parkway). Part 1 has an approximate area of 0.13 hectares. Part 2 is to be retained and will have an area of 3.24 ha. Table 1 below details the Part numbers, areas and their function.

Part 1 is generally flat and has no structures or trees on the lands. Due to the existing irregular lot lines and location, Part 1 has not historically been farmed. As such, this boundary adjustment will not result in the removal of any vineyards and will not impact the agricultural operation on the Reif Estate Lands. The new lot line resulting from the boundary adjustment is an extension of the rear lot line of 15630 Niagara River Parkway, to the north. The separation between the new lot line and the existing vineyards to the west will be approximately the same as existing separation to the north.

Historically, the Reif Estate lands and the Grand Victorian had complementary functions. Guests of Reif may have stayed at the Grand Victorian and hospitality event for Reif may have occurred on the Grand Victorian lands. The Grand Victorian site no longer functions as a country inn; the Part 1 lands will merely be an extension of the residential use (i.e., rear yard amenity space). The two properties are regulated by one site-specific Zoning By-law (500XC-18).

Table 1. Description of Parts

Lands	Parts	Land Area (hectares)
Reif Estate Lands (15608 Niagara River Parkway)	Part 1 (subject lands)	0.13
	Part 2 (retained lands)	32.37
Grand Victorian Lands (15618 Niagara River Parkway)	Part 3 (to be merged with)	0.61

Parts 1 and 3 will be merged to form the new 15618 Niagara River Parkway and will be used for residential use. Part 2 will be retained and will be used for continued agricultural purposes, including the Estate Winery.

A Zoning By-law Amendment (ZBA) application is expected to be required as a condition of consent approval, to update the zone boundaries in the current site-specific Zoning By-law, to align with the boundary adjustment. In addition, a Site Plan Amendment will be needed to update the boundary lines for the Reif Estate Winery.

3.2 Pre-Consultation Summary

A Pre-Consultation Meeting was held with the Municipality and Niagara Region on February 15, 2024. The following information/studies were required to form complete applications for Consent and Minor Zoning By-law Amendment.

1. Planning Justification Report
2. Draft Updated Site Plan for Reif Estate Winery
3. Draft Site Specific Zoning By-Law Amendment
4. Consent Sketch

5. Property Index Map and Parcel Registers

The above items have been provided with the applications.

A western portion of the Subject Lands is within a municipal drain watershed; however, the proposed severance will not impact the assessment schedule for maintenance of the drain. The NPCA has reviewed the application and has no concerns with the consent and will not require formal circulation of the application.

4.0 Planning Policies

4.1 Planning Act

The *Planning Act* ("the Act") establishes the requirements for land use planning in Ontario. Section 2 outlines matters of provincial interest that the council of a municipality, a planning board and the Ontario Land Tribunal shall have regard to in carrying out their responsibilities under the Act. The following table provides a summary of the provincial interests, along with an analysis as it relates to the proposed development and the subject Applications.

Table 2 - Analysis of Provincial Interest (Section 2 of the *Planning Act*)

SECTION	PROVINCIAL INTEREST	ANALYSIS
a)	<i>the protection of ecological systems, including natural areas, features and functions</i>	Not Applicable.
b)	<i>the protection of the agricultural resources of the Province</i>	The Applications would support the on-going agricultural viability of the farmlands and will not take any lands out of existing agricultural production.
c)	<i>the conservation and management of natural resources and the mineral resource base</i>	Not applicable.
d)	<i>the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest</i>	The Subject Lands are located within the area of archeological potential, however, as no construction or soil disturbance will occur with this proposal there is no need for an archeological assessment.
e)	<i>the supply, efficient use and conservation of energy and water</i>	No changes are anticipated to conservation of energy or water as a result of the Applications.

f)	<i>the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems</i>	The servicing will not change as a result of the Applications.
h)	<i>the orderly development of safe and healthy communities</i>	Not applicable.
j)	<i>the adequate provision of a full range of housing, including affordable housing</i>	Not applicable.
l)	<i>the protection of the financial and economic well-being of the Province and its municipalities</i>	On-going agricultural production will continue to contribute to the economic well-being of the Town.
o)	<i>the protection of public health and safety</i>	No impacts to public health and safety are anticipated as a result of the Applications.
p)	<i>the appropriate location of growth and development</i>	No new growth or development will occur with the Applications.
q)	<i>the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians</i>	No new development is proposed.
r)	<i>the promotion of built form that:</i> i.) <i>is well-designed</i> ii.) <i>encourages a sense of place</i> iii.) <i>provides for public spaces that are of high quality, safe, accessible, attractive and vibrant</i>	Not applicable.
s)	<i>the mitigation of greenhouse gas emissions and adaptation to a changing climate</i>	Not applicable.

Subsection 3(5) of the *Planning Act* requires that decisions of Council shall be consistent with provincial policy statements and shall conform with provincial plans that are in effect.

Subsection 24(1) of the *Planning Act* requires that by-laws passed by Council shall conform to official plans that are in effect.

Section 34 of the *Planning Act* permits councils of local municipalities to pass and/or amend zoning by-laws for such purposes as may be set out in the by-law, and for regulating construction and land use within the municipality.

Subsection 53(12) of the *Planning Act* mandates that the approval of Consent Application shall have regard to matters under Section 51(24) of the Act. Table 3 assesses the criteria outlined in Section 51 (24) in relation to the proposal.

Table 3: Analysis of Considerations for Draft Plan of Subdivision– Section 51(24) of Ontario *Planning Act*

SECTION	CONSIDERATIONS FOR DRAFT PLAN OF SUBDIVISION	ANALYSIS
a)	<i>the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2</i>	<p>The proposed consent support matters of provincial interest outlined in Section 2 of the <i>Planning Act</i> as follows:</p> <p>(b) the protection of the agricultural resources of the Province;</p> <p>The proposed minor boundary adjustment will not remove any active farmlands from production.</p>
b)	<i>whether the proposed subdivision is premature or in the public interest</i>	The boundary adjustment is in the public interest and facilitates the disposal of small portion of unused farmland, providing flexibility to the farming operation.
c)	<i>whether the plan conforms to the official plan and adjacent plans of subdivision, if any</i>	The proposed consents conform to the Town of Niagara-on-the-Lake Official Plan as Outlined in Section 4.5. Please refer to the analysis of the Official Plans in this report for greater detail.
d)	<i>the suitability of the land for the purposes for which it is to be subdivided</i>	The Subject Lands will be used for rural residential purposes, a continuation of the existing use at 15618 Niagara River Parkway, and the same as other adjacent rural residential uses.
e)	<i>the number, width, location and proposed grades and elevations of highways, and</i>	The proposed minor boundary adjustment will not impact the frontage

SECTION	CONSIDERATIONS FOR DRAFT PLAN OF SUBDIVISION	ANALYSIS
	<i>the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them</i>	along a public road nor the safe access to each parcel.
f)	<i>the dimensions and shapes of the proposed lots</i>	<p>Both lots are irregularly shaped. The proposed minor boundary adjustment will still result in appropriately sized lots that are comparable to other parcels in the vicinity.</p> <p>The merged Grand Victorian Lands will have dimensions and land areas that are adequate and comparable to other residential parcels in the area. The boundary adjustment will create a more regular westerly lot line, and will be a continuation of the lot line to the north.</p> <p>The size and shape of the Reif Estate lands will continue to be appropriate for the existing Estate Winery and agricultural operation.</p>
g)	<i>the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land</i>	The proposed consent does not create any restrictions on the Subject Lands, Adjacent Lands or other adjoining lands.
h)	<i>conservation of natural resources and flood control</i>	A portion of the subject lands is within a municipal drain watershed; however, the proposed boundary adjustment will not occur within this area and will not impact the municipal drain watershed.
i)	<i>the adequacy of utilities and municipal services</i>	The proposed minor boundary adjustment does not generate additional demand on municipal

SECTION	CONSIDERATIONS FOR DRAFT PLAN OF SUBDIVISION	ANALYSIS
		services as all lands affected by the boundary adjustment are serviced privately.
j)	<i>the adequacy of school sites</i>	No new lots are being created that would require additional school services.
k)	<i>the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes</i>	There is no land to be conveyed for highway purposes.
l)	<i>the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The consent application will not impact the available supply, means of supplying, efficient use and conservation of energy.
m)	<i>the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated</i>	The proposal does not contemplate the additional construction of buildings and/or structures. However, the Reif Estate Winery has an existing Site Plan Agreement that will need to be amended to reflect the new boundary lot lines.

It is our opinion that the proposed consent has regard for the requirements of Section 51(24) of the *Planning Act*.

Consistency and conformity with Provincial, Regional and Town policies are discussed in-depth in the subsequent sections of this report. Subject to the analysis provided in the following sections of this report, the Application is considered to comply with the provisions of the *Planning Act*.

4.2 Provincial Policy Statement (2020)

The Provincial Policy Statement ("PPS") sets the policy foundation for regulating land use in Ontario. It requires that developments make efficient use of land and services and support opportunities for long-term economic prosperity. The subject lands are in the Prime Agricultural Area and are designated Specialty Crop Area based on the policies and definitions in the PPS. The applicable policies are as follows:

POLICY

2.3 Agriculture

2.3.1 Prime Agricultural areas shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

2.3.3 Permitted Uses

2.3.3.1 In prime agricultural areas, permitted uses and activities are agricultural uses, agricultural-related uses and on-farm diversified uses.

2.3.3.2 In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

2.3.4 Lot Creation and Lot Adjustments

2.3.4.2 Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.

DEFINITIONS:

Legal or Technical Reasons means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

ANALYSIS

The Subject Lands are located within the Prime Agricultural Area, and as stated above, the PPS directs that these areas shall be protected for long-term use for agriculture. The proposal is for a minor boundary adjustment which does not result in the creation of a new lot. The proposal will adjust the boundary between Reif Estate Lands and the Grand Victorian to regularize the lot lines and remove an area from the agricultural property which has never been farmed due to its size and shape. The proposal will not remove any actively farmed lands from production.

The proposal is consistent with the PPS in this regard.

4.3 The Greenbelt Plan (2017)

The Greenbelt Plan provides agricultural and environmental protections for the agricultural land base including ecological and hydrological features. The Greenbelt Plan works in concert with the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan to protect these ecologically diverse places.

The Subject Lands are wholly within the Greenbelt Area, specifically within the Niagara Peninsula Tender Fruit and Grape Area. The following Greenbelt Plan policies apply:

POLICY

3.1.2 Specialty Crop Area Policies

1. All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected and a full range of agricultural uses, agricultural-related uses and on-farm diversified uses are permitted based on the provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. Proposed agricultural related uses and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations.

4. New Land Uses, including the creation of lots (as permitted by the policies of this Plan), and new or expanding livestock facilities, shall comply with the minimum distance formulae

4.6 Lot Creation

For lands falling within the Protected Countryside, the following policies shall apply:

1. Lot creation is discouraged and may only be permitted for:

e) Minor lot adjustments or boundary additions, provided they do not create a separate lot for a residential dwelling in prime agricultural areas, including specialty crop areas, and there is no increased fragmentation of a key natural heritage feature or key hydrologic feature.

ANALYSIS

Policy 3.1.2.4 of the Greenbelt Plan establishes that consents are permitted within the Specialty Crop Area. In addition, Policy 4.6.1 e) states that lot creation is permitted for minor lot adjustments or boundary additions, provided that they do not create a separate lot for a residential dwelling and do not increase the fragmentation of a key natural heritage feature or key hydrologic feature.

The proposed consent will permit a boundary adjustment between Reif Estate Lands and 15618 Niagara River Parkway. Part 1 which is to be merged with the 15618 Niagara River Parkway will provide a buffer space between both properties. This consent is not creating a separate lot for a residential dwelling. In addition, there are no key natural heritage features or key hydrologic features that exist on the subject lands, therefore the proposal will not result in the fragmentation of any key natural heritage feature or key hydrological features.

Pertaining to the protection of agricultural uses in Specialty Crop Areas, the proposed boundary adjustment will not remove any actively farmed lands from production nor impact the agricultural operation of Reif Estate Lands.

The proposal conforms to the Greenbelt Plan in this regard.

4.4 Niagara Official Plan (2022)

The Niagara Official Plan (NOP) is the Regional Municipality of Niagara's long-term, strategic policy planning framework for managing growth in Niagara. The NOP designates

the entirety of the Subject Lands as Speciality Crop Area. The objectives outlined in section 4.1 of the NOP states that the plan aims to ensure agriculture is the predominant land use in speciality crop areas, and to restrict and control non-agricultural uses to minimize potential conflicts. The applicable policies are as follows:

POLICY

4.1.2 Specialty Crop Areas and Prime Agricultural Areas

4.1.2.3 In specialty crop areas and prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected and a full range of agricultural uses, agriculture-related uses and on-farm diversified uses are permitted.

4.1.2.4 Prime agricultural areas within the Greenbelt Plan as identified on Schedule F are subject to the prime agricultural area policies of this Plan.

4.1.4 Lot Creation and Related Development Within the Agricultural System

4.1.4.1 Within the prime agricultural area, including the protected countryside of the Greenbelt Plan which also includes specialty crop area, lot creation is discouraged and may only be permitted in accordance with policies in Sections 4.1.4, 4.1.5 and 4.1.6 of this Plan.

4.1.5 Lot Creation in Speciality Crop Areas

4.1.5.1 In the specialty crop areas, consents to convey may be permitted only in accordance with the following provisions and the general consent provisions in Policy 4.1.4.2...

a. the consent is supported through a planning justification report;

f. the consent is for legal or technical reasons as determined by Local Area Municipalities, provided they do not create a separate lot for a residential dwelling, there is no increased fragmentation of a key natural heritage feature or key hydrologic feature, and complies with other policies in this Plan; and

4.1.4.2 Proposed residential lots being considered under Sections 4.1.5 and 4.1.6 for a consent within the agricultural land base must meet the following conditions:

a. the size of any new lot shall be an area of 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and long-term operation of a private sewage disposal system as determined by Provincial requirements;

b. any new lot has an adequate groundwater or other water supply, in compliance with Provincial requirements;

c. any new lot has sufficient frontage on an existing publicly maintained road;

d. where possible, joint use should be made of the existing road access to the farm operation;

e. road access to any new lot does not create a traffic hazard because of limited sight lines on curves or grades or proximity to intersections; and

f. proposed lots shall be located and configured to minimize impacts on surrounding farming operations.

DEFINITIONS:

Legal or technical reasons: Severances for the purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

ANALYSIS

Policy 4.1.2.3 gives policy direction on the importance of promoting and protecting agricultural uses in specialty crop areas. The proposed boundary adjustment is minor and will not affect the agricultural operations of Reif Estate Lands. Part 1, which is to be severed and merged with 15618 Niagara River Parkway is currently underutilized and has never been used for farming due to its size and shape. The boundary adjustment will result in regular lot lines in this portion of the property, conducive to farming, and will provide additional buffer space between the rural residential dwelling and the farm.

Policy 4.1.5.1 provides the general criteria under which consents in the speciality crop area may be permitted. Part f. of this policy states that a consent may be permitted for legal or technical reasons. The Niagara Official Plan defines legal or technical reasons as minor boundary adjustments which do not result in the creation of a new lot. As such, the proposed boundary adjustment is permitted and conforms to the policies of the NOP. The resulting lot sizes will continue to be appropriate for their respective uses.

The proposal conforms to the NOP in this regard.

4.5 Town of Niagara-on-the-Lake Official Plan (2017)

The Subject Lands are designated as Agricultural by the Town of Niagara-on-the-Lake. The Town's OP recognizes that the Region's OP contains several categories which designate the agricultural lands of Niagara-on-the-Lake according to potential uses. One of the main goals outlined by the Town's OP is to help preserve the existing and potential agriculturally productive land giving highest priority to Good Tender Fruit/Grape Lands.

POLICY

7.4 General Agriculture Policies

4) CONSENTS

B) Consents are permitted for minor boundary adjustments or easements provided that:

(i) the boundary adjustment is minor,

(iii) the parcel to be retained is large enough to support a potentially viable farm operation

(iv) the consent must comply with other policies of the Plan, and

(v) the consent does not create a separate lot for a residential dwelling.

21.2 Consent Policies

(3) The Town will recommend to the Land Division Committee that consents for land severance where the site already contains a building, should only be permitted if existing sanitary sewage disposal, water supply and drainage are adequate and the new lot lines to be created do not render any aspect of such services unsatisfactory.

(4) The Town will recommend to the Land Division Committee that consents shall be granted only when the land fronts on an existing public road. The public road is to be of a reasonable standard of construction and maintained year-round...

(9) Proposed new lots lines shall take into account the existing pattern of surrounding lands. Wherever possible, the new lines shall avoid creating irregular boundaries for the parcel in question or that remaining. Where lands in the Agricultural designation are affected, every attempt shall be made to avoid creating a lot pattern which would make it difficult to farm.

ANALYSIS

As outlined by Policy 7.4.4 b), consents are permitted in the Agricultural Area for the purpose of minor boundary adjustments. Furthermore, the boundary adjustments will not have any negative impacts of the Reif Estate Lands. The parcel will continue to be large enough to support their farming operations.

In addition, section 21.2 of the Town's OP provides further criteria for consents. The proposed boundary adjustment is minor, and it will not impact the existing sanitary sewage disposal, water supply and drainage of the Subject Lands.

The Subject Lands are fronting Niagara River Parkway and have separate and adequate access to this public road. Furthermore, the proposed boundary adjustment will have no impact on the existing frontage and access of the Subject Lands.

Pertaining to policy 21.2.9, the proposal seeks to regularize the lot between Reif Estates lands and 15618 Niagara River Parkway. Part 1 which is to be severed and merged with the Grand Victorian, is irregularly shaped and due to the existing lot line boundary, it is difficult to farm. As a result, Part 1 has never been farmed. The boundary adjustment would permit for Part 1, which is currently underutilized to become a buffer space to provide more privacy between both properties. In addition, the new lot line resulting from the boundary adjustment is an extension of the rear lot line of 15630 Niagara River Parkway, to the north. The separation between the new lot line and the existing vineyards to the west will be approximately the same as existing separation to the north.

The proposal conforms to the Town OP in this regard.

5.0 Proposed Zoning By-law Amendment

The Subject Lands are currently regulated by By-law No. 500XC-18 in addition to Comprehensive Zoning By-law 500A-74. The Reif Estate lands, including the subject parcel (Part 1), are zoned Rural (A) site specific, permitting the Estate Winery. The Grand Victorian is currently zoned Rural Residential (RR) site specific permitting a country inn and hospitality uses. It is anticipated that a Zoning By-law Amendment will be required to adjust the zone boundaries between the Rural (A) Zone and the Rural Residential (RR) Zone, as a result of the boundary adjustment. This is a technical adjustment which is necessary to ensure zone categories are appropriate for each resulting parcel. The proposed Zoning By-law Amendment is attached as Appendix E.

New relief is also required for an interior side yard setback from the administration building on the Reif Estate lands, from the south limit of Part 1, described below.

Interior Side Yard Setback from Administration Building

The Town's Comprehensive Zoning By-law includes a provision that the minimum building setback from all property lines for an Estate Winery use shall be 15 m. The proposed consent will result in the administration building having a setback of 12.56 m from the newly established property line. The administrative building houses offices and is not anticipated to generate impacts to adjacent properties. The setback of 12.56 metres is appropriate.

6.0 Summary and Conclusion

It is our opinion the proposed Consent and Zoning By-law Amendment represent good land use planning and are in the public interest and should be approved for the following reasons:

- The proposed consent and ZBA have regard for matters of provincial interest and the criteria provided in Section 51(24) of the *Planning Act*, is consistent with the PPS and conform to the Greenbelt Plan.
- The proposed consent and ZBA conform to the general intent and purpose of the Niagara Official Plan.
- The proposed consent and ZBA conform to the Town of Niagara-on-the-Lake.

Report prepared by:



Isabella Briosio

Planner

NPG Planning Solutions Inc.

Report reviewed and approved by:

A handwritten signature in black ink, reading "A Butler", positioned above a horizontal line.

Aaron Butler, MCIP, RPP
Principal Planner
NPG Planning Solutions Inc.

7.0 Appendices

Appendix A – Consent Sketch

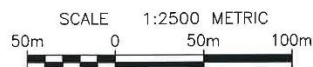
PRELIMINARY SKETCH TO ACCOMPANY AN APPLICATION UNDER THE PLANNING ACT

PART OF TOWNSHIP LOT 19

(GEOGRAPHIC TOWNSHIP OF NIAGARA)

TOWN OF NIAGARA-ON-THE-LAKE

REGIONAL MUNICIPALITY OF NIAGARA

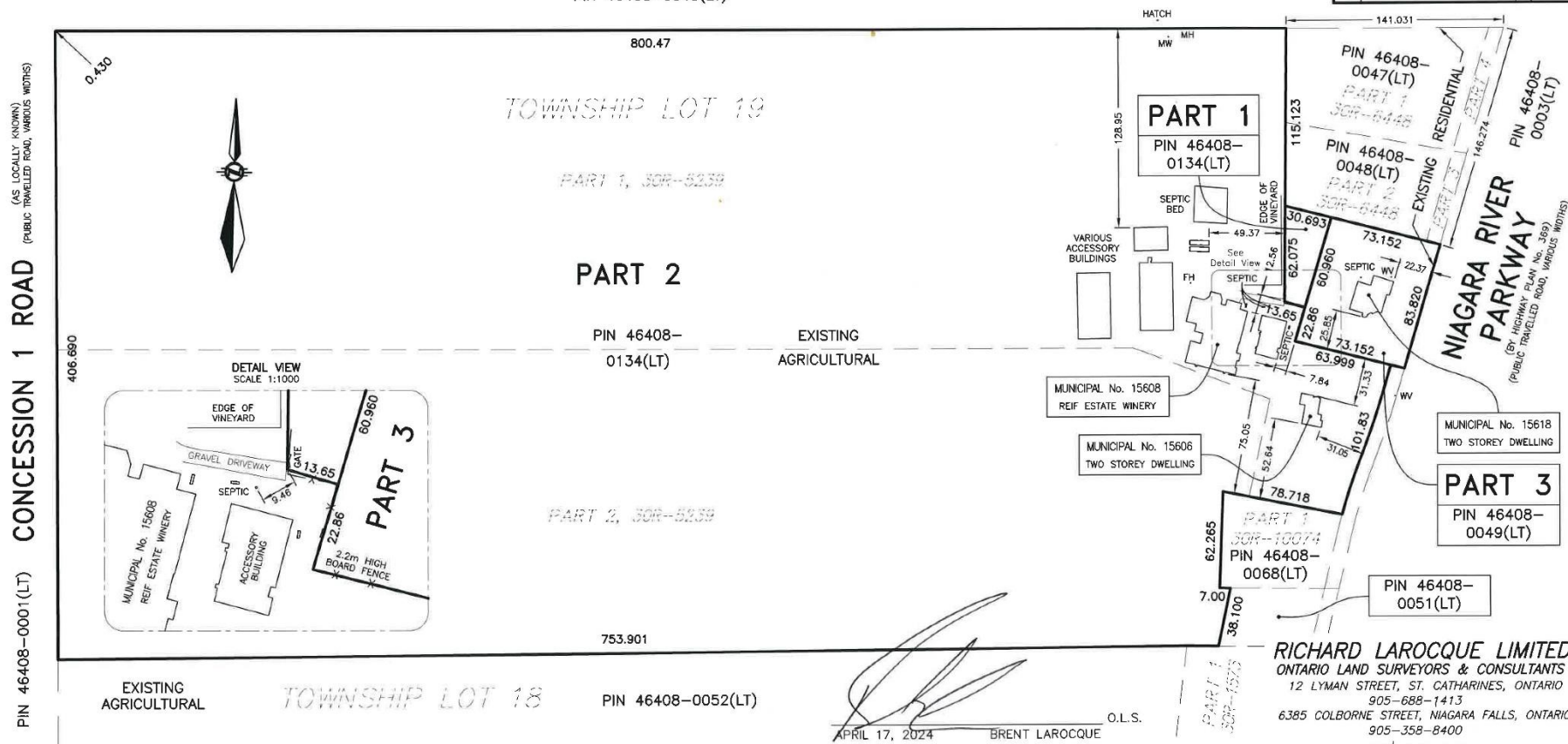
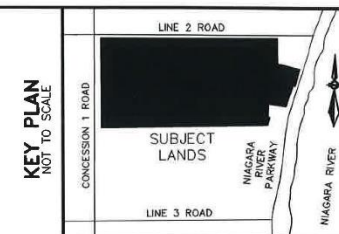


LINE 2 ROAD

(AS LOCALLY KNOWN)
(ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 19 & 20)
(PUBLIC TRAVELLED ROAD, 20.117 WIDE)

PIN 46408-0045(LT)

AREA SCHEDULE	
DESCRIPTION	AREA (m ²)
PART 1	1,341.8
PART 2	323,667.0
PART 3	6,124.9



RICHARD LAROCQUE LIMITED
ONTARIO LAND SURVEYORS & CONSULTANTS
12 LYMAN STREET, ST. CATHARINES, ONTARIO
905-688-1413
6385 COLBORNE STREET, NIAGARA FALLS, ONTARIO
905-358-8400
www.larocquegrp.ca

THIS SKETCH IS PREPARED FOR AN APPLICATION UNDER THE PLANNING ACT AND ALL DIMENSIONS ARE TO BE CONFIRMED BY SURVEY.

NOTE: THE LOT DIMENSIONS ILLUSTRATED HEREON WERE OBTAINED FROM PLANS AND DOCUMENTS ON FILE AT THE LAND REGISTRY OFFICE

METRIC NOTE: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

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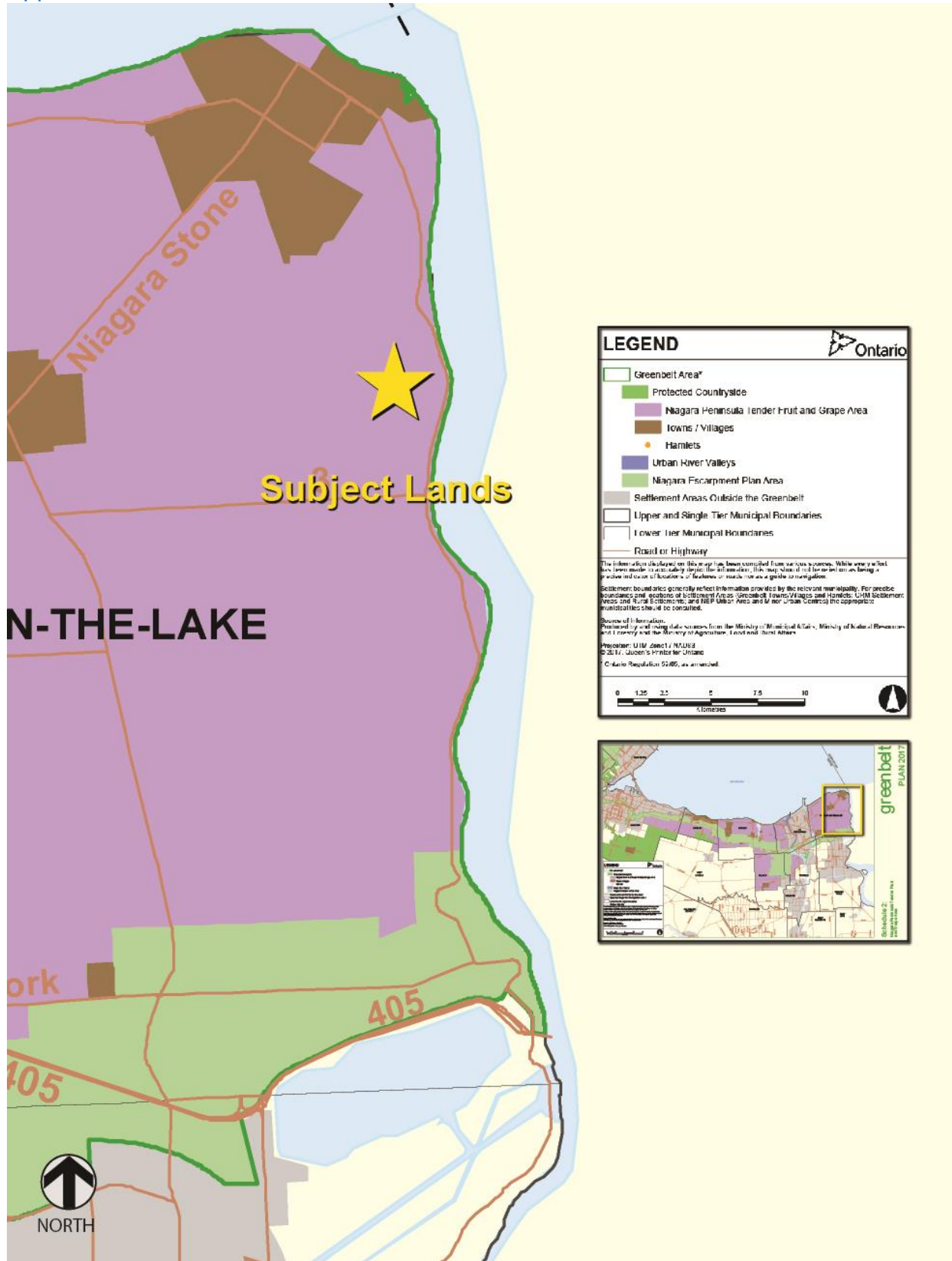
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D.B.

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B.L.

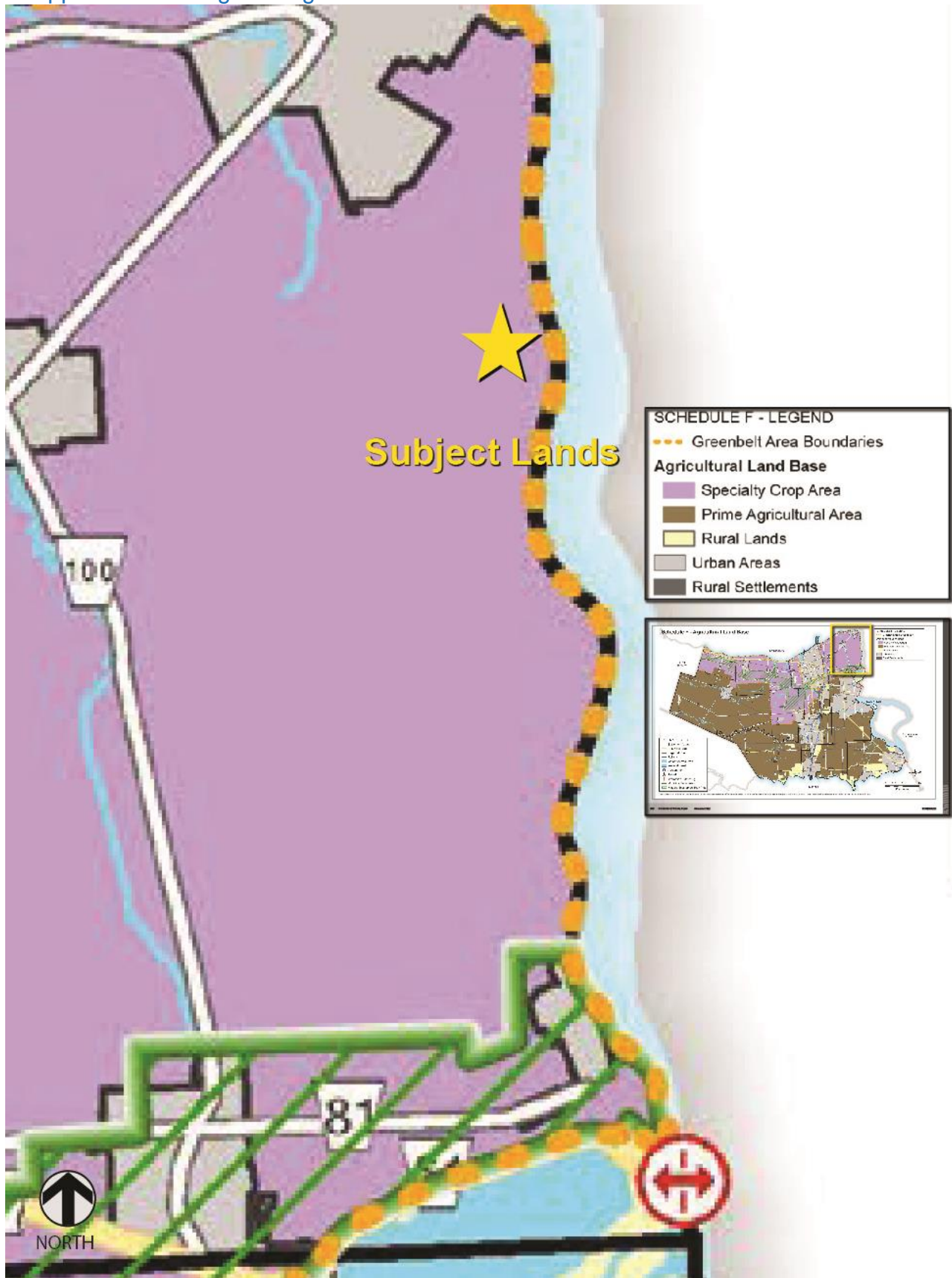
DATE:
APR. 17, 2024

FILE: 2021-015A
DWG. FILE: 2021-015A-04

Appendix B – Greenbelt Plan



Appendix C – Niagara Region Official Plan – Schedule F



Appendix D – Town of Niagara on the Lake Official Plan – Schedule A



Appendix E – Zoning By-law Amendment

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. -- --- --**

15608 Niagara River Parkway & 15618 Niagara River Parkway

Roll 262702001104600 / 262702001104700

A BY-LAW TO AMEND BY-LAW NO.500A-74, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES THEREON.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O., 1990, c.P.13, as amended;

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. That Schedule 'A' is attached to and forms part of this By-law.
2. That Schedule 'A' of By-law No. -- --- --, as amended, is further amended by changing the zoning of Part 1 identified on Schedule 'A' (attached to and forming part of this By-law from "Rural (A) Site Specific" to "Rural Residential (RR) - Site Specific" Zone.

Rural A Site Specific Zone

3. Notwithstanding the provision of Section 3.33 to the contrary, the following provisions shall apply
 - a. A minimum side yard setback to the administrative building of 12 m.

READ A FIRST, SECOND AND THIRD TIME THIS __ DAY OF _____, 2023

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL

