



Town of Niagara-on-the-Lake

1593 Creek Road, Box 100

Virgil, Ontario L0S 1T0

(905) 468-3266 FAX (905) 468-0301

Planning Review Comments

Project Name: Ravine Winery - Tech Amendment	Address: 1360-1366 YORK ROAD
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By	On Behalf Of	Decision	Comments
Dion Kedian		Support	No issues with these changes.
Donna Lake		Support	The property tax department have no issues or concerns.
Doug Kerr		Support	Public Works have no concerns regarding the Zoning By-Law Amendments provided that parking is available on site and no overflow parking on the municipal roads.
Jo Zambito		Conditions	Currently Ravine Estates Winery does not have a Fire Safety Plan required under Section 2.8 "Emergency Planning" of the Fire Code. If at any time during any special event if the combined occupant load of both the winery and the special event combined could exceed 300 persons an approved Fire Safety Plan by the Chief Fire Official is required.
Walter Klassen		Support	Building services has no concerns with the proposed changes
Aaron Butler	Niagara Escarpment Commission	Support	No objections.
Aaron Butler	Region Of Niagara	Support	No objections. Staff suggests that the Town considers the number of events and number of guests for this proposal in comparison to other farm/winery application and existing approvals to ensure such events remain an occasional activity and at an appropriate scale as noted in the Region's value-added policies.

Printed BY: Aaron Butler DATE: 04/06/2013

2 attachments



NEC Comments.pdf



Regional Comments.pdf

Application for Zoning By-law Amendment (1360-1366 York Road)

Kilian, Martin (MNR)

to:

AButler@notl.org

29/04/2013 09:30 AM

Show Details

Aaron:

Niagara Escarpment Commission (NEC) staff has reviewed the above-noted application. Although the accompanying planning report does not acknowledge that the subject property is located within the Niagara Escarpment Plan (NEP), this is indeed the case. The property is designated within the St. Davids Minor Urban Centre of the NEP. This designation provides flexibility of land uses and aims to ensure that development is compliant with the identity and traditional character of such urban settlements.

Provided that the Town is satisfied that the proposal complies with the St. Davids Neighbourhood Plan and the Town's Official Plan (both documents are not in conflict with the NEP), NEC staff has no objection to this application.

Martin Kilian, Planner

Niagara Escarpment Commission

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May 13, 2013

VIA EMAIL ONLY

File: D.18.05.ZA-13-047

Aaron Butler
Planner II
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road, P.O. Box 100
Virgil, ON L0S 1T0

Dear Mr. Butler:

**Re: Regional and Provincial Review Comments
Zoning By-law Amendment Application
Proposed Modifications to Existing Site Specific Zoning
Ravine Vineyard Estate Winery (Agent: Quartek Group Inc. - Barb Wiens)
1360-1366 York Road (North Side) - West Side of Four Mile Creek Road
Town of Niagara-on-the-Lake**

Regional Development Services staff has reviewed the information circulated for this application to amend the Zoning By-law. The subject land is zoned site specific Agricultural (A-3) which permits agriculture, an estate winery and various secondary uses. The amendment proposes to remove and also clarify certain regulations related to the outdoor event/tent area (i.e. number and frequency of events, hours of operation, public address system, amplified music and use definition). It is understood the applicant is also revising the proposal to request an increase in the maximum number of guests for each outdoor event. In addition, the application would recognize a minor reduction in lot area resulting from future consent applications for a boundary adjustment with the abutting residential property (1388 York Road - municipal files B-20/13 & B-21/13). The amendment does not request any new development or uses on the property. Further to our discussions, the following Provincial and Regional comments are provided to assist the Town in considering the application.

A preconsultation meeting for the proposal was held on August 17, 2012 with the agent and staff from the Town and Regional Development Services.

Planning Review

The subject property is within the Urban Area Boundary for the Town of Niagara-on-the-Lake according to the Regional Policy Plan. The Provincial Policy Statement defines the subject land as within a settlement area where development is generally concentrated and an appropriate range and mix of land uses is to be provided. The Provincial Growth Plan for the Greater Golden Horseshoe identifies St. Davids as an Undelineated Built-up Area. The Provincial definition of Built-up Area includes Undelineated Built-up Areas. Regional Policy Plan Amendment 2-2009 (Growth Plan conformity) considers the St. Davids community as a Built-up Area. The majority of the property is designated Low Density Residential in the Town's Official Plan and it is understood the agricultural use is a legal non-complying use within the urban area.

The requested changes to the existing zoning approval are for the operation of the outdoor event/tent area for the permitted secondary uses. The submitted Planning Report (Quartek Group Inc., February 2013) indicates the intent is to have the site specific approval more consistent with the Town's general zoning provisions for an estate winery and remove zoning regulations for issues that are addressed in other municipal by-laws.

The applicant requests 24 commercial events and 6 non-profit community events per year - the current site specific limit is 12 events. Further, the proposal is to delete the restriction for only one outdoor event per weekend and to specify that the maximum number of outdoor events applies to those after dusk. The Town zoning standard is 24 events for estate wineries with a maximum of 75 guests for each event. The amendment proposes to remove provisions in the existing zoning for hours of operation and prohibiting outdoor public address systems/amplified music since any noise generated at the outdoor events must satisfy the Town's new Noise Control By-law.

Regional staff suggests the Town consider the number of events and number of guests for this proposal in comparison to other farm/winery applications and existing approvals to ensure such events remain an occasional activity and at an appropriate scale as noted in the Region's value-added policies for agricultural areas. Noise from these outdoor events is excluded from the Ministry of the Environment noise guidelines and is not subject to Regional review.

Conclusion

Regional Development Services staff has no objection to the proposed Zoning By-law amendment from a Provincial or Regional perspective, subject to the satisfaction of any local requirements.

If you have any questions or wish to discuss these comments, please contact me at extension 3391 or Marilyn Radman (Manager, Development Planning) at extension 3485.

Please send a copy of the staff report and notice of the Town's decision on this application.

Yours truly,



Richard Wilson, MCIP, RPP
Planner

- c. Peter Colosimo - Regional Development Services Division
Marilyn Radman - Regional Development Services Division