

Application to Amend the Regional Official Plan

This application form is to be used by persons or public bodies wishing to apply to amend the Niagara Region Official Plan. If your application also requires an amendment to a local municipal official plan and/or zoning by-law, a separate application must be made to the affected local municipality.

Pre-Consultation

As provided for by the Regional Official Plan, the Planning Act R.S.O. 1990 requires that applicants meet with local, Regional and, if necessary, Provincial planning officials before formally submitting an application. Where local and Regional amendments are required, joint pre-consultation meetings will be required. Staff from the Niagara Peninsula Conservation Authority (NPCA) should be involved in pre-consultation discussions when that agency's policies and regulations are involved. Pre-consultation is intended to determine what is required to be submitted for a complete application and will provide the opportunity to discuss:

- the nature of the application;
- development and planning issues;
- the need for additional information and/or reports to be submitted with the application; and
- the planning approval process.

Contact the Planning and Development Services Department at (905) 980-6000 to arrange a pre-consultation meeting before completing this application form.

Completeness of the Application

The information in this application form that must be provided by the applicant includes information prescribed by Ontario Regulation 543/06 under the Planning Act. **The prescribed information must be provided along with the required application fee.**

The Planning Act R.S.O. 1990 also enables municipalities to include within their official plans, provisions that an application for an amendment to a planning document include information or materials that Council considers necessary as part of a "complete" application. Failure to provide this required information or material will result in the application being deemed to be incomplete and it will not be reviewed until such time as all required information is received. Policies 14.G.1 and 14.G.2 of the Regional Official Plan set out policies with regard to pre-consultation and complete application requirements.

Submission of the Application

The Region and the appropriate local municipalities should be consulted at the pre-consultation stage regarding the number of copies required of any information or justification materials. Applicants are also required to provide digital or CD copies of all materials submitted. Only one copy of the application form is required along with the applicable application fee. The fee schedule is attached as Appendix I to the application form. The Region also collects fees for the review of applications on behalf of the Niagara Peninsula Conservation Authority at the time of application. Reports and studies prepared in

support of the application may be subject to a "Peer Review" report by a consultant of the Region's choosing. All costs of that Peer Review report are the responsibility of the applicant.

All applications to amend the Regional Official Plan are required to address the policies contained within the Plan itself, the Provincial Policy Statement (2020), applicable Provincial Plans, and the policies and regulations of the Niagara Peninsula Conservation Authority (NPCA).

Fees Associated to an Application to Amend the Regional Official Plan

Applicants are responsible for paying the full cost of advertising. The owner/applicant is required to sign a cost acknowledgement agreement which must be signed and submitted as part of the application. In addition to the application fees listed below, the owner/applicant will pay any costs relating to Peer Reviews of information submitted in support of an application at the discretion of Regional staff.

In the case of an application to establish or expand a new pit or quarry, the owner or applicant will also be responsible for the costs for an Aggregate Advisor, if required. The owner or applicant is required to sign a cost acknowledgement agreement which must be signed and submitted as part of the application.

The below amendment fee (effective January 2022) does not include advertising costs or NPCA review fees:

- Regional Official Plan Amendment Fee (\$18,680).
- Amendment for an Expansion to the Urban Area Boundary (\$58,000).
- Amendment to establish or expand a pit or quarry (\$117,330).

Disclosure of Information

Personal information on this form is collected under the authority of the Planning Act, R.S.O. 1990, CHAPTER P.13, and will be used by the Region in the processing of this amendment application. The information may be used by other departments and agencies for the purpose of assessing the proposal and preparing comments to the Region or to the approval authority. It is the policy of the Niagara Region to provide public access to all development applications and supporting documentation (including studies and drawings) and it is understood that any document submitted in support of an application forms part of the public record and may be copied, reproduced or supplied to third parties as part of the application review process.

Authority to Enter

Submission of this application constitutes actual consent for authorized Niagara Region staff to enter upon the subject lands to conduct an inspection as part of the review of the application. Regional staff may, but are not required to, contact the applicant to arrange an inspection.

Application to Amend the Niagara Regional Official Plan

PART 1: Applicant Information

A. Registered Owner Information *(If a corporation, provide registered Head Office address)*

Name: 502 Winston Road Inc.

Address: 200-3170 Harvester Road, Burlington Postal Code: L7N 3W8

Telephone: 905-777-0000 Fax:

Email:

B. Applicant Information: *(All correspondence will be sent to both applicant and agent)*

Name:

Address: Postal Code:

Telephone: Fax:

Email:

C. Agent Information: *(e.g. planning consultant, solicitor if not applicant)*

Name: IBI Group c/o Ritee Haider

Address: 360 James St North Suite #200, Hamilton Postal Code: L8L 1H5

Telephone: 905-546-1010 ext. 63132 Fax:

Email: ritee.haider@ibigroup.com

PART 2: Site Description

A. Legal Description: *(lot number, registered plan number, concession, reference plan, etc.)*

Part of Lot 19 in Broken Front Concession, North Grimsby, Part 9 & 10 in 30R3352 save and except Part 1 in 30R14773
Subject to an easement in gross over Part of Lot 19 in the Broken Front Concession designated as Part 1 on 30R14772

as in NR421363 in the Town of Grimsby

B. Site Address:

Street Address: 502 Winston Road

Municipality: Grimsby Site Area (hectares): +/- 5.7 ha

PART 3: Nature and Purpose of the Amendment

A. Type of Amendment:

☒ Land Use Change

☒ Policy Change

☐ Addition of New Policy

B. Description of amendment:

The amendment will refine the agricultural significance of the property from Unique Agricultural Area to the Rural designation. This request is based in part on the findings of the AIA, which verify that the lands do not meet the criteria for the Specialty Crop Area designation and are more appropriately designated Rural Area.

C. Description of proposed use for subject lands:

Standard Rural Uses as permitted through applicable use permissions policies

D. Current land use designation of subject lands:

Regional Official Plan: Unique Agricultural Area

Local Municipal Official Plan: Specialty Crop Areas - Tender Fruit and Grape Lands

E. Land uses permitted by existing designation on subject lands:

Regional Official Plan: Agricultural uses of all types

Local Municipal Official Plan: Widest variety of normal farm practices

PART 4: Existing Uses of Subject Lands and Abutting Properties

A. Description of the current use of the subject lands:

The property currently contains a banquet hall/event centre, associated parking lot and tennis court/playground

B. Indicate the land uses on abutting properties:

North: Lake Ontario

South: Urban Boundary, Medium Density Residential & Commercial

East: Urban Boundary, Medium Density Residential

West: radio Transmitter Towers

C. Is the subject property (land or building) subject to Part 4 or 5 of the Ontario Heritage Act?

☐ Yes

☒ No

D. Are there any easements, restrictions, or other covenants applicable to the lands?

☒ Yes

☐ No

PART 5: Previous Uses of the Subject Lands

A. What were the previous uses of the subject lands?

Full list of uses unknown

Currently a banquet hall/private club is located on the subject lands

B. Has there been an industrial or commercial use of the site or adjacent land?

☐ *Yes ☒ No

*Please specify the type of use:

*Last year of use on subject lands:

C. Has there been fill placed on the site?

☐ *Yes ☒ No

*Please specify the type of fill:

*Time period of fill placement:

D. Is there reason to believe the site may have been contaminated by former uses, either on the site or on adjacent sites? (e.g. former industrial use, agricultural use, commercial use, gas station, petroleum or other fuel stored on site or adjacent site.)

☐ *Yes ☒ No

*If "yes", an environmental site assessment of all former uses of the site and, if appropriate, an adjacent site, to the satisfaction of the Ministry of Environment and Climate Change and/or the Region is required. This study must be prepared in accordance with O.R. 153/04 by a qualified consultant.

Is the environmental site assessment report attached to this application submission?

☐ Yes ☒ *No

If "no", on what basis did you come to this determination?

Information supplied from Owner

PART 6: Status of Other Planning Applications

Have there been any previous applications submitted under the Planning Act R.S.O. 1990 or the Niagara Escarpment Planning and Development Act for the approval of an official plan amendment, zoning by-law, plan of subdivision, a minor variance, a site plan or for a consent that involves the land; or lands within 120 metres of the subject lands?

☒ *Yes ☐ No

If "yes", please specify the information of each planning application below:

Application 1

Application Type: Local Official Plan Amendment Application Status: Being submitted currently

File Number:

Affected Lands: Subject property

Purpose of Application: To redesignate the property from Special Crop Area - Tender Fruit and Grape Lands to the Rural Area designation for the same intent and purpose of the Regional Official Plan Amendment.

Application 2

Application Type: Application Status:

File Number:

Affected Lands:

Purpose of Application:

Application 3

Application Type: Application Status:

File Number:

Affected Lands:

Purpose of Application:

Application 4

Application Type: Application Status:

File Number:

Affected Lands:

Purpose of Application:

PART 7: Servicing

A. Indicate the proposed water supply servicing type for the subject lands:

☒ Municipal piped water ☐ Private well ☐ Communal
☐ Other (specify): _____

Is the subject lands water supply servicing ☐ new or ☒ existing?

B. Indicate the proposed sewage disposal servicing type for the subject lands:

☐ Municipal sanitary sewer ☒ Septic tank/system ☐ Communal
☐ Other (specify): _____

Is the subject lands sewage disposal servicing ☐ new or ☒ existing?

C. Indicate the proposed road access and/or frontage for the subject lands:

Please specify the road type (e.g. open municipal road, regional road, provincial highway, private road):
Open Municipal Road _____

Name of access and/or frontage road(s):

Hunter Road _____

D. Indicate the proposed storm drainage servicing for the subject lands (e.g. sewers, swales, ditches):

Is the subject lands storm drainage servicing ☐ new or ☒ existing?

PART 8: Justification

The applicant is required to provide complete planning evidence outlining the justification for this amendment application. This should address but not be limited to why the proposed change is desirable and how it relates to the objectives and policies in the Regional Official Plan, the Provincial Policy Statement (2020), applicable Provincial Plans, and the policies and regulations of the NPCA. The necessary justification report(s) must be provided with this application.

The applicant should refer to the Region's pre-consultation letter as well as Policy 14.G.2 and corresponding Table 14.2 of the Regional Official Plan for a description of possible additional information requirements for a complete application.

As required under Schedule 1 of Ontario Regulation 543/06, if the requested amendment would permit development on a privately owned and operated septic system and more than 4,500 litres of effluent would be produced per day as a result of the development, the following reports must be provided:

- a servicing options report, and
- a hydrogeological report.

Indicate what report(s) or other information is being provided with this application to justify this amendment in terms of the provisions and policies in the Regional Official Plan.

Report Title: Planning Justification Report **Date:**
Prepared by: IBI Group

Report Title: **Date:**
Prepared by:

Report Title: **Date:**
Prepared by:

Report Title: **Date:**
Prepared by:

Report Title: **Date:**
Prepared by:

Report Title: **Date:**
Prepared by:

Report Title: **Date:**
Prepared by:

Report Title: **Date:**
Prepared by:

PART 9: Provincial Policy Statement and Provincial Plans

In making decisions regarding applications under the Planning Act R.S.O. 1990, planning authorities including Regional Council, are required to “be consistent” with the policies contained in the Provincial Policy Statement (2020) and to “conform with or not conflict with”, as the case may be, Provincial Plans (Greenbelt Plan, Niagara Escarpment Plan, Growth Plan for the Greater Golden Horseshoe, etc.). The preparation of background information and studies by the applicant must address how the proposal will affect the Provincial interest as defined by the Provincial Policy Statement and Provincial Plans. This information must be provided at the time the application is made. **IT IS A REQUIREMENT THAT APPLICANTS MEET WITH LOCAL, REGIONAL, AND IF NECESSARY PROVINCIAL PLANNING OFFICIALS PRIOR TO MAKING AN APPLICATION IN ORDER TO DETERMINE THE NATURE AND CONTENTS OF THIS INFORMATION.**

- A. Identify the Provincial Policy affected and indicate what information has been provided to address the Provincial Policy. If additional space is required, attach a separate page.**

Provincial Policy Statement, Growth Plan and Greenbelt Plans with respect to Specialty Crop designations and areas
Please refer to Planning Justification Report, prepared by IBI Group and AIA, prepared by DBH Soil Services.

- B. Is the requested amendment consistent with the policy statements issued under subsection 3(1) of the Planning Act (i.e. Provincial Policy Statement, 2020)?**

☒ *Yes ☐ No

If “yes”, provide detailed statement through a Planning Justification Report.

- C. Are the subject lands within an area of land designated under any provincial plan or plans?**

☒ *Yes ☐ No

If “yes”, please identify below and/or in a Planning Justification Report (prepared by a Registered Professional Planner, or similarly qualified Planner) and indicate whether the requested amendment conforms to or does not conflict with the provincial plan or plans.

Please refer to the submitted PJR and AIA for a full discussion on applicable policies and justification for how the proposed amendments conform to such policies.

PART 10: Other Information

Is there any other information that may be useful to the Region or to other agencies in reviewing this proposed Official Plan Amendment, (e.g., efforts made to resolve outstanding objections or concerns)?

Applicant Declaration

I, Jeffrey Paikin, declare that the information contained in this Application is true and accurate to the best of my knowledge and belief. I have authority at law (including applicable corporate authorization, if required) to bring this application to amend the Niagara Region Official Plan, including where applicable the consent of the registered owner of the affected lands.



Applicant's Signature
(original signature required)

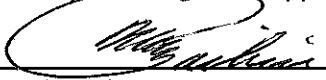
Applicant's Consent

Submission of this application constitutes tacit consent for authorized Regional staff to inspect the subject lands or premises and to enter upon the lands in order to undertake the inspection.

In accordance with the Planning Act R.S.O. 1990, it is the policy of Niagara Region to provide public access to all development applications and supporting documentation.

Jeffrey Paikin _____ (print name of applicant or agent)
agrees and acknowledges that this application and any supporting material, including studies and drawings, filed with the application is public information, and forms part of the public record.

Jeffrey Paikin _____ (print name of applicant or agent) hereby consents to the Region photocopying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any third party.



Applicant's Signature

27 April 2022
Day Month Year

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

ATTN: Planning and Development Services Department
Niagara Region
1815 Sir Isaac Brock Way
PO Box 1042
Thorold, ON L2V 4T7

Telephone: (905) 980-6000
Toll-free: 1-800-263-7215
Fax: 905-641-5208
Website: www.niagararegion.ca