

DATE: May 25th, 2022

REPORT NO: COA-014-22

SUBJECT: **Recommendation Report**
Application for Minor Variance by Andrew Frandsen on behalf of
Robert Comfort
File No. A14/2022WL

CONTACT: Madyson Etzl, Planner II
Brian Treble, Director of Planning and Building

OVERVIEW:

- A minor Variance application has been submitted by Andrew Frandsen for the property legally known as Concession 4, Part Lots 24 & 25, Part Road Allowance; RP 30R15584 Parts 1 & 3, in the former Township of Gainsborough, now in the Township of West Lincoln, Region of Niagara. The property is municipally known as 1639 Rosedene Road.
- This Minor Variance application has been submitted to permit an accessory building to be built 53.1 metres (174.21 feet) further then permitted away from the main building on the subject property with a total setback of 103.1 metres (338.25 feet), whereas Table 1-1 of the Township's Zoning Bylaw 2017-70, as amended, identifies that the nearest point of a wall of an accessory building must be located within 50 metres (164.04 ft) of the main building.
- In this instance the existing single detached dwelling is considered the main building on the property.
- This variance is required as the applicant is requesting the extra room so that they can use an existing foundation, which was a part of a previous agricultural coverall building that was pulled down in a wind storm roughly five years ago.
- On Tuesday May 17th the agent provided the Township with a site sketch for the property showing the setbacks of the proposed building.
- The site sketch was completed by Chambers and Associates Surveying LTD and it indicates that the proposed building will now have a 97.7 metre setback from the existing single detached dwelling. The required setback will now be 97.7 metres, 5.4 metres larger originally requested.
- This application has now been reviewed against the four tests of a Minor Variance and can be recommended for approval.

RECOMMENDATION:

1. THAT, the application for a Minor Variance made by Andrew Frandsen on behalf of Robert Comfort as outlined in Report COA-014-22, to permit a proposed 990.3 square metre accessory building to be located 103.1 metres from the main building on the subject property whereas Table 1-1 of the Township's Zoning By-Law requires

accessory buildings to be located within 50 metres of the main building on the property, BE APPROVED.

BACKGROUND:

The subject lands are situated on the east side of Rosedene Road, north of Regional Road 20 and south of Concession 4 Road, being legally described as Concession 4, Part Lots 24 & 25, Part Road Allowance; RP 30R15584 Parts 1 & 3, in the former Township of Gainsborough, now in the Township of West Lincoln, Region of Niagara. The property is municipally known as 1639 Rosedene Road. (See attachment 1 for a site sketch)

This application for Minor Variance has been applied for to permit an agricultural accessory building to be built 53.1 metres (174.21 feet) further then permitted away from the main building on the subject property with a total setback of 103.1 metres (338.25 feet), whereas Table 1-1 of the Township's Zoning Bylaw 2017-70, as amended, identifies that the nearest point of a wall of an accessory building must be located within 50 metres (164.04 ft) of the main building. The applicants are proposing to construct a 990.3 square metre accessory building for hay storage. The applicant is requesting the variance so that they can use an existing foundation, which was a part of a previous agricultural coverall building that was pulled down in a wind storm roughly five years ago.

CURRENT SITUATION:

Planning Staff have completed an analysis of the proposed Minor Variance application and can provide the following evaluation:

Does the proposal maintain the general intent and purpose of the Official Plan?

Yes

The Township of West Lincoln Official Plan designates the subject property as Good General Agricultural. The Good General Agricultural areas are accorded the second highest level of protection and preservation. Good General Agricultural lands are predominantly Classes 1 through Class 3 soils according to the Canada Land Inventory, and are well suited for a wide range of field crops and agricultural uses. Lands within the Good General Agricultural Designation shall be used for a full range of agriculture, and agriculture-related secondary uses that can adapt to changing farming needs and practices. Residential and accessory residential uses are also permitted in the Good General Agricultural designation.

In addition to the Good General Agricultural designation, the Official Plan identifies that this property contains elements of the Township's Natural Heritage System. The specific elements of the Natural Heritage System that are found on this property are the Core Heritage Corridor, Fish Habitat, Environmental Protection Area with Provincially Significant Wetlands and Floodplain, and Environmental Conservation Area with Significant Woodlands. These elements of the Natural Heritage System are of special importance to the character of the Township and to its ecological health and integrity. Furthermore, these elements are significant in the context of the surrounding landscape because of their size, location, outstanding quality or ecological functions. They contribute

to the health of the broader landscape, protecting water resources, providing wildlife habitat, reducing air pollution and combating climate change.

The proposed 990.3 square metre building is accessory to the agricultural operation on the property as well to the existing single detached dwelling on the property, and is being proposed to be built on the portion of the property that is designated as Good General Agricultural. The accessory building is proposed to be located around 130 metres from the nearest portion of the property that is designated Natural Heritage System. Township Staff believe that the proposed location would not significantly impact the environment or negatively impact neighbouring properties.

The proposed agricultural building is accessory to the existing agricultural buildings on the property, and would not significantly impact the environment, the ability to farm on the property, nor negatively impact neighbouring agricultural properties. The proposed building will be for hay storage

Township Planning Staff are of the opinion that this minor variance meets the general intent and purpose of the Official Plan as the proposed use is a permitted agricultural building and use and generally fits the character of the surrounding area.

Does the proposal maintain the general intent and purpose of the Zoning By-law?
Yes

The Township's Zoning By-law 2017-70, as amended identifies that the subject land is zoned Agricultural 'A', Environmental Conservation 'EC', and Environmental Protection 'EP'. The property is zoned Agricultural where the accessory building is being proposed. The agricultural zone permits main agricultural buildings and their associated accessory buildings as well as single detached dwellings and their associated accessory buildings. The proposed accessory building (hay storage building) is a permitted use under the regulations of the Agricultural Zone.

Under Table 1-1 of the Township's Zoning By-law accessory buildings shall be no further than 50 metres from the main building on the property. This ensures that the buildings are constructed in clusters to preserve agricultural land and to minimize the potential for large accessory buildings to be used to operate businesses that do not comply with the zoning by-law.

This property already has several accessory building that are existing around the property's single detached dwelling. Roughly there are six existing accessory buildings located to the rear of the property's single detached dwelling. These existing agricultural building range from being setback 17.4 metres to 85.8 metres from the single detached dwelling, with three of the existing accessory buildings being over 50 metres from the single detached dwelling.

While the hay storage building is initially proposed to be 103 m from the single detached dwelling, it is only proposed to be 66.7 m from the existing 415.7 square metre livestock

barn, 13.6 m from an existing 367.69 square metre hay storage building, and 10.8 m from an existing 238.5 square metre equipment storage building. Further, it is located in the same area as a former building which was removed a number of years ago in a wind storm. The area has not been actively farmed.

The purposed of the maximum distance setback to the main building is to ensure that buildings are clustered, to prevent illegal business to operate out of accessory building, and to preserve agricultural lands from sprawl. It is the Township's opinion that the while the proposed building is greater then 50 metres away it is still meeting the intent of the Zoning By-law, as it is situated in the same general area of all of the existing accessory buildings, is within 20 metres from three existing buildings, and because the owners are bona fide farmers who will in fact be able to use the proposed hay storage building for its intended agricultural use.

Is the proposal desirable for the appropriate development or use of the land?

Yes

The applicant is proposing to construct a 990.3 square metre agricultural accessory building on the subject property. The building is initially proposed to be located 103.1 metres from the existing main agricultural building (the existing single detached dwelling) whereas 50 metres is required from the nearest wall of the main building to nearest wall of the accessory buildings.

The agent of the applicant has indicated that that the Comfort's farm is over 240 years old and that "the Comfort family homesteaded [on the subject property] during the American Revolution (displaced from the USA because of war) and it has been a continuously working and evolving farming operation ever since."

The agent of the applicant further indicated that "the proposed hay storage building is to be partially built on an existing foundation. There had been a Coverall building situated there but [the] structure was reduced to scrap during a wind storm about five years ago. The various buildings which have been added over the centuries have been built to the east of the barn and dwelling as the open land to the south of the barn has always been a fenced paddock for the livestock."

Furthermore, the agent of the applicant has explained that the Comfort's farm "is a diversified farming operation which has evolved over the years (centuries actually). The primary income is now derived from growing and selling hay and [that the property's existing hay storage building was] constructed in 1989. The hay operation has continued to expand which has necessitated the construction of the current proposed hay storage building."

The proposed agricultural hay storage building is indicated to be located where a previous coverall building existed on the property. The previous coverall building is visible from Township's 2018 aerial imagery. The previous building appeared to have a size of 471.5 square metres, which is roughly half of the size of the proposed hay storage building.

The accessory building is proposed to be used for the agricultural business that the applicants have operated from this property for numerous years. Building locations are intended to be clustered so that farmland is to be protected for the long term from development. As a previous building was in the location of the proposed hay storage and as the proposed hay storage will be using a portion of the existing foundation of coverall building that was blown down Staff believe that no viable agricultural land will be lost from the construction of the hay storage building in the location that it is currently proposed in.

Surrounding properties are also zoned agricultural and are currently being cash cropped. Planning staff are of the opinion that this building aids in helping this business grow and the agricultural sector in West Lincoln grow as well. Therefore, staff feel that this is appropriate development of the land and that the building location is appropriate in this situation.

Is the proposal minor in nature?

Yes

The subject application is requesting to permit a proposed accessory building to be located no more than 103.1 metres from the main building whereas 50 metres is the required maximum distance from the main building. The purpose of the Township's Zoning By-law 2017-70 requiring accessory buildings to be located within 50 metres is to ensure that uses are expanding in clusters to preserve agricultural land and to minimize the potential for large accessory buildings to be used to operate businesses that are not agricultural or permitted in the Zoning Bylaw.

The proposed variance is a 106.2% increase (53.1 metre increase) from the Township's Zoning By-law's required maximum 50 metre setback, this variance would place the proposed accessory building at a 103.1 metre setback from the property's single detached dwelling. However, this variance would also have the hay storage building setback 69.4 m from the existing livestock barn. From the existing livestock barn the variance would only be a 38.8% increase (19.4 metres increase), which is significantly less.

At the same time, this variance would be permitting the proposed building to be utilizing a portion of the existing foundation from a coverall building that once was erected in the same location as the proposed hay storage. The previous covered building was erected prior to 2002 (the Township's earliest aerial imagery) and blew over in a windstorm after the Township's 2018 aerial imagery.

This variance would finally also have the proposed hay building setback 16.6 metres from the property's existing hay storage building.

Due to the history of the property and the placement of the existing buildings on the property, Staff believe that while the variance appears to be large it is in fact minor in nature as the variance will allow for the property to utilizing an existing foundation, not removing viable agricultural land as the building is still within the cluster, and adding in the agricultural operations of the property.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this application.

INTER-DEPARTMENTAL COMMENTS:

Notification was mailed to all applicable agencies and departments on Friday May 6th 2022. A yellow sign was also posted on the property a minimum of 10 days before the hearing.

The Township's Septic Inspector and Public Works Department have indicated that they have no objections to the proposed minor variance.

No other comments were received from agencies for this application at the time of this report.

PUBLIC COMMENTS:

Notification was mailed to all neighbouring properties within a 60m radius of the subject lands on Friday May 6th 2022. A notice was posted to the Township's website on the same day, and a Yellow sign was posted on the property a minimum of 10 days before the hearing.

No public comments have been received as of Friday May 20th 2022 as of the preparation of this report.

CONCLUSION:

A Minor Variance application has been submitted by Andrew Frandsen on behalf of Robert Comfort for the property municipally known as 1639 Rosedene Road. The Minor Variance application was submitted to permit an agricultural accessory building to be located no more than 103.1 metres from the existing single detached dwelling and 69.4 metres from an existing livestock building whereas Table 1-1 of the zoning bylaw requires that accessory buildings shall be no further than 50 metres. Planning staff are of the opinion that this application meets all four tests of a minor variance, and as such, can recommend approval of this application.

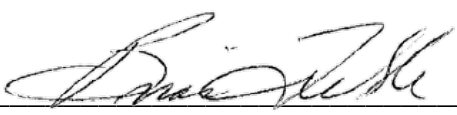
ATTACHMENTS:

1. Original Site Sketch
2. New Site Sketch
3. Agents comments
4. Accessory Building Zoning Provisions
5. Agency Comments

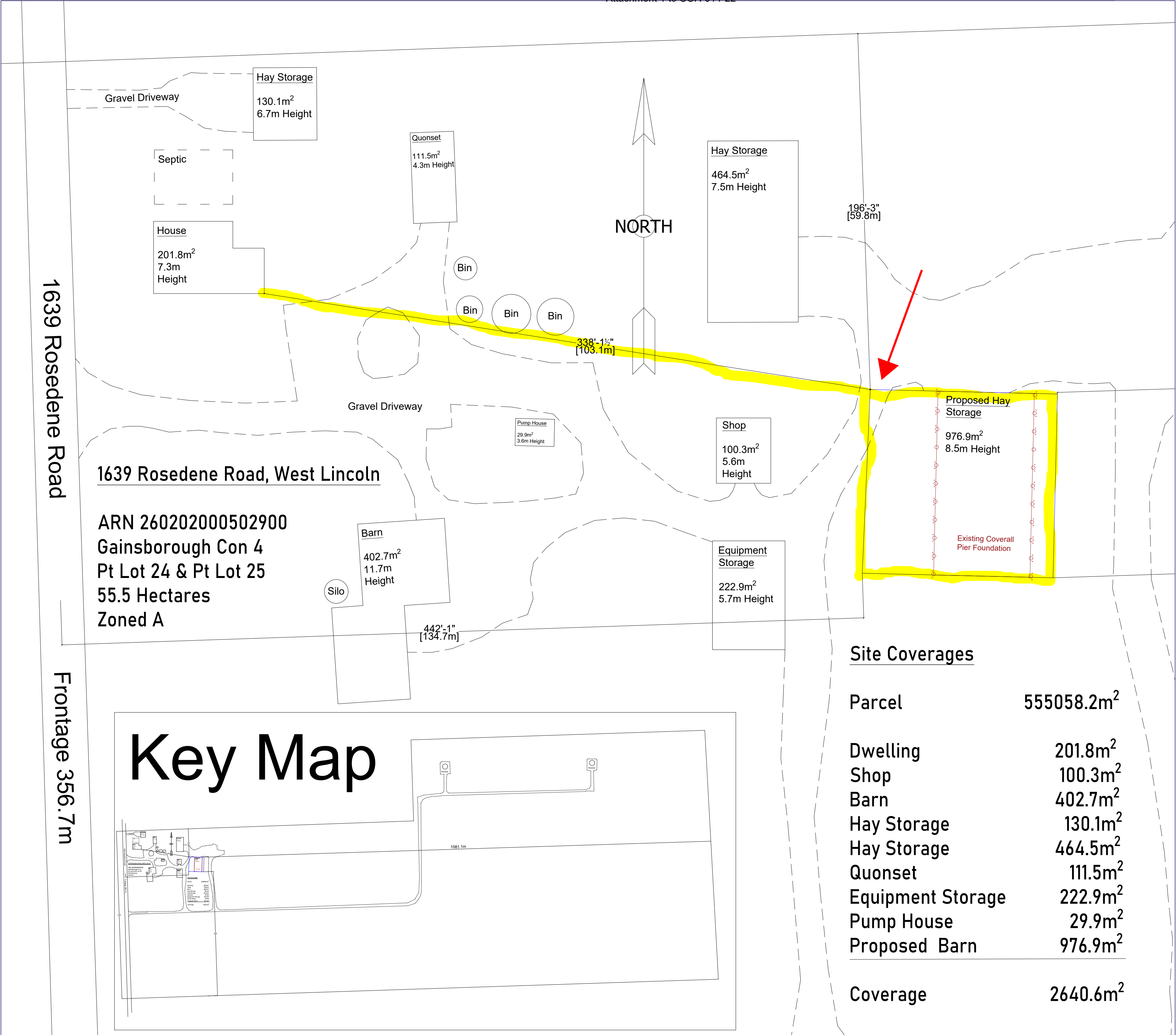
Prepared by:



Madysen Etzl
Planner II



Brian Treble, RPP, MCIP
Director of Planning and Building



7731 Concession 3 Road
Smithville, ON
L0R 2A0
905.246.2565

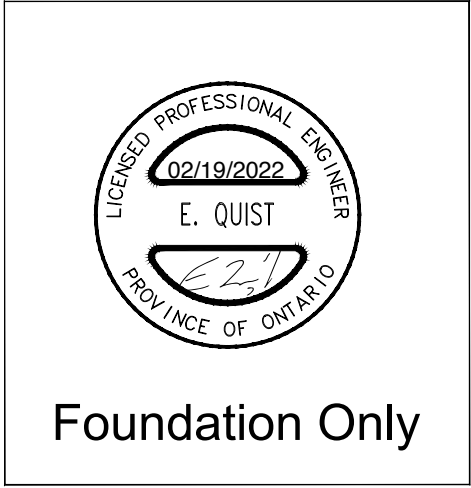
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DATE	20 September 2021
SCALE	1:400
DRAWN	Andrew
FILE	OCRG 21.020

PROJECT TITLE
Comfort Storage Building

ADDRESS
**1639 Rosedene Road,
West Lincoln**

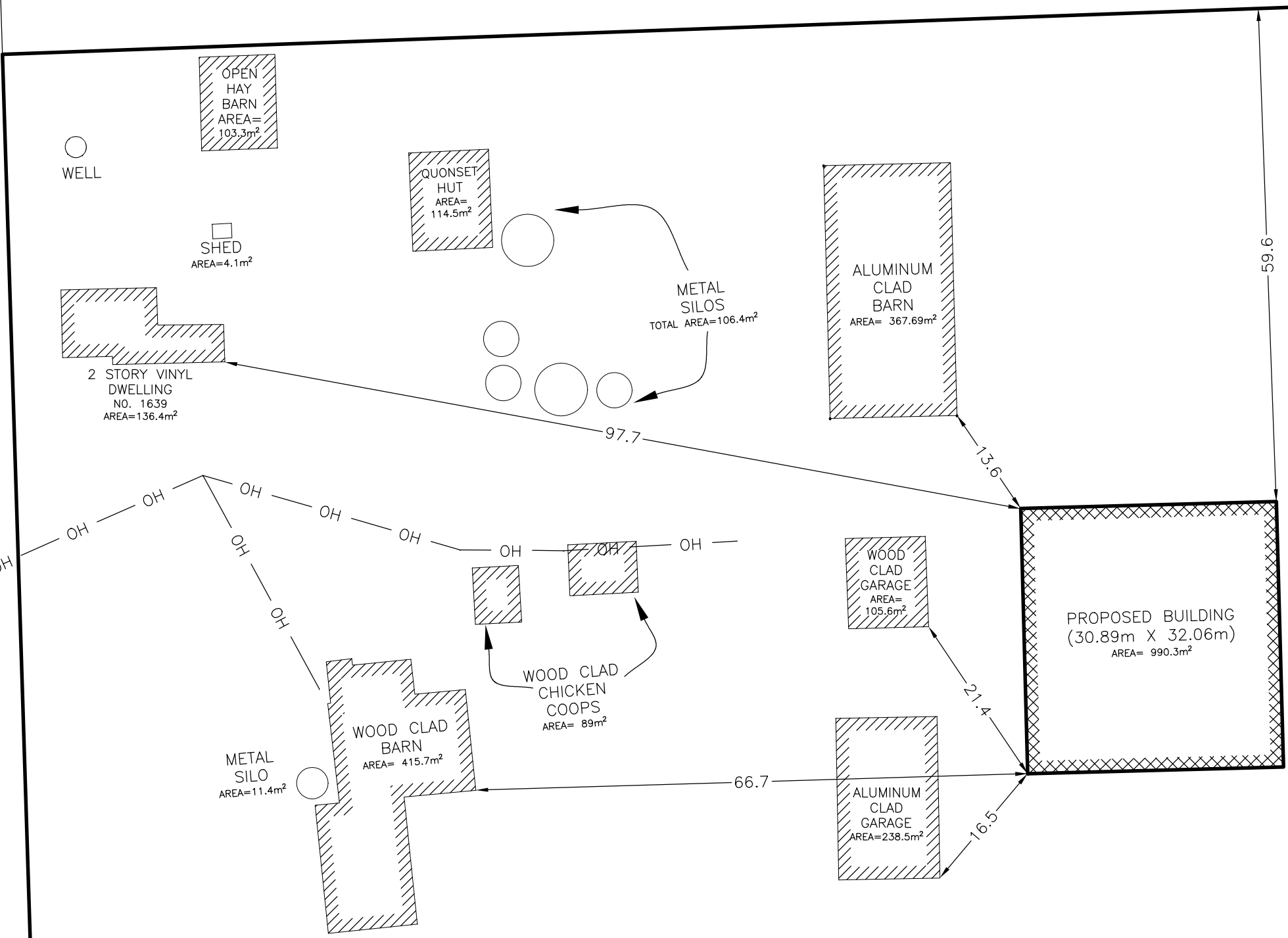
SHEET INDEX
SHEET 1 – Cover
SHEET 2 – Site Plan
SHEET 3 – Elevations
SHEET 4 – Pier Layout
SHEET 5 – Floor Plan
SHEET 6 – Sections



SITE PLAN

Sheet 2 of 6

ROSEDALE ROAD



LOT STATISTICS

LOT AREA	± 558178m²	55.82ha	100.0%
EXISTING DWELLING	136.4m²	0.0136ha	0.00024%
EXISTING ACCESSORY BUILDINGS	1678m²	0.1678ha	0.0030%
PROPOSED BUILDING	990.3m²	0.0990ha	0.0018%

SHEET 1 OF 2

SKETCH SHOWING PROPOSED BUILDING
PART OF LOT 24, 25 & PART OF ROAD
ALLOWANCE BETWEEN LOTS 24 & 25

CONCESSION 4
GEOGRAPHIC TOWNSHIP OF GAINSBOROUGH
IN THE
TOWNSHIP OF
WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 600 (METRIC)

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MAY 16, 2022

DATE

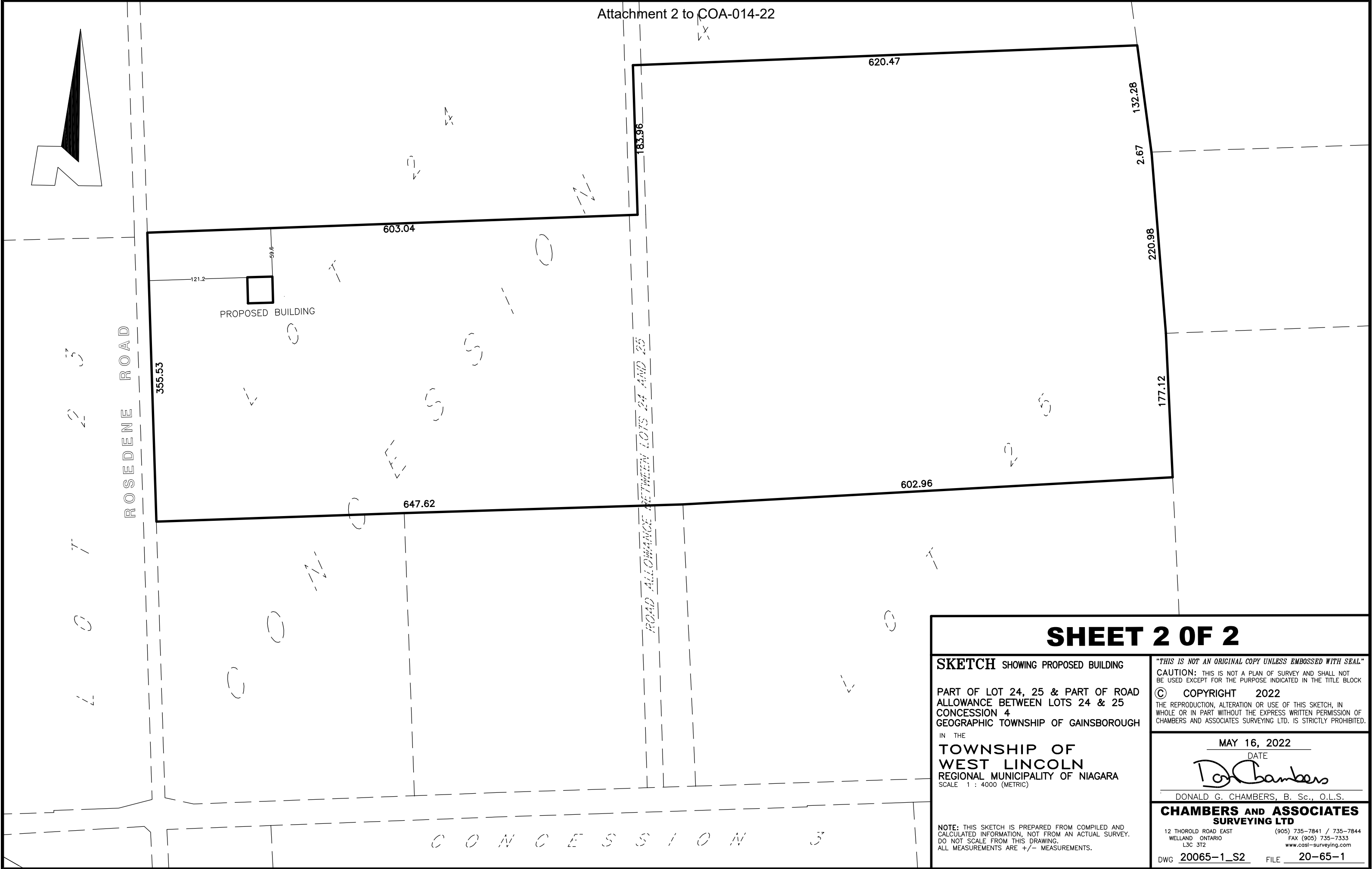
Donald G. Chambers

DONALD G. CHAMBERS, B. Sc., O.L.S.

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DWG 20065-1_S1 FILE 20-65-1



SHEET 2 OF 2

SKETCH SHOWING PROPOSED BUILDING

PART OF LOT 24, 25 & PART OF ROAD
ALLOWANCE BETWEEN LOTS 24 & 25
CONCESSION 4
GEOGRAPHIC TOWNSHIP OF GAINSBOROUGH
IN THE
TOWNSHIP OF
WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 4000 (METRIC)

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MAY 16, 2022
DATE
Don Chambers
DONALD G. CHAMBERS, B. Sc., O.L.S.

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L3C 3T2 www.casl-surveying.com
DWG 20065-1_S2 FILE 20-65-1

Meghan Birbeck

From: Andrew Frandsen <andrew.ocrg@gmail.com>
Sent: April 7, 2022 10:59 AM
To: Meghan Birbeck
Cc: Gerrit Boerema; Madyson Etzl; Bob Comfort
Subject: RE: planning inquiry for 220016
Attachments: Comfort OCRG 21.020-2 - Site Plan.pdf

Hi Meghan,

To follow up with our previous conversation, the Comfort farm is a diversified farming operation which has evolved over the years (centuries actually). The primary income is now derived from growing and selling hay and the most recent new building is a hay storage building constructed in 1989. The hay operation has continued to expand which has necessitated the construction of the current proposed hay storage building. For this reason I believe that the building labeled 'Hay Storage' (shown in green on attached Site Plan drawing) is the main building on this property.

Please let me know if you have any questions or if you require any further information.

Cheers, Andrew

Andrew Frandsen
905.246.2565

www.ocrg.ca



From: Meghan Birbeck <mbirbeck@westlincoln.ca>
Sent: April 7, 2022 9:45 AM
To: Andrew Frandsen <andrew.ocrg@gmail.com>
Cc: Gerrit Boerema <gboerema@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>
Subject: RE: planning inquiry for 220016

Good morning Andrew,

The Township has had a similar situation in terms of a building blowing down and a farmer wanting to rebuild it – but when rebuilding it where the foundation is the location does not comply with the Township's current Zoning By-law 2017-70, as amended.

The action to move forward with this location if there is not a main building with 50 m from the proposed location would be a minor variance.

Attachment 3 to COA-014-22

If you would like to proceed with a minor variance the Township is requiring that all applications go through a pre-application meeting first so that there are no misunderstandings prior to the submission. This meeting can take place over zoom or in person which ever you'd prefer.

The next available meeting dates are:

- 11-12pm Tuesday April 12
- 3-4 pm Tuesday April 12

- 1-2pm Tuesday April 26
- 2-3 Tuesday April 26
- 3-4 Tuesday April 26

Let me know what time works for you.

Best,
Meghan

	Meghan Birbeck
	Planner I
	Tel: 905-957-3346 ext. 5140 Email: mbirbeck@westlincoln.ca Web: www.westlincoln.ca
	  

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COVID 19 Update March 1, 2022 – Beginning March 1st, the Township of West Lincoln is continuing to implement next steps in the Province's Next Phase of Reopening.

From: Andrew Frandsen [<mailto:andrew.ocrg@gmail.com>]

Sent: April 6, 2022 7:29 AM

To: Meghan Birbeck <mbirbeck@westlincoln.ca>

Subject: RE: planning inquiry for 220016

Hi Meghan,

This will be somewhat challenging to get a 240+ year old working farm to fit into the current 2017 By-Law. The Comfort family homesteaded there during the American Revolution (displaced from the USA because of war) and it has been a continuously working and evolving farming operation ever since.

The original barn (south of the dwelling) could be considered the main building. This would reduce the separation distance to 69.4m but not 50m. The proposed hay storage building is to be partially built on an existing

Attachment 3 to COA-014-22

foundation. There had been a Coverall building situated there but this structure was reduced to scrap during a wind storm about five years ago. The various buildings which have been added over the centuries have been built to the east of the barn and dwelling as the open land to the south of the barn has always been a fenced paddock for the livestock.

Would the fact that it is to be built on an existing foundation offer us a solution to accommodating the 50m distance requirement of the By-Law? I certainly hope it does.

Thanks, Andrew

Andrew Frandsen
905.246.2565

www.ocrg.ca



From: Meghan Birbeck <mbirbeck@westlincoln.ca>

Sent: April 5, 2022 9:42 PM

To: andrew.ocrg@gmail.com; bobcomfrt321@gmail.com

Cc: John Bartol <jbartol@westlincoln.ca>; Jessica Kroes <jkroes@westlincoln.ca>; Gerrit Boerema <gboerema@westlincoln.ca>

Subject: planning inquiry for 220016

Good evening,

In finishing the zoning review of your building permit for the hay storage I need your opinion on the buildings on your property.

I have been struggling on reviewing the following element:

- Agricultural accessory buildings have a maximum setback of 50 metres to a main building on the property (see attachment)

In your site plan you have indicated that the proposed accessory agricultural building is 103 m from the single detached dwelling.

Can you let me know if in your opinion there is a "main building" on the property that the proposed hay storage is within 50 m of?

The Township's Zoning By-law 2017-70, as amended, identifies that Agricultural use and Single Detached Dwellings are permitted as the principle use of the property.

In addition, it defines the following:

- Agricultural use:
 - o means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fiber, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures.
- Accessory use:
 - o means a use naturally and normally incidental to, subordinate to or exclusively devoted to a principal use and located on the same lot.

- Main building:
 - o means a building for a principal use of the lot, and in a Residential Zone the dwelling is the main building

Best,
Meghan



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COVID 19 Update March 1, 2022 – Beginning March 1st, the Township of West Lincoln is continuing to implement next steps in the Province's Next Phase of Reopening.

Attachment 4 to COA-014-22

- xii. Parking and loading facilities: refer to Section 3.12;
- xiii. *Private garages*: refer to Subsection 3.12.7;
- xiv. *Renewable energy systems*: refer to Section 3.15;
- xv. *Signs*: refer to Section 3.23;
- xvi. *Swimming pools*: refer to Subsection 3.24;
- xvii. *Waste storage enclosures*: refer to Section 3.26.

- h) In addition to the above, an *accessory building or structure* shall comply with the regulations in Tables 1-1 and 1-2 based on the applicable *zone*.

Table 1-1: Regulations for Accessory Buildings and Structures in Agricultural Zones

Regulation		Accessory Buildings or Structures in an Agricultural Zone		
		Type 1 (0.1 to 10m ²)	Type 2 (10.1 to 100m ²)	Type 3 (greater than 100m ²)
Maximum <i>ground floor area</i> per <i>building</i> or <i>structure</i>		10m ²	100m ²	Based on maximum <i>lot coverage</i> (see below)
Maximum number of <i>accessory buildings or structures</i> per <i>lot</i>	<i>Accessory buildings</i>	3	2	Based on maximum <i>lot coverage</i> (see below)
	<i>Accessory Structures</i>	Based on maximum <i>lot coverage</i> (see below)		
Permitted <i>yards</i>		All <i>Yards</i> except the <i>required front yard</i> or <i>required exterior side yard</i> , except that a Type 1 <i>accessory building or structure</i> used for the retail sale of farm produce shall be permitted in the <i>required front yard</i> and <i>required exterior side yard</i>		
Minimum setback to <i>front lot line</i>		No closer to the <i>front lot line</i> than the <i>main building</i> , and in accordance with the minimum <i>yard</i> requirements of the applicable <i>zone</i> , except that a Type 1 <i>accessory building or structure</i> used for the retail sale of farm produce shall not be located any closer than 6 metres to the <i>front lot line</i>		
Minimum setback to <i>exterior side lot line</i>		No closer to the <i>exterior side lot line</i> than the <i>main building</i> , except that a detached <i>private garage</i> in the <i>rear yard</i> shall not be located any closer than 6 metres to the <i>exterior side lot line</i> , and a Type 1 <i>accessory building or structure</i> used for the retail sale of farm produce shall not be located any closer than 6 metres to the <i>exterior side lot line</i>		
Minimum setback to <i>interior side lot line</i>		1.2 metres	2 metres	7.5 metres
Minimum setback to <i>rear lot line</i>				
Maximum <i>height</i>		3 metres	5.5 metres	10 metres
Maximum <i>lot coverage</i> of all <i>accessory buildings or structures</i> on the <i>lot</i>	<i>Lot area</i> 0.4 ha or less	8%, of the <i>lot area</i> , provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings</i> and <i>structures</i> in the respective <i>zone</i>		Not permitted on this <i>lot size</i>
	<i>Lot area</i> 0.5 ha to 2 ha	Greater of 5% or 320m ² , provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings</i> and <i>structures</i> in the respective <i>zone</i>		
	<i>Lot area</i> 2.1 ha to 10 ha	Greater of 2.5% or 1,000 m ² , provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings</i> and <i>structures</i> in the respective <i>zone</i>		
	<i>Lot area</i> greater than 10 ha	Greater of 1% or 2,500 m ² , provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings</i> and <i>structures</i> in the respective <i>zone</i>		
Minimum setback from <i>main building</i> ⁽¹⁾		1.5 metres	3 metres	
Maximum distance from a <i>main building</i>		The nearest point of a wall of the accessory building must be located within 50 metres of the <i>main building</i> (Bylaw 2018-61)		

⁽¹⁾ No projection shall be permitted into this required setback. This setback does not apply to a balcony, deck, fence, patio, porch, roof-mounted solar panels, satellite dish/antenna, steps, sunroom, walkway or other accessory structure normally appurtenant to a *main building*.

Meghan Birbeck

From: Nikolas Wensing <nwensing@npca.ca>
Sent: May 17, 2022 11:12 AM
To: Meghan Birbeck
Subject: NPCA Comments - May 25th Committee of Adjustment Meeting
Attachments: 1612 Highway 20, West Lincoln.pdf; 1639 Rosedene Road, West Lincoln.pdf

Hello Meghan,

NPCA staff have reviewed the three applications you had circulated for 1639 Rosedene Road, 1612 Regional Road 20, and 2790 Thompson Road. I can confirm that the NPCA will have no objections to any of these three applications - File Nos. A14/2022WL, A15/2022WL, A16/2022WL. The rational for each application is included below.

A14/2022WL

- As per the attached NPCA regulated mapping NPCA staff note the presence of regulated Watercourses, Provincially Significant Wetlands (PSW), and Unevaluated Wetlands, and a Flood Hazard on the subject property.
- NPCA staff note that the proposed agricultural accessory structure will not fall within any NPCA regulated features, hazards, or their development buffers. As such, the NPCA will not object to the proposed structure of Minor Variance application.

A15/2022WL

- As per the attached NPCA regulated mapping, NPCA staff note the presence of a regulated Watercourse on the subject property. In addition, NPCA staff note that there may be Unevaluated Wetlands associated with the Watercourse on site near the southern edge of the subject property.
- NPCA staff note that the proposed addition will not fall within any NPCA regulated features, hazards, or their development buffers. As such, the NPCA will not object to the proposed addition or Minor Variance application.

A16/2022WL

- NPCA staff note that no features or hazards are present on the subject property. As such, the NPCA will have no objections to the proposed application.

Sincerely,

Nikolas Wensing, B.A., MPlan
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor, Welland, ON, L3C 3W2
905-788-3135, ext. 228
nwensing@npca.ca

1639 Rosedene Road, West Lincoln

Attachment 5 to COWA 014-17



3/18/2021, 4:46:24 PM

Roads

Corporate Watershed Divide NPCA

NPCA APPROXIMATE REGULATION LANDS

Regulated

Wetland Allowance

Regulation Wetlands

OWES WETLANDS

Non-Provincially Significant Wetland

Provincially Significant Wetland

Top of Slope Allowance

Top of Slope Features

Stable

Unstable

Reaches Draining 125ha Requiring FPM

Regulated

Cross Sections Inventory

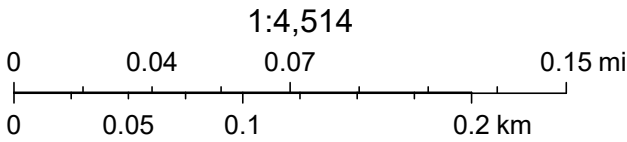
Cross Section

XSCutline

Assessment Parcels

2K Hydrography

2K HydroPoly



NPCA, Brian Lee, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Meghan Birbeck

From: Ray Vachon
Sent: May 9, 2022 10:15 AM
To: Meghan Birbeck; Busnello, Pat; Development Planning Applications; Dunsmore, Susan; Young, Katie; Nikolas Wensing; Mike DiPaola; Jennifer Bernard; John Schonewille; Jessica Kroes; Lyle Killins; Gerrit Boerema; Brian Treble; Madyson Etzl
Subject: RE: Notice of Hearing to May 25th, COA meeting - West Lincoln

Hi,

The variance for A14/2022WL since it's within the Fifteen Mile municipal drain. The variance would have no affect with regards to the drain.

Regards,



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

From: Meghan Birbeck
Sent: May 6, 2022 2:07 PM
To: Busnello, Pat <pat.busnello@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>; Dunsmore, Susan <Susan.Dunsmore@niagararegion.ca>; Young, Katie <Katie.Young@niagararegion.ca>; Nikolas Wensing <nwensing@npca.ca>; Mike DiPaola <mdipaola@westlincoln.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; John Schonewille <jschonewille@westlincoln.ca>; Jessica Kroes <jkroes@westlincoln.ca>; Lyle Killins <lkillins@live.com>; Gerrit Boerema <gboerema@westlincoln.ca>; Brian Treble <btreble@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>; Ray Vachon <rvachon@westlincoln.ca>
Subject: Notice of Hearing to May 25th, COA meeting - West Lincoln

Good afternoon,

Attached to this email are the 3 minor variance applications that are going to the May 25th Committee of Adjustment hearing.

Attachent 5 to COA-014-22

1. A14/2022WL – Comfort - 1639 Rosedene Rd
 - To permit a proposed agricultural accessory building to be built 53.1 m further then permitted away from the main building on the subject property with a total setback of 103.1 m.
1. A15/2022WL – Kozarichuk - 1612 Regional Road 20
 - To permit an accessory dwelling unit to be built 6 m² larger then permitted with a total size of 106 m².
2. A16/2022WL – Stanpac - 2790 Thompson Road
 - To permit an equipment cover/ enclosure to be built on the roof of their building 2 metres m higher then permitted with a total height of 12 m.

Best,
Meghan

	<p>Meghan Birbeck</p> <p>Planner I</p> <p>Tel: 905-957-3346 ext. 5140 Email: mbirbeck@westlincoln.ca Web: www.westlincoln.ca</p> <div data-bbox="609 892 722 995"></div>
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Meghan Birbeck

From: Jennifer Bernard
Sent: May 9, 2022 3:03 PM
To: Meghan Birbeck
Subject: RE: Notice of Hearing to May 25th, COA meeting - West Lincoln

Hi Meghan,

I have no comments on these 3 minor variance applications.

Thanks,
Jenn



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Sent: May 6, 2022 2:07 PM
To: Busnello, Pat <pat.busnello@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>; Dunsmore, Susan <Susan.Dunsmore@niagararegion.ca>; Young, Katie <Katie.Young@niagararegion.ca>; Nikolas Wensing <nwensing@npca.ca>; Mike DiPaola <mdipaola@westlincoln.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; John Schonewille <jschonewille@westlincoln.ca>; Jessica Kroes <jkroes@westlincoln.ca>; Lyle Killins <killins@live.com>; Gerrit Boerema <gboerema@westlincoln.ca>; Brian Treble <btreble@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>; Ray Vachon <rvachon@westlincoln.ca>
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1. A14/2022WL – Comfort - 1639 Rosedene Rd