

Growth Strategy and Economic Development

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7

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Via Email

January 5, 2024

Region File: D.18.12.ZA-23-0125

Susan Smyth
Senior Planner
Township of West Lincoln
318 Canborough Street
Smithville, ON L0R 2A0

Dear Ms. Pouliot

**Re: Regional and Provincial Comments
Proposed Temporary-Use By-law
Township File: 1601-010-23
Owner: Larry Pomerantz
9127 Regional Road 20
Township of West Lincoln**

Staff of the Growth Strategy and Economic Development Department has reviewed the materials that were provided with the circulation of the above noted Temporary Use By-law Amendment ("ZBA") application for the property municipally known as 9127 Regional Road 20 in the Township of West Lincoln ("subject lands").

The ZBA application proposes to permit a portion (2%) of the total lot area for outdoor storage of rain barrels / composters which is to be situated behind the existing storage buildings fronting Regional Road 20.

The following comments are offered from a Provincial and Regional perspective to assist Council with its consideration of the application.

Provincial and Regional Policies

The subject lands are within a 'Rural Area' under the *Provincial Policy Statement, 2020* ("PPS"), which includes rural settlement areas that shall be the focus of growth and development in rural areas, and are within a rural settlement under *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* ("Growth Plan"). The subject lands are located within the Fulton Rural Settlement on Schedule B – Regional Structure of the *Niagara Official Plan, 2022* ("NOP").

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The NOP outlines that identified rural settlements shall be the focus of development outside of urban area boundaries. Development within rural settlements are to be planned to ensure there is adequate amenities to serve the needs of area businesses, rural residents and the surrounding agricultural community; additionally, a portion of rural employment is to be planned within rural settlements to support the surrounding agricultural community.

Outlined in the NOP, rural settlements are to be serviced by sustainable private water and wastewater treatment systems in accordance with policies in the NOP.

In addition, site-specific policy 8.13.4 of the NOP states that the area within which the subject property is situated in has been added to the Fulton rural settlement to accommodate forecasted rural employment growth. Further, the policy requires that this area be designated in the Township of West Lincoln's Official Plan for rural employment uses.

Subject to the Township's satisfaction that the proposed temporary use would not negatively impact the ability of the lands to meet rural employment growth forecasts, Regional staff is satisfied that the proposed Temporary Use By-law application would not be contrary to the applicable Provincial and Regional policies. As such, Regional staff offers no objection to the proposal subject to the comments below.

Archaeological Resources

The PPS and NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically section 2.6.2 of the PPS and Policy 6.4.2.1 of the NOP state that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.

According to Schedule K of the NOP, the subject land is located within the mapped 'Area of Archaeological Potential'. Regional staff note that there is no new site alteration / development proposed that would be considered significant disturbance. In accordance with the NOP, any future *Planning Act* applications within the area of archaeological potential may require an archaeological assessment.

Natural Environment System

The subject property is impacted by the Region's Natural Environment System (NES), consisting of the Lower Twenty Mile Creek Provincially Significant Wetland (PSW) Complex and Other Wetlands. An Environmental Impact Study (EIS) is typically required when development and / or site alteration is proposed within 120 metres of these NES features.

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However, as the proposed temporary outdoor storage is located more than 120 metres of the PSW and other wetlands, and adjacent to existing storage buildings, staff has no requirements for the application from an environmental perspective.

WASTE COLLECTION

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

- Recycling: Maximum 8 Blue/Grey Carts Collected Weekly;
- Organics: Maximum 8 Green Carts Collected Weekly;
- Garbage: 8 Garbage Bags/Cans Collected Every-Other-Week.
- **Curbside Collection Only.**
- **Collection to remain as existing.**

REGIONAL ROAD

Regional staff note for information and future reference that Highway 20 (RR 20) has a designated road allowance width of 35.0 metres in Schedule M of the NOP. The illustration attached to these comments shows an approximate road widening of 4.07 metres for a small section of this property, which would be required through any future development application. Staff note, however, that as the existing road allowance width across the majority of the property exceeds the designated road width, it is recommended that the "Suggested Widening" of 20.1 metres as illustrated be dedicated in the future to maintain a consistent ROW width in this location.

PROTECTION OF SURVEY EVIDENCE

Staff would like to advise the applicant that survey evidence adjacent to Regional road allowances is not to be damaged or removed during the development of the property. Any agreements entered into for this development should include a clause that requires the applicant to obtain a certificate from an Ontario Land Surveyor stating that all existing and new evidence is in place at the completion of said development.

Conclusion

Staff of the Growth Strategy and Economic Development Department does not object to the proposal and is satisfied that the proposal would not be contrary to Provincial and Regional policies subject to the Township's satisfaction that forecasted rural employment growth will still be accommodated.

Please contact the undersigned at Connor.Wilson@niagararegion.ca or Pat Busnello, Manager of Development Planning at Pat.Busnello@niagararegion.ca should you have

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any questions related to the above comments. Please send the Notices of Decision on this Application when available.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Connor Wilson', with a stylized flourish at the end.

Connor Wilson
Development Planner

cc. Pat Busnello, Manager, Development Planning, Niagara Region
Adam Boudens, Senior Environmental Planner, Niagara Region
Steven Bureau, Development Approvals Technician, Niagara Region

Susan Smyth

From: Jennifer Bernard
Sent: January 10, 2024 12:51 PM
To: Susan Smyth
Subject: RE: NOTICE OF PUBLIC MEETING for January 15, 2024

Hi Susan, I did review this application for a Temporary Use By-law for 9127 RR20 and have no comments to provide, sorry I didn't let you know in December.

Jenn

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.



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From: Susan Smyth <ssmyth@westlincoln.ca>
Sent: January 10, 2024 11:47 AM
To: Jennifer Bernard <jbernard@westlincoln.ca>
Subject: FW: NOTICE OF PUBLIC MEETING for January 15, 2024

Hi Jennifer,

I just wanted to know if you have any formal comments on this application. I have been searching my emails and cannot seem to find anything.

Thanks,
Susan

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.

Susan Smyth

From: Tim Hofsink
Sent: January 10, 2024 11:35 AM
To: Susan Smyth
Subject: RE: NOTICE OF PUBLIC MEETING for January 15, 2024

Hi Susan,

I must have missed the original message on this. The only comments that I would have would be that in light of the height of the piles, it will be important that lanes are provided for firefighting access. I don't have any information on the flammability of the items, but they are plastic. I would request that fire lanes of the appropriate size are provided in the lands in question to ensure that fire apparatus will have access to all parts of the property.

Kind regards,

Tim

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From: Susan Smyth
Sent: January 10, 2024 11:25 AM
To: Tim Hofsink <thofsink@westlincoln.ca>
Subject: FW: NOTICE OF PUBLIC MEETING for January 15, 2024

Hi Tim,

I am preparing the report for this application and I did not receive any comments from the fire department, would there be any concern for outdoor storage of the rain barrels/composters.

Thank you,
Susan