



Growth Strategy and Economic Development

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Via Email Only

July 2, 2024

Regional File Number: PLZBA202400721

Madyson Ettl
Senior Planner
Township of West Lincoln
318 Canborough Street
Smithville, ON L0R 2A0

Dear Ms. Ettl:

Re: Regional and Provincial Comments
Application Type: Temporary Use Zoning By-law
Town File Number: 1601-006-24- 4961
Applicant: Janna and Frank Bulk
Agent: Darren Fousert
Location: 4961 Canborough Road, West Lincoln

Staff of the Growth Strategy and Economic Development Department reviewed the materials that were provided with the circulation of the above-noted Temporary Use By-law application for the property municipally known as 4961 Canborough Road in the Township of West Lincoln (“subject lands”).

The application proposes to temporarily permit a 67 square metre mobile home (garden suite) on the property zoned Rural Residential for a maximum of 20 years.

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 property is located within a Rural Settlement Area in accordance with the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe. The Niagara Official Plan, 2022 (NOP) designates the property as being within the Rural Settlement of Wellandport. Rural settlements are to be the focus of rural development outside of urban area boundaries and should be planned to encourage residential infill development that builds on the rural character and characteristics of the surrounding area to ensure there is adequate amenities to serve the needs of rural residents, area businesses and the surrounding nearby agricultural community.

The NOP outlines that rural settlements shall be the focus of development outside of urban area boundaries. Development within rural settlements is 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.

Under the NOP, rural settlements are to be serviced by sustainable private water and wastewater treatment systems.

As such, Regional staff offers no objection to the proposal subject to the comments below, and to the Township's satisfaction in relation to private servicing.

Archaeological Potential

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 Archaeological Management Plan guidelines indicate that an archaeological assessment for the proposed development can be waived as the proposed temporary manner of construction will result in limited ground disturbance. This includes any additional/expanded septic systems required to service the proposed temporary accessory structure. In lieu of an assessment, the following warning clause is provided to the owner should any resources be uncovered through construction works:

"If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities stop immediately. If the discovery is human remains, contact the Niagara Regional Police Service and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C.

<https://www.niagararegion.ca/projects/archaeological-managementplan/default.aspx>"

Natural Heritage

The subject property is impacted by the Region's Natural Environment System (NES), consisting of the Beaver Creek West Lincoln Wetland Complex (PSW), and Permanent/Intermittent Stream (and its riparian /shoreline area). NOP Policy 3.1.9.8.1 typically requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed on lands adjacent to natural heritage features

to demonstrate that there will be no negative impact on the features or their ecological function.

However, NOP policy 3.1.9.8.2 states that EIS requirements can be scoped if the proposed development is minor and is not anticipated to have a negative impact on the NES. Since the proposed work is on the far side of intervening existing development from the NES features, staff are satisfied that the proposed development will be minor and not have a negative impact on the NES, provided that best management practices are implemented during construction. The applicant should be advised that these practices should be implemented as part of the future construction works.

As such, staff offer no objection to the zoning by-law amendment application from a Natural Heritage perspective.

Regional Road

The subject property has frontage along Regional Road 63 (Canborough Road). This section of road meets the designated road allowance of 26.2 meters as identified in the NOP. As such, staff note no additional road widening is required at this time.

Regional Road, Entrance and Permit Requirements

The site currently has an existing entrance to Regional Road 63. No additional entrances will be permitted. If there are any changes to the existing entrance, drawings are to be provided through the permitting process. The applicant/owner should be aware of the following permits that are required with respect to entrances and works within the Regional Road Allowance:

- Prior to any construction/work taking place within the Regional road allowance, a Regional Construction, Encroachment, and Entrance Permit must be obtained from the Transportation Services Division, Public Works Department.
- The placement of any sign, notice or advertising device within 20 metres of the centerline of the Regional Road will require a Regional Sign permit.
- Permit applications can be made through the following link:
www.niagararegion.ca/living/roads/permits/default.aspx

Regional Bicycle Network

The subject property has frontage along a road which is designated as part of the Regional Niagara Bicycling Network. If the bicycle routes are currently not established and identified with signage, it is the intent of the Region to make provisions for doing so when an appropriate opportunity arises. This may involve additional pavement width, elimination of on-street parking, etc.

Waste Collection

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Niagara Region provides curbside waste collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste collection provided that the owner brings the waste to the curbside on the designated pick-up day, the current collection limits would remain the same for the property.

Conclusion

Staff of the Growth Strategy and Economic Development Department does not object to the proposal and is satisfied that the proposal is consistent with the Provincial Policy Statement, and is in conformity to Provincial plans and the Niagara Official Plan, subject to any local considerations, including private servicing.

Please send copies of the staff report and notice of the Town's decision on these applications. If you have any questions related to the above comments, please contact me at connor.wilson@niagararegion.ca.

Kind regards,



Connor Wilson
Development Planner

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region
Adam Boudens, M.Sc. Senior Environmental Planner, Niagara Region
Phillipe Biba, Development Approvals Technician, Niagara Region