



Growth Strategy and Economic Development

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

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Via Email Only

August 14, 2024

File Number: PLCS202400987

Stephanie Pouliot – Planner I
Secretary Treasurer - Committee of Adjustment
Township of West Lincoln
318 Canborough St., P.O. Box 400
Smithville, ON L0R 2A0

Dear Ms. Pouliot:

Re: Regional and Provincial Comments
Application Type: Consent
Township File Number: B05/2024WL
Applicant: Mark Vandenberg
Location: 5324 Canborough Road
Township of West Lincoln

Staff of the Regional Growth Strategy and Economic Development Department has reviewed this application to permit a severance for the property municipally known as 5324 Canborough Road in the Township of West Lincoln. The application proposes to sever 1.80 acres of land for residential purposes (construction of a new dwelling) and retain 1 acre of land containing an existing dwelling and accessory building. Regional staff received notice of this application on August 2, 2024.

A pre-consultation meeting for the proposal was held on February 1, 2024, with the applicant, Township, and Region in attendance.

The following comments are provided to assist the Township of West Lincoln with their review of the proposed Severance Application; Regional staff offer no comments regarding the concurrent Minor Variance application.

Provincial and Regional Policies

The subject property is located within a 'Rural Settlement Area' under the Provincial Policy Statement, 2020 ("PPS") and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation ("Growth Plan"). The property is designated

'Rural Settlements' in the Niagara Official Plan, 2022 ("NOP").

Regional policy identifies that a limited amount of development will occur outside of urban areas and rural settlements shall be the focus of development outside of urban area boundaries. Additionally, development in rural settlements should be planned to encourage residential infill development that builds on the rural character and characteristics of the surrounding area, and to be serviced by sustainable private water and wastewater treatment systems in accordance with the NOP.

Regional policy states that Rural settlements are to be serviced by sustainable private water and wastewater treatment systems. The Township is responsible for reviewing private servicing and should be satisfied that there are no servicing constraints associated with the proposed development.

Archaeological Potential

Staff note that the property is mapped within an area of archaeological potential on Schedule K of the NOP. 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 is not permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

During the pre-consultation meeting held on February 1, 2024, Regional staff required that a Stage 1 Archaeological Assessment be completed as the site exhibits the potential for the discovery of archaeological resources.

Regional staff has reviewed the Stage 1 Archaeological Assessment conducted by AS&G Archaeological Consulting (Dated July 16, 2024). The Stage 1 Archaeological Assessment determined that the study area exhibited potential for the identification and recovery of archaeological resources. As such, a Stage 2 Archaeological Assessment was recommended for these areas.

The Stage 1 and 2 Archaeological Assessments (and any additional assessment work if required) are to be submitted to the Ministry of Citizenship and Multiculturalism ("MCM"). Regional staff will require copies of the reports and MCM acknowledgement letter(s) confirming that the licensed consultant archaeologist has met the terms and conditions of their license and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario. Appropriate conditions of consent approval and an archaeological advisory clause have been included in the Appendix to address these requirements.

Regional staff will also require that the Stage 2 Archaeological Assessment and MCM acknowledgement letter be provided to the Region.

Regional staff note that, in accordance with Section 48 (1) of the Ontario Heritage Act, no site alteration or development is permitted on the subject lands until the required archaeological assessments have been completed and Ministry acknowledgement letters have been issued.

Conditions to implement these requirements are included in the Appendix.

Natural Heritage

The subject property is impacted by the Region's Natural Environment System (NES), consisting of Significant Woodland. The woodland is within 120 metres but outside of the proposed lot severance. As the proposed severance will not bisect the woodland or its buffer, staff offer no objection to the application from an environmental perspective.

It should be noted that any future development or site alteration applications may require an Environmental Impact Study or similar environmental study, as per NOP policies.

Conclusion

Staff of the Regional Growth Strategy and Economic Development Department does not object to the request for a consent, subject to the Township's satisfaction and to the conditions outlined in the Appendix.

Please send copies of the staff report and notice of the Township's decision on this application. 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, Senior Environmental Planner, Niagara Region

Appendix

1. That the Applicant submits the Stage 1 Archaeological Assessment, (prepared by AS & G Archaeological Consulting, dated July 16, 2024) and acknowledgement letter from Ministry of Citizenship and Multiculturalism (copied to Niagara Region) confirming that all archaeological resource concerns have met licensing and resource conservation requirements prior to any development on the site. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry through Niagara Region confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
2. That the Applicant submits the required Stage 2 Archaeological Assessment, prepared by a licensed archaeologist (and any required subsequent archaeological assessments), to the Ministry of Citizenship and Multiculturalism (MCM) and receive an acknowledgement letter from MCM (copied to Niagara Region) confirming that all archaeological resource concerns have met licensing and resource conservation requirements prior to any development on the site. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry through Niagara Region confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
3. That the Owner be advised of the following warning clause:

“If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must 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-management-plan/default.aspx>”