



Memo

To: Stephanie Pouliot, Planner
From: Jennifer Bernard, Coordinator of Engineering Services
Date: August 9, 2024
Re: File B07/2024WL – 141 Mill St

A review has been completed of this consent application to sever ~735.7 m² of land from #141 Mill St and consolidate that land with #135 Mill St.

Public Works staff notes there is an easement through both properties for a sanitary sewer however the proposed severance will have no impact as the easement is located outside of the lands to be severed.

Public Works staff have no further comments to provide.



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August 13, 2024

NPCA File No.: PLCON202401034

VIA EMAIL ONLY

Committee of Adjustment
Township of West Lincoln
318 Canborough St. P.O. Box 400
Smithville, ON, L0R 2A0

Attention: Stephanie Pouliot, Secretary Treasurer

Subject: Application for Consent, (B07/2024WL)
Gillian Mary Han and Theodore Yuag-Ti Han
141 Mill Street (Plan M89, Lot 47)
ARN 260203001546400

To the Committee of Adjustment,

Further to your request for comments for the consent for the above noted property, the Niagara Peninsula Conservation Authority (NPCA) can offer the following.

The applicant (whom resides on Parcel 1 and 2) proposes to apply a boundary adjustment to Parcel 3. This proposal is to sever ± 735.7 square metres of land referenced as Parcel 2 and consolidate with 135 Mill Street referenced as Parcel 3, which is the adjoining parcel to the west.

The NPCA has reviewed the NPCA Mapping of **ARN 260203001546400 & 260203001546501** and notes that the property is impacted by NPCA regulated features.

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under Ontario Regulation 155/06 of the Conservation Authorities Act. The NPCA Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority (NPCA policies) provides direction for managing NPCA regulated features.

The subject properties (Parcel 1, 2, and 3) contain the following regulated features: a watercourse (Twenty Mile Creek), and associated floodplain elevation of 183.28 m and floodplain study Datum of CGVD 28:78. In addition, a Provincially Significant Wetland (Lower Twenty Mile Creek Wetland Complex) and 30 metre buffer were identified.

As per the NPCA Policies, development and site alterations (including placement of fill, and lot grading) are not permitted within a Provincially Significant Wetland or within the 30-metre buffer. Further, the NPCA is not generally supportive of new lot lines crossing regulated features and their buffers. From the proposed boundary adjustment, allowing for Parcel 2 to consolidate with Parcel 3, there will be no lot creation taking place and no negative impact on proposed building envelopes, servicing and amenities.

Conclusion

At this time, the NPCA staff have no objections to the application for Consent **B07/2024WL**.

Please be advised that as the subject properties are within NPCA regulated areas, any future development will require NPCA review, approval, and Permits from this office prior to the commencement of any works on site. Depending on future proposed development, the NPCA may require a completed Site Visit or required studies prior to approval.

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter.

Sincerely,



Paige Pearson
Watershed Planner
(905) 788-3135, ext. 205
ppearson@npca.ca



Growth Strategy & Economic Development

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

August 15, 2024

File No.: **PLCS202400991**

Stephanie Pouliot
Planner
Township of West Lincoln
318 Canborough Street
Smithville, ON,
L0R 2A0
Dear Stephanie,

Re: Regional and Provincial Comments
 Consent Applications
 Address: 141 Mill Street, Township of West Lincoln

Niagara Region staff have completed a review of materials which have been submitted in support of the above-mentioned consent application. Application is to permit the conveyance of a parcel of land and easements for access and servicing. The following updated Provincial and Regional comments are provided to assist the Committee in considering these applications.

Archaeological Potential

Staff note that the property is mapped within an area of archaeological potential on Schedule K of the NOP. The Provincial Policy Statement ("PPS") and NOP state that 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. NOP Policy 6.4.2.6 states that where a site proposed for development is located within an area of archaeological potential, a Stage 1-2 Archaeological Assessment by a licensed archaeologist is required.

As there is no development and/or site alteration proposed through this application, staff offers no archaeological assessment requirements. Staff wish to provide the archaeological warning clause for the applicants information. Please note that any future development applications may require an archaeological assessment.

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 police 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.

Natural Heritage

The subject lands are impacted by the Region's Natural Environment System (NES), consisting of the Lower Twenty Mile Creek Provincially Significant Wetland (PSW) Complex and a permanent watercourse (including associated riparian area). Niagara Official Plan (NOP) policy 3.1.4.9 states that 'applications for a lot boundary adjustment shall avoid the fragmentation of provincially significant wetlands...'. Staff have reviewed the proposed location of the consent and are satisfied that the new lot line is located outside of the mapped PSW. As such, Regional environmental planning staff offer no objection to the application.

Conclusion

Based on the analysis and comments above, Regional staff offers no objection to the proposed Minor Variance and Consent applications. Please send notice of the Committee's decision with regard to these applications.

If you have any questions or wish to discuss these comments please contact the undersigned at extension 3268, or Susan Dunsmore, Manager of Development Engineering at extension 3661.

Regards,

Regards,



Philippe Biba
Development Approvals Technician
Niagara Region

Cc: Connor Wilson, Planner, Niagara Region
Susan Dunsmore, Manager, Development Engineering, Niagara Region
Adam Boudens, Senior Environmental Planner, Niagara Region