



318 Canborough St. P.O. Box 40C
Smithville, ON
L0R 2A0
T: 905-957-3346
F: 905-957-3219
www.westlincoln.ca

PLANNING & DEVELOPMENT DEPARTMENT

MEMORANDUM

TO: Stephanie Pouliot – Planner / Secretary Treasurer Committee of Adjustments

FROM: Lyle Killins, Septic Inspection Manager

DATE: September 16, 2024

**SUBJECT: A20 /2024 WL
Peter Feddema (Cav Construction Inc., Cody Van Soelen –Agent)**

Dear Stephanie,

Please be advised the application as submitted does not provide required information relating to the proposed sewage system. Thus, a report from a licensed sewage system installer and/or engineer should be provided to indicate compliance with minimal separation distance requirement as per Tables 8.2.1.6 A and 8.2.1.6 B of the Ontario Building Code.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lyle Killins", is written over the typed name.

Lyle Killins C.P.H.I.(c)
BCIN #11112



Growth Strategy and Economic Development

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

Via Email Only

September 17, 2024

Regional File Number: PLMV202401132

Stephanie Pouliot
Planner I / Secretary Treasurer of the Committee of Adjustment
318 Canborough St., P.O. Box 400
Smithville, ON
L0R 2A0

Dear Ms. Pouliot:

**Re: Regional and Provincial Comments
Minor Variance Application
Township File Number: A20/2024WL
Applicant: Peter Feddema
Location: 7125 Young Street, West Lincoln**

Regional Growth Strategy and Economic Development staff have reviewed the Minor Variance application for 7125 Young Street in the Township of West Lincoln (“subject property”).

The applicant is proposing to demolish the existing dwelling and construct a new single detached dwelling with an attached private garage. Relief is required to allow a proposed garage width of 12.2 metres whereas, Part 3.12.7(h) Private Garages of the Township’s Zoning By-Law identifies the maximum garage width permitted for an attached private garage as 50% of the total width of the dwelling or 9.2 metres, whichever is less. Additionally, relief is also being requested to allow a garage door height of 4.6 metres whereas, Part 3.12.7(g) Private Garages of the Township’s Zoning By-Law identifies 2.6 metres as the maximum height permitted for a garage door to an attached private garage.

Regional staff offer the following comments to assist the Committee of Adjustment in their consideration of the application.

Provincial and Regional Policies

According to the *Provincial Policy Statement, 2020 (PPS), A Place to Growth: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan)*, and *Niagara Official Plan*,

September 17, 2024

2022 (NOP), the subject property is located within the Prime Agricultural Area. Provincial and Regional policies recognize that agricultural land is a valuable asset that must be properly managed and protected.

The permitted uses and activities for prime agricultural areas are agriculture, agriculture-related, and on-farm diversified uses. Staff note that the Ontario Ministry of Agriculture, Food and Rural Affairs' (OMAFRA) *Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas* classifies a primary farm residential building as an agricultural use. As such, given that the new dwelling would replace the existing primary farm residence, staff offer no objection to the application from a planning perspective.

Please note that, in accordance with NOP Policy 4.1.4.3, all proposed development and uses will include sustainable on-site private water supply and private sewage disposal systems subject to applicable Provincial and Regional regulations and associated approvals. Regional staff defer to the Township with respect to private servicing capacity.

Archaeological Potential

The subject property falls within the Region's mapped area of archaeological potential, as identified on Schedule 'K' of the NOP. Additionally, there is a Registered Archaeological Site (AgGv-53) within 300 metres of the property. Provincial and Regional policies 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.

In accordance with Policy 6.4.2.6 of the NOP, Regional staff request a Stage 1 Archaeological Assessment by a licensed archaeologist, as well as a Stage 2 Assessment, where required, to support the application. In addition, staff request a Letter of Acknowledgement from the Ministry of Citizenship and Multiculturalism be circulated to the Region prior to the issuance of a building permit. Conditions to this effect are included in the attached Appendix.

Recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff offer the following archaeological clause to the owner in the event that any resources are encountered during construction:

"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 (Available at: <https://www.niagararegion.ca/culture-and-environment/pdf/archaeological-management-plan.pdf>)."

September 17, 2024

Natural Heritage

The subject property is impacted by the Region's Natural Environment System (NES), consisting of the Lower Twenty Mile Creek Provincially Significant Wetland Complex (PSW) and Other Wetlands, which are considered Key Hydrologic Features (KHF) outside of Settlement Areas. NOP Policy 3.1.9.8.1 states that a proposal for new development or site alteration within 120 m of a KHF/natural heritage feature or area will require an Environmental Impact Study (EIS) that identifies a minimum 30 m Vegetation Protection Zone (VPZ), to be established as natural self-sustaining vegetation. Development or site alteration is generally not permitted within a KHF or its VPZ. The EIS must demonstrate that there will be no significant 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. Due to the proximity of the proposed development to the features, staff are satisfied that the future development will be minor and not have a negative impact on the NES, provided that Erosion and Sediment Control (ESC) fencing and Best Management Practices are implemented during construction. Staff have no further requirements.

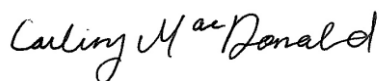
Conclusion

In conclusion, the proposed application does not conflict with Provincial and Regional policies for development within the prime agricultural area. As such, Regional Growth Strategy and Economic Development staff offers no objection to the application, subject to the completion of a Stage 1-2 Archaeological Assessment, plus any subsequent recommended assessments, and the circulation of an acceptance letter from the MCM confirming that all archaeological resource concerns have met licensing and resource conservation requirements. A condition to this effect is included in the attached Appendix.

Please note, 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.

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

Kind regards,



Carling MacDonald
Development Planner, Niagara Region

PLMV202401132

September 17, 2024

cc: Katie Young, MCIP, RPP, Senior Development Planner, Niagara Region
Connor Wilson, Development Planner, Niagara Region
Rachel Daniels, Planning Ecologist, Niagara Region

Appendix 1
Regional Conditions
7125 Young Street, West Lincoln

1. That the applicant/owner submit a Stage 1-2 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.



3350 Merrittville Hwy. Unit 9
Thorold Ontario L2V 4Y6
905.788.3135 | info@npca.ca | npca.ca

September 16, 2024

NPCA File No.: PLMV202401195

VIA EMAIL ONLY

Committee of Adjustment
Township of West Lincoln
318 Canborough Street
Smithville, ON L0R 2A0

Attention: Stephanie Pouliot, Secretary Treasurer of the Committee of Adjustment

Subject: Application for Minor Variance, A20/2024WL
Peter Feddema (c/o Agent, Cody Van Soelen, Cav Construction Inc.)
7125 Young Street
Township of West Lincoln
ARN 260203001227400

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 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 NPCA has reviewed the NPCA mapping of **ARN 260203001227400** and notes that the subject property contains the following NPCA Regulated Features: a Provincially Significant Wetland, potentially unevaluated wetlands, and a floodplain hazard. The following proposed development is not impacted by the identified NPCA Regulated Features as such, the NPCA would have no objection to the Minor Variance, A20/2024WL.

Please be advised that future development within an NPCA Regulated Feature including buffers, will require review and approval with NPCA Permits prior to the start of work.

Please do not hesitate to call should you have any further questions in this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Paige P.", is written over a faint, larger version of the same signature.

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