



Memo

To: Stephanie Pouliot, Planner
From: Jennifer Bernard, Coordinator of Engineering Services
Date: November 12, 2024
Re: File A23/2024WL – 7948 Concession 7 Rd

A review has been completed of this application to permit a garage addition to the existing single detached dwelling that is wider than permitted in the Township's Zoning By-law 2017-70.

This property is located within the area of the Van Buren municipal drain however the proposed garage addition does not impact the drainage areas. Public Works has no concerns with the proposal.



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PLANNING & DEVELOPMENT DEPARTMENT

MEMORANDUM

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

FROM: Lyle Killins, Septic Inspection Manager

DATE: November 12, 2024

**SUBJECT: FILE A23/2024 WL – Neil, Mark & Effie Dochstader
7948 Concession 7**

Dear Stephanie,

Please be advised the proposed application would not negatively impact on the requirement of Part 8 (Septic Systems) Ontario Building Code.

Thus, no objection to the application as proposed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lyle Killins', is written over a light blue horizontal line.

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



Public Works Growth Management and Planning Division

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

905-980-6000 Toll-free:1-800-263-7215

Via Email Only

November 18, 2024

File Number: PLMV202401475

Stephanie Pouliot

Planner I; Secretary Treasurer to the 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 for Minor Variance
Township File Number: A23/2024WL
Applicant: Neil, Mark, and Effie Dochstader
Location: 7948 Concession 7 Road
Township West Lincoln**

Staff of the Regional Public Works Growth Management and Planning Division has reviewed this application to permit a garage addition (130.16 square metres) with a width of 16.2 metres, which exceeds the maximum garage width for an attached private garage of 50% of the dwelling or 9.2 metres, whichever is less, for the property municipally known as 7948 Concession 7 Road in the Township of West Lincoln. Regional staff received notice of this application on November 6, 2024.

Staff note that no pre-consultation meeting was held to discuss the proposal. The following comments are provided from a Provincial and Regional perspective to assist the Committee in their consideration of the application.

Provincial and Regional Policies

The subject land is within the 'Prime Agricultural Area' within the Provincial Planning Statement, 2024 ("PPS") and is designated 'Prime Agricultural Area' in the Niagara Official Plan, 2022 ("NOP"). The permitted uses within this designation are for agricultural uses, which includes a principal dwelling associated with an agricultural operation, agriculture-related uses, and on-farm diversified uses. In addition, existing legally established uses, such as residential, are recognized and can continue.

Staff note that NOP Policy 4.1.10.2 also permits expansions to accessory structures subject to demonstration of the following:

- a. new municipal services are not required;
- b. the proposal does not expand into key natural heritage features and key hydrologic features, unless there is no other alternative in which case any expansion shall be limited in scope and kept within close geographical proximity to the existing structure;
- e. the proposal does not result in the intrusion of new incompatible uses;

Staff note that the proposed expansion does not propose any new municipal services nor are any environmental features identified within the area of development. The requested variance, which will facilitate the construction of an expansion to the existing structure (dwelling / attached garage), is not in conflict with Provincial and Regional policies and plans subject to the following comments and local requirements.

Archaeological Potential

The PPS and the NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, PPS policy 4.6(2) and NOP policy 6.4.2.1 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.

The subject lands are mapped within an area of archaeological potential on Schedule K of the NOP. In accordance with Policy 6.4.2.6 of the NOP, a Stage 1 Archaeological Assessment (at minimum) by a licensed archaeologist is required for any proposed development within an area of archaeological potential requiring approval under the Planning Act. As such, Regional staff requires that an archaeological assessment(s) be completed and submitted to the Ministry Citizenship and Multiculturalism with a copy of their acknowledgement of the report(s) shared to the Niagara Region and the Township.

In this instance however, Staff provides the following archaeological advisory clause for the applicant's information:

"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-managementplan/default.aspx>"

Nevertheless, the applicant may wish to undertake an archaeological assessment for their due diligence. Staff wish to advise the applicant that finding any archaeological resources during any construction / works would have to cease as noted in the advisory clause until an archaeological study is completed.

Conclusion

Staff of the Regional Public Works Growth Management and Planning Division does not object to the request for a Minor Variance to permit a garage addition exceeding the maximum garage width provision, subject to the Townships satisfaction.

Please send copies of the staff report and notice of the Township'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



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November 20, 2024

NPCA File No.: PLMV202401496

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 of the Committee of Adjustment

Subject: Application for Minor Variance, A23/2024WL
Neil, Mark and Effie Dochstader
7948 Concession 7 Road, West Lincoln, **ARN 260203001125300**

To the Committee of Adjustment,

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

Provided Description: *A Minor Variance application has been applied for to permit a garage addition (130.16 square metres) to the existing single detached dwelling on the subject property.*

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 260203001125300** and notes that the subject property does contain Regulated Watercourses and associated 15 m buffers. However, the proposed works do not encroach as such the NPCA would have no objection to proposed works within this application.

Please be advised that all future proposed works that are within an NPCA Regulated Area will require review, approval, and NPCA Permits prior to the start of development. 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 light blue horizontal line.

Paige Pearson
Watershed Planner
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ppearson@npca.ca