

**DATE:** December 16<sup>th</sup>, 2020

**REPORT NO:** COA-007-20

**SUBJECT:** **Recommendation Report**  
Application for Consent by Laura and John Lof  
File No. B05/2020WL

**CONTACT:** Madyson Etzl, Planner II  
Brian Treble, Director of Planning and Building

**OVERVIEW:**

- An application for a minor boundary adjustment in the form of a lot addition to a small holding has been submitted on behalf of Laura and John Lof by their agent Ken Martin.
- The Lof's own a farm property zoned Agricultural Purpose Only 'APO' that is  $\pm 36.93$  hectares ( $\pm 91.24$  acres) in size with the Roll Number 260202000813800 and are proposing to sever off  $\pm 0.178$  hectare ( $\pm 0.44$  acre) and retain  $\pm 36.77$  hectares ( $\pm 90.86$  acres) of land.
- The Lof's 'APO' property surrounds most of the lot at 6774 Elcho Road and abuts the south boundary of Ken Martin's property at 6800 Elcho Road.
- The Lof's are proposing to undergo the minor boundary adjustment with the Martin's.
- The Martin's property at 6800 Elcho Road is currently zoned Agricultural 'A' and is  $\pm 0.40$  hectare ( $\pm 1.0$  acre) in size. Performing the proposed minor boundary adjustment would increase the Martin's property to  $\pm 0.578$  hectare ( $\pm 1.44$  acre) in size.
- The portion of land proposed to be severed is too small to be accessed by modern farm equipment and therefore lies vacant and fallow.
- The Martin's who own the small holding property have been maintaining the grass on this fallow APO land for several years.
- If this application is approved, a Zoning By-law Amendment application will be required to rezone the land purposed to be severed from 'APO' to Rural Residential 'RuR'.
- The application has been reviewed in accordance with Section 51(24) of the Planning Act, Provincial, Regional and Township Policy and has been deemed to meet these criteria.
- Planning Staff recommend the approval of this application, with the appropriate conditions.

**RECOMMENDATION:**

That, report COA-007-20, regarding an application for Consent made on behalf of Laura and John Lof by their agent Ken Martin, BE APPROVED; subject to the following conditions:

1. That the approval applies to the transaction as applied for.
2. That all municipal requirements be met to the satisfaction of the municipality including servicing connections if required, cash-in-lieu of park land dedication, property maintenance, compliance with Zoning By-Law provisions for structures, and any related requirements, financial or otherwise.
3. That the subject parcel being Part 2 of the survey sketch prepared by Rasch and Hyde Ltd. And dated October 8, 2020 be conveyed to Kenneth and Marilyn Martin, being the owner of the property to the north, known municipally as 6800 Elcho Road, being CON 1 PT LOT 3 RP30R 9752, Part 1, Roll No. 260202000813810 and the subject parcel and the abutting parcel shall be merged in title and become one parcel. A solicitor's written undertaking shall be provided to the Secretary-Treasurer indicating that the necessary steps to implement the conveyance and merge in title will be taken including consolidation of PIN 5. Section 50(3) or 50(5) of the Planning Act shall apply.
4. That the applicant provide the Secretary-Treasurer with a copy of the transfer documents for the conveyance of the subject parcel, or a legal description of the subject parcel to be registered, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
5. That the applicant applies for, and receives approval of, a Zoning by-law amendment application that recognizes the small residential holding and ensures continuous restrictions on any residential development on the retained agricultural property.
6. That any unused wells be decommissioned to the satisfaction of the Director of Planning & Building, or designate, if required.
7. That a final certification fee, payable to the Township of West Lincoln, be submitted to the Secretary-Treasurer.
8. That all of these conditions shall be fulfilled within a period of one year after the giving of the Notice of Decision of the Committee of Adjustment, pursuant to Subsection 53(41) of the *Planning Act*, failing which this consent shall be deemed to be refused.

### ALIGNMENT TO STRATEGIC PLAN

- Theme
  - Strategic, responsible growth

### BACKGROUND:

A consent application has been submitted on behalf of Laura and John Lof by their agent Ken Martin for their Agricultural Purpose Only 'APO' property that is  $\pm 36.93$  hectares ( $\pm 91.24$  acres) in size. This application proposes to sever  $\pm 0.178$  hectare ( $\pm 0.44$  acre) of 'APO' land from the subject property. The portion of land proposed to be severed is too small to be accessed by modern farm equipment and therefore has been left vacant and fallow for several years. The retained 'APO' land will be  $\pm 36.77$  hectares ( $\pm 90.86$  acres) in size.

The subject lands to be severed are legally described as Concession 1, Part Lot 3 in the former Township of Gainsborough, now in the Township of West Lincoln. As the area proposed to be separated is a vacant 'APO' property it does not have municipally address, however, its Roll Number is 260202000813800. The subject lands are located to the south of Elcho Road and to the east of Caistor Gainsborough Townline Road and to the west of Port Davidson Road. (See attachment 1)

The Lofs through their agent are purposing to perform a minor boundary adjustment which will result in a lot addition to the Martin's adjacent property. The Martin's property is located at 6800 Elcho Road and is currently zoned Agricultural 'A' and is  $\pm 0.40$  hectares ( $\pm 1.00$  acres) in size. With the lot addition the Martin's property will become  $\pm 0.578$  hectares ( $\pm 1.44$  acres) in size.

### CURRENT SITUATION:

#### Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides guidance on all land use planning matters in Ontario. All planning decisions must conform to the policies of the PPS. In accordance with Policy 2.3.4.2 of the PPS, lot adjustments in prime agricultural areas may be permitted for legal or technical reasons. Evidence has been provided that Laura and John Lof are no longer able to farm this portion of the parcel of land in question with modern farm equipment, and thus, can be considered to qualify for a lot adjustment as the land lies vacant and fallow.

In order to conform to Provincial Policy, the retained agricultural lands will need to maintain their Agricultural Purpose Only 'APO' zoning. The severed 'APO' lands will be rezoned to Rural Residential 'RuR'. The portioned will be rezoned rural residential to coincide with the constant residential use of the small holding property.

#### A Place to Grow (2019)

A Place to Grow Plan (P2G), 2019 incorporates key changes intended to address potential barriers to increasing the supply of housing, creating jobs and attracting

investments. Section 4 of the Growth Plan provides policy direction related to protecting natural features and areas and the diverse agricultural land base throughout the Greater Golden Horseshoe. In relation to the proposed severance application Section 4.2.6 (Agricultural Systems) of the P2G applies.

Section 4.2.6 of the Growth Plan provides policies respecting the Province's Agricultural System. In particular, Policy 4.2.6.5 identifies that the retention of existing lots of record for agricultural uses is encouraged, and the use of these lots for non-agricultural uses is discouraged. The proposed severance does not affect the continued agricultural use of the remaining lands. It is a requirement for the retained agricultural lands to be preserve their current Agricultural Purpose Only 'APO' zoning. This will ensure the retained lands are not used for residential purposes in perpetuity.

### **Greenbelt Plan (2017)**

Applications must conform to the Greenbelt Plan if they fall within the established Greenbelt Plan boundary. Since the Subject Lands are outside of the identified Greenbelt area, the Greenbelt Plan does not apply.

### **Regional Official Plan**

The Regional Official Plan (ROP) provides general policy direction for planning in the Niagara Region. The ROP allows for severances in the agricultural area where the severance occurs as a result of a farm consolidation.

The ROP is the guiding planning document for the physical, economic and social development of the Niagara Region. Policies and objectives for the Region's rural and agricultural areas are contained within Section 5 of the ROP and are intended to provide for the preservation of agricultural lands for agricultural purposes and ensure development patterns within the agricultural and rural areas do not result in land use conflicts for agricultural uses.

Policy 5.B.8.1 sets out the circumstances under which consents within Good General Agricultural Areas may be permitted. In accordance with Policy 5.B.8.1 d) lot adjustments for legal or technical reasons such as easements, corrections to deeds, quit claims and minor boundary adjustments which do not result in the creation of a new lot are permitted.

### **Township of West Lincoln Official Plan**

The subject lands are designated as Good General Agriculture in the Township's Official Plan (OP). The Township Official Plan identifies that where land is being conveyed as part of a minor boundary adjustment, which do not result in the creation of a new lot, consent applications are permitted for legal or technical reasons.

Laura and John Lof are unable to farm the ±0.178 hectare (±0.44 acre) parcel of land in question with modern farm equipment. Therefore, a lot addition to an adjacent small holding property is being proposed. Severing ±0.178 hectare (±0.44 acre) parcel of land from Laura and John Lof ±36.93 hectares (±91.24 acres) is a minor adjustment and

insures that all of their land can be farmed.

As the proposed consent application meets the policy requirements laid out in the Township's OP, Township Staff is of the opinion this application meets the intent of the OP.

### **Township Zoning By-law**

The property is currently zoned Agricultural Purpose Only 'APO'. In order to meet zoning regulations, the retained agricultural land is required to retain its 'APO' zoning. While the parcel of land that is being severed and added to an Agricultural 'A' zoned property. A rezoning will have to occur for the parcel being merged from the 'APO' parcel. The severed parcel of land will be rezoned from 'APO' to Rural Residential 'RUR' in conjunction with the rezoning of the 0.40 hectare (1.0 acre) existing small holding.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this application.

### **INTER-DEPARTMENTAL COMMENTS**

Circulation was provided to interested agencies on November 26<sup>th</sup> 2020, by way of mail and e- mail.

Township Public Works Department, Septic Inspector, and Building Department have no objections to the application as proposed.

Regional Planning and Development Services staff does not object to the consent application from a Provincial or Regional perspective, subject to the satisfaction of any local requirements and conditional on Parcels 1 and 2 merging in title, municipally known as 6800 Elcho Road. See attachment for the NPCA's full comments.

The NPCA's Policy states that lot creation (unless for legal or technical reasons) should not be permitted within 30 m (98 ft) of a wetland. The portion of land in question for this application is within this buffer, however the Niagara Peninsula Conservation Authority (NPCA) have articulated that they will not object to the proposed boundary adjustment. It is the view of the NPCA that the proposed boundary adjustment is for "legal and technical reasons".

Further, the NPCA will be waving an Environmental Impact Study for this application. See attachment for the NPCA's full comments.

### **PUBLIC COMMENTS:**

Circulation by way of mail was given to property owners within a 120m radius of the subject property on Thursday November 26<sup>th</sup> 2020. One comment has been received from the public as of the completion of this report on December 11<sup>th</sup> 2020.

A neighbouring property to 6800 Elcho Road have indicated that they are pleased to hear about this minor boundary adjustment and would like to give their support for the application. Further stating that they believe the minor boundary adjustment will

nicely provide congruency to the rear of both of their property lines. The neighbour further added that some of the land in question is quite low and wet and any changes to this could possibly affect the drainage at the back corner of their horse paddock. The full comment can be found in the attachments.


### **CONCLUSION**

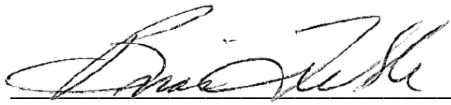
Planning Staff have reviewed all applicable Provincial, Regional and Township policies as they relate to the proposed application and conclude that the proposal meets the intent of these policies. Accordingly, we recommend approval of the consent application for Laura and John Lof to sever a  $\pm 0.178$  hectare ( $\pm 0.44$  acre) portion of their Agricultural Purpose Only 'APO' land from Roll Number 260202000813800 as a minor boundary adjustment so that their property can be fully farmed. Township Staff are satisfied that the application meets all criteria and can thus recommend approval of this application, with the appropriate conditions.

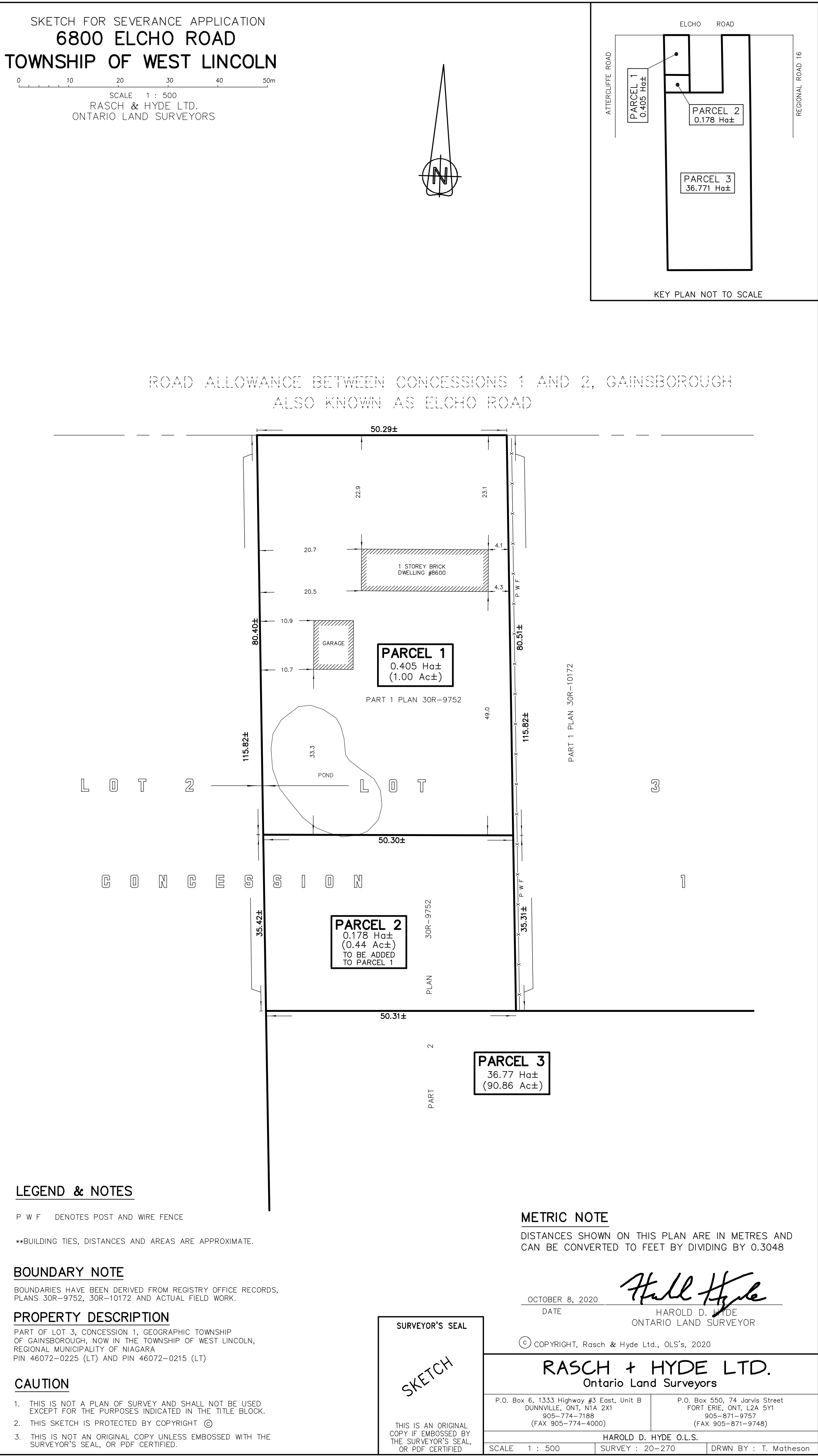
### **ATTACHMENTS**

1. Severance Sketch
2. Severance Sketch authorization
3. Support Letters
4. Agency Letters

**Prepared by:**

  
\_\_\_\_\_  
**Madysen Etzl**  
**Planner II**

  
\_\_\_\_\_  
**Brian Treble, RPP, MCIP**  
**Director of Planning and Building**



**Rasch & Hyde Ltd.**  
**Ontario Land Surveyors**

DUNNVILLE  
1333 Highway 3, Unit B, P. O. Box 6  
Dunnville, Ontario, N1A 2X1  
Phone: 905-774-7188  
Fax: 905-774-4000

FORT ERIE  
74 Jarvis Street, P. O. Box 550  
Fort Erie, Ontario, L2A 5Y1  
Phone: 905-871-9757  
Fax: 905-871-9748

Harold D. Hyde, OLS

Date: October 8, 2020  
Job No.: 20-270

Location of Subject Lands

Part of Lot 3, Con. 1 Gainsborough, now in the Township of West Lincoln and being No. 6800 Elcho Road

I, Harold Hyde, OLS, who has prepared a survey sketch for the registered owner(s) of the above lands, hereby authorize the Township of West Lincoln Committee of Adjustments to copy, circulate or use said sketch for the purposes of a Consent Application, or a Committee of Adjustments Application, as required.

Dated at the Dunnville offices of Rasch & Hyde Ltd., in Haldimand County, this 8<sup>th</sup> day of October, 2020.



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Harold Hyde, OLS  
**Rasch & Hyde Ltd.**  
20-270 Severance Sketch Authorization



**6800 Elcho Road, Wellandport – Boundary Adjustment Proposal and Request**

**August 24, 2020**

**TO: Gerrit Boerema Planner II, West Lincoln  
Aimee Alderman MSc, MCIP, RPP Development Planner Region of Niagara**  
**FROM: Marilyn and Ken Martin 6800 Elcho Road, Wellandport, ON L0R 2J0**

This letter is our formal request to the Local and Regional governing bodies for a boundary adjustment to our lot at 6800 Elcho Road, Wellandport.

Following the creation of our lot, the farm from which it was severed was subdivided creating the property at 6774 Elcho Road which is approximately five acres in size.

When this was completed, it created an east west boundary of this property that juts out to the south approximately 115 feet beyond to east west boundary of out lot at 6800 Elcho Road. This formed a small portion land less than half an acre, measuring approximately 115 feet deep by 164 feet long.

Due to its small size and shape, this portion of land is not access to modern farming equipment. Accordingly, the land lies fallow.

For several years, with the permission of the present owners, we have maintained the grass cutting on this small piece of land and have used a portion of it for a garden.

Allowing this boundary change will align the east west property line of our lot with the adjacent lot to the east (6774 Elcho Road) and will not alter the current farming operation of Laura and John Lof, owners of the farmlands.

Mr. Lof and I have on numerous occasions discussed applying for this boundary adjustment since the irregularity of the parcel prevents its access with his equipment and we are currently mowing it as a portion of our yard.

With the agreement of the Lof family, we therefore request approval of this boundary adjustment.

Sincerely,



Marilyn Martin 6800 Elcho Road



Kenneth Martin 6800 Elcho Road

**6800 Elcho Road, Wellandport – Boundary Adjustment Proposal and Request**

**August 24, 2020**

**TO: Gerrit Boerema Planner II, West Lincoln  
Aimee Alderman MSc, MCIP, RPP Development Planner**

**FROM: Laura and John Lof 6765 Elcho Road, Wellandport, ON L0R 2J0**

This letter concerns a small portion of our farmland at 6730 Elcho Road, Wellandport, Ontario.

Our farmland surrounds most of the lot at 6774 Elcho Road and abuts the south boundary of the Martin property at 6800 Elcho Road. There is a small portion of our farmland that juts northward abutting the Martin property.

This forms a small rectangular piece of property of less than half an acre that is inaccessible to our farming equipment. Mr. Martin has, for the past several years, maintained this parcel as an extension to his back lawn.

Recently, we have discussed a boundary adjustment that will add this portion of property to the Martin lot and align the east west boundary of our farm that abuts both 6800 and 6774 Elcho Road.

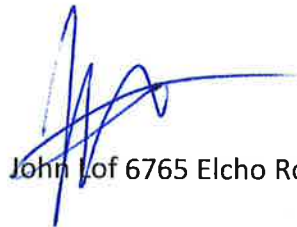
This adjustment will not alter our current farming operation as we are not able to utilize this small piece of land due to its size and shape.

We therefore request and support this boundary adjustment.

Sincerely,



Laura Lof 6765 Elcho Road



John Lof 6765 Elcho Road



318 Canborough St. P.O. Box 400  
Smithville, ON  
L0R 2A0  
T: 905-957-3346  
F: 905-957-3219  
[www.westlincoln.ca](http://www.westlincoln.ca)

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# Memo

To: Meghan Birbeck, Planner I  
From: Jennifer Bernard, Coordinator of Engineering Services  
Date: December 7, 2020  
Re: File B05/2020WL – Martin & Lof

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A review has been completed on this application for consent for a lot addition to 6800 Elcho Road from the adjacent Agricultural Purpose Only (APO) property. The owner of the adjacent APO property is proposing to sever off  $\pm 0.178$  hectares ( $\pm 0.44$  acres) and retain  $\pm 36.77$  hectares ( $\pm 90.86$  acres).

Public Works has no comments to provide on this application.

## Meghan Birbeck

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**From:** Lyle Killins <lkillins@live.com>  
**Sent:** December 9, 2020 10:00 AM  
**To:** Meghan Birbeck  
**Subject:** Re: Notice of Hearing B052020WL

Good Morning, Meghan

Upon review of the proposed application, it would appear all requirements of Part 8, Ontario Building Code would remain fulfilled.

Thus, I have no objection to the application as proposed.

Please do not hesitate to contact me if you have any questions and or require clarification.

Regards.

Lyle Killins C.P.H.I.(c)

B.C.I.N.#11112

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**From:** Meghan Birbeck <mbirbeck@westlincoln.ca>  
**Sent:** December 8, 2020 2:25 PM  
**To:** Lyle Killins <lkillins@live.com>  
**Subject:** FW: Notice of Hearing B052020WL

Good afternoon Lyle,

I have just realized that I do not believe that this email found its way to you.

I was wondering if you could provide comments to the attached notice for Consent application for B052020WL.

The Consent is to go before the Committee of Adjustment Meeting on Wednesday December 16<sup>th</sup> at 7:00 pm.

If you have any questions, please contact myself at 905-957-5140 or by email at [mbirbeck@westlincoln.ca](mailto:mbirbeck@westlincoln.ca)

Sincerely,  
Meghan Birbeck

**Meghan Birbeck**

**West Lincoln**  
Your Future Naturally

**Planner I**

Tel: 905-957-3346 ext. 5140  
Email: [mbirbeck@westlincoln.ca](mailto:mbirbeck@westlincoln.ca)  
Web: [www.westlincoln.ca](http://www.westlincoln.ca)





## **Planning and Development Services**

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

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### **Via Email Only**

December 9, 2020

File No.: D.06.12.CS-20-0059

Meghan Birbeck  
Secretary-Treasurer, Committee of Adjustment  
Township of West Lincoln  
318 Canborough Street  
Smithville, ON L0R 2A0

Dear Ms. Birbeck:

**Re: Regional and Provincial Comments  
Proposed Boundary Adjustment (Lot Addition)  
Township File No.: B05/2020WL  
Applicant: Kenneth Martin, Laura & John Lof  
Address: 6800 Elcho Road  
Township of West Lincoln**

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Regional Planning and Development Services staff has reviewed the above-noted consent application, which proposes a lot addition for 6800 Elcho Road (1.0 acres, 0.41 hectares; Parcel 1) from the adjacent Agricultural Purpose Only (APO) property. The owner of the adjacent APO property, municipally known as 6774 Elcho Road, is proposing to sever 0.178 hectares (0.44 acres; Parcel 2) and retain 36.77 hectares (90.86 acres). The land to be added to 6800 Elcho Road is vacant and lies fallow as the area is too small to be accessed by modern farm equipment, according to the Notice of Public Hearing. Parcel 3 will continue to be used for agricultural purposes. If approved, the rural residential lot at 6800 Elcho Road would increase in area from 1.0 acres (0.405 hectares) to 1.44 acres (0.583 hectares).

A pre-consultation meeting for this proposal was held with Township of West Lincoln, Niagara Peninsula Conservation Authority and Regional staff, as well as the owner. The following comments are provided from a Provincial and Regional perspective to assist the Committee in considering this application.

### **Provincial and Regional Policies**

According to the Provincial Policy Statement (PPS), the property is located within a prime agricultural area and is designated as within the Good General Agricultural Area

in the Regional Official Plan (ROP). Provincial and Regional policies recognize that agricultural land is a valuable asset that must be properly managed and protected. Both the PPS and the ROP permit lot adjustments for legal or technical reasons, such as easements and minor boundary adjustments, which do not result in the creation of a new lot.

The minor boundary adjustment has been submitted to add approximately 0.44 acres of land (Parcel 2) to Parcel 3 (6800 Elcho Road, approximately 1.0 acres), which currently contains a single detached dwelling, garage, and pond. Based on aerial imagery and letters submitted by the applicant and owner, the owner of 6800 Elcho Road utilizes and maintains the land proposed for the lot addition. The owner of the surrounding farmland is unable to access this section of property with their farming equipment, and transferring Parcel 2 to 6800 Elcho Road will not alter the current farming operation at 6774 Elcho Road. While it is acknowledged that the addition of 0.44 acres will result in a larger rural residential lot, staff notes that Parcel 2 is currently being utilized by the owner of Parcel and merging Parcels 1 and 2 will not result in taking any active agricultural land out of production. Regional staff are not opposed to the boundary adjustment, in principle, provided that the Committee is satisfied that Parcel 2 cannot be farmed by the owner of Parcel 3.

## **Natural Heritage**

The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Provincially Significant Port Davidson Slough Forest Wetland Complex (PSW) and Significant Woodland. The property is also mapped as part of the Growth Plan (2019) Provincial Natural Heritage System (PNHS). As such, these features are considered a Key Natural Heritage Features (KNHF) and Key Hydrologic Features (KHF) and the natural heritage policies identified in the Provincial Growth Plan apply accordingly.

Growth Plan policies typically require the completion of a Natural Heritage Evaluation (NHE) when development and/or site alteration is proposed within 120 metres (m) of a KNHF/KHF. Regional policies similarly require the completion of an Environmental Impact Study (EIS) when development and/or site alteration is proposed within 120 m of PSW and within 50 m of Significant Woodland. Further, Growth Plan policies also require that a 30 m Vegetation Protection Zone (VPZ) as measured from the outside boundary of a KNHF be established as natural self-sustaining vegetation. Development and/or site alteration is not permitted within a KNHF or its VPZ.

Given that the proposed boundary adjustment is considered minor in nature, Environmental Planning staff offers no concerns, and no supporting environmental studies or assessments are required.

## Private Sewage Services

Staff notes that the Township of West Lincoln is responsible for their own septic system review. As such, the Committee should look to the Township's comments with respect to private septic system requirements.

## Conclusion

Regional Planning and Development Services staff does not object to the consent application from a Provincial or Regional perspective, subject to the satisfaction of any local requirements and conditional on Parcels 1 and 2 merging in title, municipally known as 6800 Elcho Road.

Please send notice of the Committee's decision on this application.

If you have any questions or wish to discuss these comments further, please contact the undersigned at [aimee.alderman@niagararegion.ca](mailto:aimee.alderman@niagararegion.ca), or Lola Emberson, MCIP, RPP, Acting Manager of Development Planning, at [lola.emberson@niagararegion.ca](mailto:lola.emberson@niagararegion.ca).

Best regards,



Aimee Alderman, MCIP, RPP  
Development Planner

cc: Mr. R. Alguire, C.Tech., Development Approvals Technician, Niagara Region  
Ms. L. Karlewicz, Planning Ecologist, Niagara Region

## Meghan Birbeck

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**From:** Nikolas Wensing <nwensing@npca.ca>  
**Sent:** December 9, 2020 10:19 AM  
**To:** Meghan Birbeck  
**Cc:** Madyson Etzl; Gerrit Boerema; Brian Treble; Jeni Fisher  
**Subject:** Re: Notice of Hearing B052020WL

Hello Meghan,

I apologize for the delay, I should be able to get my comments out to you before the end of today. First, I just have to clarify something with the Watershed Planner that was on the file during the pre-con.

Sincerely,

**Nikolas Wensing, B.A., MPlan**

**Watershed Planner**

Niagara Peninsula Conservation Authority (NPCA)  
250 Thorold Road West, 3<sup>rd</sup> Floor, Welland, ON, L3C 3W2  
905-788-3135, ext. 228  
[nwensing@npca.ca](mailto:nwensing@npca.ca)  
[www.npca.ca](http://www.npca.ca)

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**From:** Meghan Birbeck <mbirbeck@westlincoln.ca>  
**Sent:** Monday, December 7, 2020 3:54 PM  
**To:** Nikolas Wensing <nwensing@npca.ca>  
**Cc:** Madyson Etzl <metzl@westlincoln.ca>; Gerrit Boerema <gboerema@westlincoln.ca>; Brian Treble <btreble@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>  
**Subject:** RE: Notice of Hearing B052020WL

Hi Nikolas,

Thank you so much for providing comments for our Notice of Hearing regarding A152020WL and A162020WL.

I am wondering if you have also had a chance to look over our Notice of Hearing package for B052020WL, a cheque also had been mailed out for this application.

Best,  
Meghan



**Ken Martin**

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**From:** Jessica Abrahamse <jabrahamse@npca.ca> on behalf of Jessica Abrahamse  
**Sent:** June 23, 2020 9:54 AM  
**To:** Ken Martin  
**Subject:** RE: Requested Letter

Hi Ken,

Thanks for your letter with the description of the planned use. The NPCA can waive the requirement for an Environmental Impact Study based on your description.

With Best Regards,

**Jessica Abrahamse M.E.S.  
Watershed Planner**

250 Thorold Road West, 3<sup>rd</sup> Floor  
Welland, On  
L3C 3W2  
(905) 788-3135 Ext. 235  
[jabrahamse@npca.ca](mailto:jabrahamse@npca.ca)  
[www.npca.ca](http://www.npca.ca)  
[NPCA Mapping Tool](#)

Thank you for your email. Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. NPCA enforcement, permitting and planning functions are continuing to operate, however there may be delays in receiving responses to inquiries or complaints due to staff restrictions and remote work locations. Updates with regards to NPCA operations and activities can be found on our website at [www.npca.ca/our-voice](http://www.npca.ca/our-voice), the NPCA Facebook page at <https://www.facebook.com/NPCAOntario> and on Twitter at [https://twitter.com/NPCA\\_Ontario](https://twitter.com/NPCA_Ontario).

For more information on Permits, Planning and Forestry please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>.

**From:** Ken Martin <kenmartin@royalpage.ca>  
**Sent:** June 23, 2020 7:46 AM  
**To:** Jessica Abrahamse <jabrahamse@npca.ca>  
**Subject:** Requested Letter

Good morning Jessica,

Please let me know if this is what you require. Thank you for your assistance.

Ken Martin

The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its contents, is prohibited. If you have received this

**RE: 6800 ELCHO ROAD, WELLANDPORT, ONTARIO, L0R 2J0 – LOT BOUNDARY ADJUSTMENT**

JESSICA ABRAHAMSE M.E.S. WATERSHED PLANNER, NIAGARA PENINSULA CONSERVATION AUTHORITY

June 23, 2020

In response to your query yesterday, we confirm this application for a boundary adjustment of our property at 6800 Elcho Road, Wellandport is the only request for change or adjustment we will be making, as there are no other adjustments applicable to our property.

Due to the nature of this portion of land we wish to add, the current owner/farmer is unable to operate his farming equipment within this parcel. I am currently keeping the area mowed.

Our proposed usage of this parcel should our application be approved will be to simply continue to attend to the current maintenance of the land (mowing and possibly a vegetable garden). This parcel will merely continue in its present use under our ownership.

Should you require any further information please free to contact us.

Regards,

Kenneth J. Martin & Marilyn D. Martin  
6800 Elcho Road, Wellandport, Ontario, L0R 2J0

905 321-7709 kenmartin@royalpage.ca

**Meghan Birbeck**

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**From:** [REDACTED]  
**Sent:** December 9, 2020 8:43 PM  
**To:** Meghan Birbeck  
**Subject:** File Number B05/2020WL - Kenneth Martin & Laura & John Lof

To the Committee of Adjustment:

Comments from [REDACTED] of [REDACTED] Elcho Road, Wellandport.

We are the property directly to the East of the property being considered for this adjustment. We are pleased to give our support to the proposed adjustment as it will nicely provide congruency to the rear of both of our property lines. Of note however, some of the land in question is quite low and wet and any changes to this could possibly affect the drainage at the back corner of our horse paddock. We respectfully request that this be noted on record in the unlikely event that any problems arise in the future.

Thank you for your consideration,  
[REDACTED]

[Sent from Yahoo Mail on Android](#)