



**TOWNSHIP OF WEST LINCOLN  
PLANNING/BUILDING/ENVIRONMENTAL  
COMMITTEE AGENDA**

**MEETING NO. SIX**

**Monday, June 13, 2022, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

**\*\*NOTE TO MEMBERS OF THE PUBLIC:**

Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Council meetings until further notice.

**\*\*Submission of Public Comments/Virtual Attendance:**

The public may submit comments for matters that are on the agenda, or request to attend the virtual meeting as "Attendees" by emailing [jdyson@westlincoln.ca](mailto:jdyson@westlincoln.ca) by June 13, 2022 before 4:30 pm. Email comments submitted will be considered as public information and read into the public record. Those who wish to observe the meeting may view the meetings livestream which can be found on the Council and Committee Calendar on the Township's website.

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**Pages**

**1. CHAIR**

Prior to commencing with the Planning/Building/ Environmental Committee meeting agenda, Chair Reilly will provide the following announcements:

- Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Standing Committee and Council meetings until further notice.
- The public may submit comments for matters that are on the agenda to [jdyson@westlincoln.ca](mailto:jdyson@westlincoln.ca) before 4:30 p.m. on the day of the meeting. Comments submitted will be considered as public information and will be read into the public record.
- This meeting will be livestreamed and recorded and available on the Township's website.

**2. LAND ACKNOWLEDGEMENT STATEMENT**

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk (Hat-i-wen-DA-ronk), the Haudenosaunee (Hoe-den-no-SHOW-ee), and the Anishinaabe (Ah-nish-ih-NAH-bey), including the

Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The Township of West Lincoln, as part of the Regional Municipality of Niagara, stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

**3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST**

**4. PUBLIC MEETING(S)**

**4.1. Zoning By-law Amendment - Township of West Lincoln Housekeeping Amendments No. 6**

Re: The Township of West Lincoln is undertaking amendments to the Township Zoning By-law 2017, as amended, under the proposed Housekeeping Amendments No. 6 (File No. 1601-003-22).

**4.2. Zoning By-law Amendment - 3976 Regional Road 20 (B & A Heaslip Farms Ltd.)**

Re: Zoning By-law Amendment has been submitted by Ben and Pam Heaslip on behalf of B & A Heaslip Farms Ltd. for the property municipally known as 3976 Regional Road 20.

**4.3. Zoning By-law Amendment - 7330 Concession 3 Road (Jonathan and Crystal Sikkens)**

Re: Zoning By-law Amendment has been submitted by Jonathan and Crystal Sikkens for the property municipally known as 7330 Concession 3 Road.

**5. CHANGE IN ORDER OF ITEMS ON AGENDA**

**6. APPOINTMENTS**

There are no appointments.

**7. REQUEST TO ADDRESS ITEMS ON THE AGENDA**

**NOTE: Section 10.13 (5) & (6) – General Rules**

One (1) hour in total shall be allocated for this section of the agenda and each individual person shall only be provided with **five (5) minutes** to address their issue (some exceptions apply). A response may not be provided and the matter may be referred to staff. A person who wishes to discuss a planning application or a matter that can be appealed, will be permitted to speak for ten (10) minutes.

Chair to inquire if there are any members of the public present who wish to address any items on the Planning/Building/Environmental Committee agenda.

**8. CONSENT AGENDA ITEMS**

All items listed below are considered to be routine and non-controversial and can be approved by one resolution. There will be no separate discussion of



these items unless a Council Member requests it, in which case the item will be removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

## 8.1. ITEM P55-22

### CONSENT AGENDA ITEMS

**RECOMMENDATION:**

That the Planning/Building/Environmental Committee hereby approve the following Consent Agenda items:

1. Items 1, 2 and 3 be and are hereby received for information;  
and,
2. Item 4 be and is hereby received and that the recommendations  
contained therein be adopted  
with exception of Item No.(s) \_\_\_\_\_.

- |    |  |    |
|----|--|----|
| 1. | Technical Report - PD-59-2022 - Zoning By-law Amendment Application Jonathan and Crystal Sikkens – 7330 Concession 3 Road (File No. 1601-008-22) | 9  |
| 2. | Technical Report - PD-55-2022– Comprehensive Zoning By-law 2017-70, as amended, Housekeeping Amendments No. 6 (File No. 1601-03-22)              | 20 |
| 3. | Technical Report PD-60-2022 – Zoning Bylaw Amendment – B & A Heaslip Farms Ltd. – 3976 Regional Road 20 (File No. 1601-006-22 & 1601-007-22)     | 31 |
| 4. | Recommendation Report - PD-63-2022 - Amendment to Parking By-law 89-2000   | 41 |

## 9. COMMUNICATIONS

## 10. STAFF REPORTS

10.1. ITEM P56-22 44

Director of Planning & Building (Brian Treble)

Re: Information Report - PD-62-2022 - Efforts to Commence Township  
of West Lincoln Official Plan 5 Year Review

**RECOMMENDATION:**

1. That, Information Report No. PD-62-2022, regarding the “Efforts to Commence Township of West Lincoln Official Plan 5 Year Review”, dated June 13th, 2022, be received for information purposes.

10.2. ITEM-57-22 74

Planner II (Gerrit Boerema) &amp; Director of Planning &amp; Building (Brian

Treble)

Re: Recommendation Report - PD-54-2022 - DeHaan Homes Inc.,  
Crossings on the Twenty South Site Plan Amendment and Condition  
Clearance (File No. 2100-008-21 (Site Plan)) (File No. 2000-072-08  
(Condo))

**RECOMMENDATION:**

1. That Report PD-54-2022, regarding “Recommendation Report Crossings on the Twenty South Site Plan Amendment and Condition Clearance File No. 2100-008-21 (Site Plan) File No. 2000-072-08 (Condominium)” dated June 13, 2022, be received; and,
2. That, the Mayor and Clerk be authorized to enter into an Amending Site Plan Agreement with DeHaan Homes Inc. and any mortgagees once the Amending Site Plan Agreement and associated schedules are finalized to the satisfaction of the Director of Planning and Building; and
3. That, Condition No. 3b. of the Crossings on the Twenty South Community Draft Plan of Condominium be deemed to be cleared following the signing, registration of the Amending Site Plan Agreement and submission of security to the Township of West Lincoln.

**10.3. ITEM-58-22**

90

Planner II (Gerrit Boerema) & Director of Planning & Building (Brian Treble)

Re: Recommendation Report - PD-58-2022 - Housekeeping  
Amendments No. 7 Residential Zone Regulations

**RECOMMENDATION:**

1. That Report PD-58-2022, regarding “Recommendation Report, Housekeeping Amendments No. 7, Residential Zone Regulations”, dated June 13, 2022 be received; and
2. That, Township staff be authorized commence a Township initiated Zoning By-law amendment process, including a public consultation process and public meeting, and to obtain a consultant to review and recommend changes to the Township’s Zoning By-law, Residential Zone Regulations.

**10.4. ITEM-59-22**

96

Planner II (Madyson Etzl) & Director of Planning & Building (Brian Treble)

Re: Recommendation Report - PD-03-2022 - Zoning Bylaw  
Amendment – JCT Services – Eldon Darbyson (Agent) Joe Dilluio  
(Owner)

**RECOMMENDATION:**

1. That, Recommendation Report PD-003-2022, regarding “Zoning Bylaw Amendment – JCT Services – 7005 Concession 4 Road, File No. 1601-014-21” Dated May 9th 2022, be RECEIVED; and,
2. That, an application for Zoning By-law Amendment 1601-014-21 submitted by Eldon Darbyson (Agent) on behalf of Joe Dilluio (Owner), be amended and approved in accordance with the attached amending by-law; and,
3. That, no further public meeting is required for the consideration of this by-law in accordance with Section 34(17) if the Planning Act; and,
4. That a draft by-law as found at Attachment No. 1 to this report is supported by Township staff and can be approved; and,
5. That an authorizing bylaw be passed at council to authorize the Mayor and Clerk to enter into a Development Agreement that will implement the approved Zoning By-law amendment which will regulate the scale of the use and will require the return of previous areas of the property to agricultural use.

**10.5. ITEM-60-22**

146

Planner II (Gerrit Boerema) & Director of Planning & Building (Brian Treble)

Re: Recommendation Report - PD-56-2022 - Silverdale Sports Centre Ltd. – 4944 Concession 4 Road Zoning Bylaw Amendment and Site Plan Authorization (File No. 1601-019-19 & 2100-018-19)

**RECOMMENDATION:**

1. That, Report PD-56-2022 “Recommendation Report, Silverdale Sports Centre Ltd. – 4944 Concession 4 Road Zoning Bylaw Amendment and Site Plan Authorization. File No. 1601-019-19 & 2100-018-19” dated June 13, 2022, BE RECEIVED; and,
2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
3. That, an application for Zoning By-law Amendment 1601-019-19, submitted by Silverdale Sports Centre be approved subject to a Holding provision and modifications to the environmental zones; and,
4. That, staff be authorized to circulate the Notice of Decision for the zoning By-law Amendment with the corresponding 20-day appeal period; and,
5. That, Committee and Council authorize the Mayor and Clerk to enter into a site plan agreement with Silverdale Sports Center and Joan Miller, and any mortgagees, once all site plan details have been worked out to the satisfaction of the Director of Planning and Building and that an authorizing bylaw be

presented to Council to authorize the signing of the agreement.

**10.6. ITEM-61-22**

383

Planner II (Gerrit Boerema) & Director of Planning & Building (Brian Treble)

Re: Recommendation Report - PD-57-2022 - Development Agreement Authorization - Giro Estates 5482 Twenty Mile Road (File No. 2100-015-21)

**RECOMMENDATION:**

1. That, Report PD-57-2022 "Recommendation Report, Development Agreement Authorization Giro Estates 5482 Twenty Mile Road, File No. 2100-015-21" dated June 13, 2022, BE RECEIVED; and,
2. That, Committee and Council authorize the Mayor and Clerk to enter into a development agreement with Albino Giro, Marcus Bruno Giro, Stephan Lino Giro, Nathan Joseph Giro-Norton, Palmira Giro-Norton, Anthony Daniel Giro-Norton, and any mortgagees, once all development details have been worked out to the satisfaction of the Director of Planning and Building.

**10.7. ITEM-62-22**

392

Director of Planning & Building (Brian Treble)

Re: Recommendation Report - PD-61-2022 - External Assistance to become Compliant with Bill 109

**RECOMMENDATION:**

1. That, Report PD-61-2022, regarding "Recommendation Report – Recommendation Report – External Assistance to become Compliant with Bill 109", dated June 13<sup>th</sup>, 2022, be RECEIVED; and,
2. That, staff be authorized to utilize the services of MHBC Planning to assist with Bill 109 compliance.

**11. OTHER BUSINESS**

**11.1. ITEM P63-22**

Director of Planning & Building (Brian Treble)

Re: Helen Kszan, Ontario Land Tribunal (OLT) Update

**VERBAL UPDATE**

**RECOMMENDATION:**

1. That, Committee and Council hereby confirm that Dan Currie of MHBC Planning and Hugh Fraser of OTB Farm Solutions be hired, if required, to represent the Township on the decision of the Township Committee of Adjustment relating to File A5-2017WL (Kszan) as before the Provincial Appeal body, Ontario Land Tribunal (OLT) through File No. OLT-21-002806

(previously PL170547).

**11.2. ITEM P64-22**

Members of Committee

Re: Other Business Matters of an Informative Nature

**12. NEW BUSINESS**

**NOTE:** Only for items that require immediate attention/direction and must first approve a motion to introduce a new item of business (Motion Required).

**13. CONFIDENTIAL MATTERS**

**RECOMMENDATION:**

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

13.1 Director of Planning & Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege - Peter Budd - Ontario Land Tribunal (OLT)

**VERBAL UPDATE**

**Applicable closed session exemption(s):**

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- The security of the property of the municipality or local board;
- Advice that is subject to Solicitor-client privilege, including communications necessary for that purpose

13.2 Director of Planning & Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege/Property Sale Matter - Sale of Lands in former Gainsborough Township

**VERBAL UPDATE**

**Applicable closed session exemption(s):**

- The security of the property of the municipality;
- Personal matters about an identifiable individual, including municipal employees;
- Advice that is subject to Solicitor-client privilege, including communications necessary for that purpose.

**RECOMMENDATION:**

That, this Committee meeting does now resume in open session at the hour of \_\_\_\_\_p.m.

**13.1. ITEM P65-22**

Director of Planning & Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege - Peter Budd - Ontario Land Tribunal

(OLT) Appeal

**VERBAL UPDATE**

**RECOMMENDATION:**

That, staff be and are hereby authorized to proceed as directed in closed session.

**13.2. ITEM P66-22**

Director of Planning & Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege/Property Sale Matter - Sale of Lands in former Gainsborough Township

**VERBAL UPDATE**

**RECOMMENDATION:**

That, staff be and are hereby authorized to proceed as directed in closed session.

**14. ADJOURNMENT**

**DATE:** June 13, 2022

**REPORT NO:** PD-59-2022

**SUBJECT:** **Technical Report - Zoning By-law Amendment Application  
Jonathan and Crystal Sikkens – 7330 Concession 3 Road (File  
No. 1601-008-22)**

**CONTACT:** Gerrit Boerema, Planner II  
Brian Treble, Director of Planning & Building

**OVERVIEW:**

- An application for rezoning was submitted by Jonathan and Crystal Sikkens for the property legally described as Concession 3, Part Lot 2 in the former Township of Caistor, now in the Township of West Lincoln, municipally known as 7330 Concession 3 Road (see attachment 1 for a survey sketch).
- This application for rezoning is required as a condition of consent for a Surplus Farm Dwelling severance application B13/2021WL, that was conditionally approved by the Township of West Lincoln's Committee of Adjustment on March 30th, 2022.
- The conditionally approved severance proposed to sever an existing residential dwelling and barn on a lot 0.84 hectares (2.08 acres) in area and to retain the agricultural land at an area of 32.66 hectares (80.7 acres).
- This zoning amendment application proposes to rezone the severed portion from an Agricultural 'A' zone to a Rural Residential 'RuR-###' zone with a site specific provision to recognize the existing barn on the property (refer to Parcel 1 on the attached survey for location).
- This application also proposes to rezone the retained agricultural lands from an Agricultural zone 'A' to an Agricultural Purpose Only zone 'APO-###' with a site specific provision to recognize the deficient lot area (refer to Parcel 2 on the attached survey for location).
- A Recommendation Report will be prepared by Township Staff following input from the public meeting and any agency comments, and will be presented at a future Planning/Building/Environmental Committee or Council Meeting.

**RECOMMENDATION:**

1. That, Technical Report PD-59-22, regarding "Technical Report - Zoning By-law Amendment– Sikkens – File No. 1601-008-22", dated June 13<sup>th</sup> 2022, be RECEIVED; and,

2. That, a recommendation report be submitted to a future Planning/Building/Environmental Committee and Council meeting once a full staff and agency review has been completed.

#### **ALIGNMENT TO STRATEGIC PLAN:**

##### **Theme #**

- **Strategic Responsible Growth**

#### **BACKGROUND:**

An application for a Zoning By-law Amendment has been submitted by Jonathan and Crystal Sikkens for the property legally described as Concession 3, Part Lot 2 in the former Township of Caistor, now in the Township of West Lincoln, municipally known as 7330 Concession 3 Road (see attachment 1 for a survey sketch).

This application for rezoning has been submitted to fulfil a condition of consent for the surplus farm dwelling severance application B13/2021WL, that was conditionally granted approval by the Committee of Adjustment on March 30<sup>th</sup>, 2022. The surplus farm dwelling severance application proposed to sever the existing residential use at a size of 0.84 hectares (2.08 acres) and to retain the agricultural land at a size of 32.66 hectares (80.7 acres).

The Zoning By-law Amendment proposes to rezone the severed portion from an Agricultural zone 'A' to a Rural Residential zone 'RuR-###' with a site specific provision to recognize the existing barn on the property, refer to Parcel 1 on the attached survey for location. This application also proposes to rezone the retained portion from an Agricultural zone 'A' to an Agricultural Purpose Only zone 'APO-###' with a site specific provision to recognize the deficient lot area, refer to Parcel 2 on the attached survey for location. The existing environmental zoning is to be maintained.

Township staff had recommended to the Committee of Adjustment that they require the removal of the existing barn on the proposed new residential lot (the surplus farm dwelling parcel) due to the barn not meeting the requirements for a Rural Residential accessory building and causing the lot size to be significantly larger. The existing building is roughly double the size of the maximum ground floor area that an accessory building can be (roughly 245 m<sup>2</sup>) and is taller than the permitted maximum height (over 5 metres in height). In addition, the existing barn and existing garage together exceeds the maximum permitted lot coverage for accessory buildings (together roughly 290 m<sup>2</sup>).

The Committee of Adjustment choose to conditionally approve the surplus farm dwelling severance without requiring the removal of the barn, subject to the barn being recognized through the zoning bylaw amendment.

Township Planning staff maintain the opinion that the barn is not of a suitable size for a Rural Residential property and far exceeds the maximum accessory building floor area and height permitted.



## **CURRENT SITUATION:**

Township Staff have reviewed the application to determine alignment with the relevant Provincial, Regional and Local policies.

### **1. Provincial Policy Statement (PPS)**

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 2.3.4.1 c) of the PPS, lot creation in prime agricultural areas is discouraged and may only be permitted for a residence surplus to a farming operation as a result of farm consolidation, provided that the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and, the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance.

Evidence has been provided that Jonathan and Crystal Sikkens are bonafide farmers and thus, qualify for a surplus farm severance, provided that the farmer owns two farms with dwellings that are in the same name as the subject property. In order to conform to Provincial Policy, the retained agricultural lands will need to be rezoned to Agricultural Purposes Only (APO) to prohibit future residential uses. The severed residential dwelling will also need to be rezoned to Rural Residential (RuR) to recognize the existing residential use. This rezoning will allow that application to meet the intent of the Provincial Policy Statement.

### **2. A Place to Grow – Provincial Growth Plan (P2G)**

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 severed lands. It is a requirement for the severed agricultural lands to be rezoned to Agricultural Purposes Only ('APO'). This will ensure the retained lands are not used for residential purposes in perpetuity.

### **3. Greenbelt Plan**

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.

### **4. Regional Official Plan**

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

The Niagara Region Official Plan 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 Regional Official Plan 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 c) *the consent to convey is for a residence surplus to a farming operation as a result of a farm consolidation, provided that new residential dwellings are prohibited in perpetuity on any vacant remnant parcel of land created by the severance. and conditional upon obtaining approval of a rezoning to preclude its use for residential purposes is permitted.* This rezoning application helps to satisfy this Policy.

The ROP also states that the size of any new lot does not exceed an area of 0.4 hectares except to the extent of any additional area deemed necessary to support a private water supply and sewage disposal system. The severed residential lot is 0.8444 hectares (2.085 acres) which is nearly the maximum permitted size. The applicants and their agent Chis Attema explained to the Committee of Adjustment that the larger size was necessary to support a replacement a private water supply and sewage disposal system in the future.

## 5. Township of West Lincoln Official Plan (OP)

The subject lands are designated as Good General Agriculture in the Township's Official Plan (OP). The Township Official Plan allows for surplus farm severances in the Good General Agricultural area where it can meet the following criteria:

- i. *The residence is surplus to a farm operator (bona-fide farmer);*

Jonathan and Crystal Sikkens are bonafide farmers, which can be seen from the list of land submitted with their application. This list shows the land they own and rent for farming purposes. The applicants have indicated in their application that 7377 Concession 3 Road is their main farm, which will qualify them for a severance. This property is currently in the name of Jonathan and Crystal Sikkens which is the same name in which the subject lands are under, which will qualify them for a severance.

- ii. *The separated residential parcel has a lot size of 0.4 hectares (1 acre) except to the extent of any additional area deemed necessary to support the residence and the private services required to serve that residence, as determined through a septic evaluation. Under no circumstances shall a severed residential lot be greater than 1.0 hectare. The created lot must be of regular shape (i.e. rectangular or square) whenever possible.*

The proposed lot to be severed for residential purposes is 0.8444 hectares in size (2.085 acres) and is not rectangular/square in shape. The applicants and their agent, Chis Attema, explained to the Committee of Adjustment that the larger size was necessary to support a replacement of the private water supply and sewage disposal system in the future. In addition, the applicants and their agent indicated that the irregular shape also permit an old barn to be preserved on the property for the heritage features that they believe it possessed.

- iii. *The remnant farmland shall be rezoned Agricultural Purposes Only (APO) in perpetuity or be merged on title with an abutting piece of Agricultural lands, provided the lands are not already zoned Agricultural Purposes Only (APO).*

This rezoning application is rezoning the remaining agricultural land to APO.

- iv. *Where there are two or more dwellings legally existing on one lot, and neither was built for the purpose of a permanent farm help house, only one surplus farm severance shall be permitted in compliance with this policy.*

There is only one existing dwelling on the property.

- v. Farm Help houses are not eligible for surplus farm dwelling severances.

The existing house was not built as a farm help house.

As the zoning amendment 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.

## **6. Township of West Lincoln Zoning By-Law (ZBL)**

The property is currently zoned Agricultural 'A', Environmental Conservation 'EC', and Environmental Protection 'EP'. A condition of the consent application that the applicants applied for, and received approval of, a Zoning by-law amendment application.

The Zoning By-law Amendment proposes to rezone the severed portion from an Agricultural zone 'A' to a Rural Residential zone 'RuR-####' with a site specific provision to recognize the existing barn on the property, refer to Parcel 1 on the attached survey for location. This application also proposes to rezone the retained portion from an Agricultural zone 'A' to an Agricultural Purpose Only Zone 'APO-####' with a site specific provision to recognize the deficient lot area, refer to Parcel 3 on the attached survey for location. The existing environmental zoning is to be maintained.

Rural Residential properties in the Township of West Lincoln's Zoning By-law 2017-70, as amended, are permitted to have two accessory buildings, a total lot coverage for accessory buildings of 200 square metres or 8%, whichever is less, and to have an accessory building with a maximum ground floor area of 120 square metres. In addition, the Zoning By-law identifies that Rural Residential accessory buildings have a maximum height of 5 metres.

Township staff recommended to the Committee of Adjustment that the existing barn not be permitted on the proposed new residential lot (the surplus farm dwelling parcel). This was because the existing barn did not meet the requirements for a Rural Residential accessory building. The existing building is roughly double the size of the maximum ground floor area that an accessory building can be (roughly 245 m<sup>2</sup>) and is taller than the permitted maximum height (over 5 metres in height). In addition, the existing barn and existing garage together exceeds the maximum permitted lot coverage for accessory buildings (together roughly 290 m<sup>2</sup>).

The Committee of Adjustment choose to conditionally approve the surplus farm dwelling severance without requiring the barn to be removed. The committee indicated that their reasons to include the barn stemmed from the historic characteristics that they saw in the barn and that it would be doing a disservice to the Township's agricultural heritage to remove the barn.

Township staff maintain the position that the size and construction of the barn are not in keeping with the intent of a Rural Residential property. The table below shows the requirements of the zoning bylaw and the existing buildings on the subject property.

Accessory buildings: required vs. existing

	Required	Existing		
		Garage	Barn	Total
Max. ground floor area	120 m <sup>2</sup>	45 m <sup>2</sup>	245 m <sup>2</sup>	
Maximum number of accessory buildings	2			2
Minimum setback to interior side lot line	1.2 m	W > 1.2 m E > 1.2 m	W > 1.2 m E > 1.2 m	
Minimum setback to rear lot line	1.2 m	x > 1.2 m	x > 1.2 m	
Maximum height	5 m	x < 5 m	x > 5 m	
Maximum lot coverage	200 m <sup>2</sup>			290 m <sup>2</sup>
Minimum setback from main building	1.5 m	x > 1.5 m	x > 1.5 m	

**FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this application.

**INTER-DEPARTMENTAL COMMENTS:**

Notice of Public Meeting was circulated to all relevant agencies on May 24<sup>th</sup>, 2022. A yellow sign was posted on the property and a notice of hearing was posted to the website on May 24<sup>th</sup>, 2022

The Niagara Region provided comments on the previous consent application which was made on March 30<sup>th</sup> 2022. The Regional Planning and Development Services staff have offer no objection to the proposed surplus farm dwelling severance, in principle.

Township Building Department, Septic Inspector, and Public Works Department, had no objections to the application during the consent process.

**CONCLUSION:**

Township staff have completed a preliminary review of this application against the applicable planning policy. Township staff believe that Parcel 1 needs to be rezoned from an Agricultural Zone 'A' to a Rural Residential Zone 'RuR-###' with a site specific provision to recognize the existing barn on the property. In addition, Township staff believe that Parcel 2 needs to be rezoned from an Agricultural Zone 'A' to an Agricultural Purpose Only

Zone 'APO-###' with a site specific provision to recognize the deficient lot area. Finally, Township staff believe that the existing environmental zoning will need to be maintained.

A future staff report will provide a recommendation to Planning/Building/Environmental Committee for this application following input received through the public meeting process.

**ATTACHMENTS:**

1. Survey Sketch
2. Draft Zoning Amendment Bylaw

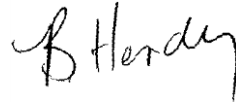
**Prepared & Submitted by:**



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**Gerrit Boerema**  
**Planner II**

**Approved by:**



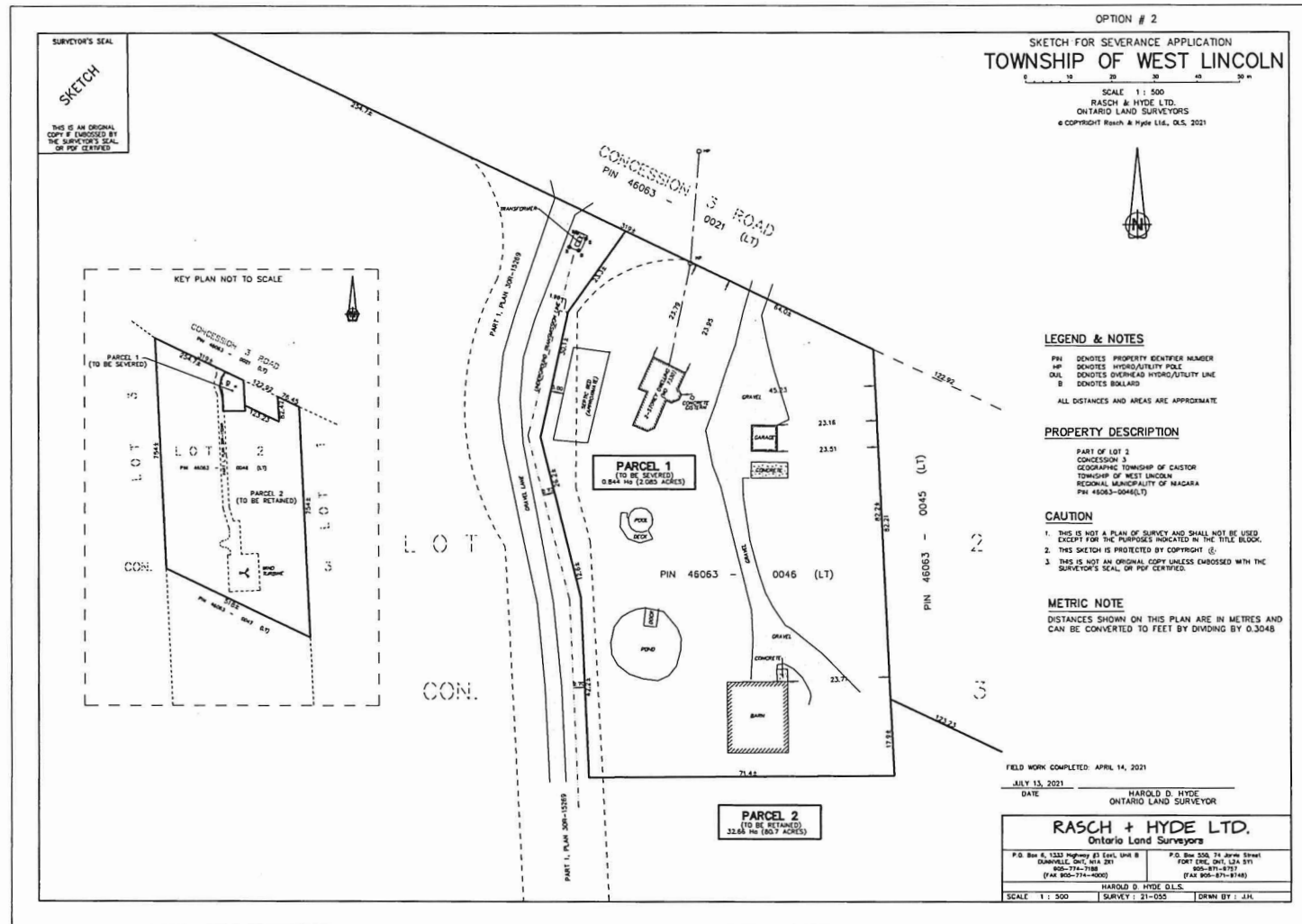
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**Bev Hendry**  
**CAO**



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**Brian Treble**  
**Director of Planning & Building**



**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**BY-LAW NO. 2022- XX**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2017- 70, AS  
AMENDED, OF THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS THE TOWNSHIP OF WEST LINCOLN COUNCIL IS EMPOWERED TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, 1990;**

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:**

1. THAT Schedule 'A' Map 'E4' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Concession 3, Part Lot 2 in the former Township of Caistor, now in the Township of West Lincoln, municipally known as 7330 Concession 3 Road, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'E4' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural zone 'A' to a Rural Residential zone with a site specific provision 'RuR-###'.
3. THAT Part 13 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:
  1. RuR-###

Permitted Uses:  
As per the parent zone plus the existing barn on the property, except that no livestock shall be permitted to be housed in the existing barn.

Regulations:  
As per the parent zone, except to permit an existing barn that is 245 square metres with a height over 5 metres, and a total accessory building lot coverage of 290 square metres for the existing buildings.
4. THAT Map 'E4' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural zone 'A' to an Agricultural Purpose Only zone with a site specific provision 'APO-###'.
5. THAT Part 13 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:
  1. APO-###

Permitted Uses:  
As per the parent zone

Regulations:  
As per the parent zone, except a minimum lot area of 32 hectares whereas 39 hectares is required.
6. THAT all other provisions of By-law 2017-70 continue to apply.
7. AND THAT this By-law shall become effective from and after the date of passing thereof.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
\_\_\_\_<sup>th</sup> DAY OF JUNE 2022.**

**MAYOR DAVE BYLSMA**

**JOANNE SCIME, CLERK**

DRAFT



**EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2022-XX****Location:**

This By-law involves a parcel of land located on the south side of Concession 3 Road, west side of Caistor Gainsborough Townline Road, and north side of Concession 2 Road, legally known as Concession 3, Part Lot 2 in the former Township of Caistor, now in the Township of West Lincoln, municipally known as 7330 Concession 3 Road.

**Purpose & Effect:**

The subject lands were zoned Agricultural 'A', Environmental Conservation 'EC', and Environmental Protection 'EP'. The rezoning for Parcel 1 rezoned the subject lands that were an Agricultural zone 'A' to a Rural Residential zone 'RuR-###' with a site specific provision to permit the existing barn that is roughly 245 square meters, however no livestock shall be permitted to be housed in the existing barn. The rezoning for Parcel 2 rezoned the subject lands that were an Agricultural zone 'A' to an Agricultural Purpose Only zone 'APO-###' with a site specific provision to recognize a deficient lot size of 32.66 hectares whereas 39 hectares is the required minimum. The Environmental Conservation 'EC' and Protection 'EP' zones are to be maintained.

**Public Consultation:**

The Public Meeting was held on Monday June 13<sup>th</sup>, 2022. The Township did not receive any verbal or written comments regarding this application.

File: 1601-008-22

Applicants: Sikkens

**REPORT**  
**PLANNING/BUILDING/ENVIRONMENTAL**  
**COMMITTEE**

**DATE:** June 13, 2022

**REPORT NO:** PD-55-2022

**SUBJECT:** **Technical Report – Comprehensive Zoning By-law 2017-70, as amended, Housekeeping Amendments No. 6 (File No. 1601-03-22)**

**CONTACT:** Gerrit Boerema, Planner II  
Brian Treble, Director of Planning & Building

**OVERVIEW:**

- In June of 2017 the Council of the Township of West Lincoln approved the new Comprehensive Zoning Bylaw 2017-70.
- In each of the following years the Zoning By-law has been updated through minor housekeeping amendments to keep the bylaw functioning as intended and to correct a number of site specific issues.
- Township Planning staff have again identified a number of minor issues that need to be addressed through a sixth round of housekeeping amendment to the Zoning By-law. These issues include:
  - Changes to the definition of the term ‘lot’
  - Changes to permitted uses within Commercial Zones to allow Daycares within Commercial Plazas
  - Reduction to required side yards for Employment ‘M1’ and ‘M2’ Zones
  - Changes to Section 13, special provision ‘A-11’
  - Changes to zones on lands legally described as Concession 9, Part Lot 4, former Township of South Grimsby, lands fronting onto Spring Creek Road just east of Smithville
  - Change to zones on 9558, 9578 & 9522 Regional Road 65 and 1461 Regional Road 2, Castor Centre
- Following input received from the public and agencies, planning staff recommend to prepare and present a recommendation report at a future committee meeting.

**RECOMMENDATION:**

1. That, Report PD-55-2022, regarding “Technical Report Comprehensive Zoning Bylaw 2017-70, as amended, Housekeeping Amendments No. 6 File No. 1601-03-22”, dated June 13, 2022 be received; and,
2. That, a Recommendation Report be presented at a future Planning/Building/Environmental Committee meeting.

**ALIGNMENT TO STRATEGIC PLAN:****Theme #3**

- Strategic Responsible Growth
- Efficient, Fiscally Responsible Operations

**BACKGROUND:**

Township Council in June of 2017 approved the new Comprehensive Zoning By-law 2017-70. This was the first time a new Comprehensive Zoning By-law was passed since the Township passed its first Zoning By-law in 1979.

Several minor issues have been identified since the bylaw was passed, concerning both Township wide regulations and site specific zonings. Many of these issues have been addressed through three previous housekeeping amendments which took place each year since the bylaw's adoption.

Several new issues have come to the attention of Township Planning staff, and staff are proposing to address these issues through a sixth round of housekeeping amendments. As these changes would result in amending the Township Zoning By-law, a public consultation process is currently underway.

**CURRENT SITUATION:**

Township Planning Staff have identified a number of issues that need to be addressed, both on a Township wide level and several specific properties. A draft bylaw with these changes can be found in Attachment 1. Table 1 below summarizes the issues and provides the proposed amendments.

*Table 1 – Proposed Zoning Bylaw Amendments*

Section/Table #		Regulation	Proposed Changes	Staff Comments
<b>Township Wide</b>				
<b>Part 2</b>	Definitions	Definition of 'Lot'	Add language to state that parcels created through testamentary devise or by a navigable waterway does not meet the definition of 'lot' within the zoning bylaw	The Township is experiencing an increase in inquiries regarding natural severances through the Navigable Waters Act. New lots being created, especially in the agricultural area, need to go through some planning review to ensure that the Township's

				interests and Official Plan Policies are being maintained and that these new lots do not negatively impact the agricultural system.
<b>Part 7 Table 16</b>	Permitted Uses in Commercial Zones	Day cares currently not permitted in 'C4' zone	Permit Day cares in 'C4' Zones (Village Square Mall)	Currently day cares, which are defined as any establishment with 5 or more children licensed under the Day Nurseries Act (now Childcare and Early Years Act, 2014) are only permitted in Neighbourhood Commercial 'C2' zones. There is a need in the community to offer up more locations where day cares can be established.
<b>Part 8 Table 19</b>	Employment Zone Regulations	Exterior Side Yard Setback for: M1 – 10m, M2 – 15m  Interior side yard where not abutting a residential zone – M1 – 5m, M2 - 7.5m	Exterior Side Yard Setback for: M1 – 7.5m, M2 – 7.5m  Interior side yard where not abutting a residential zone – M1 – 5m, M2 - 5m	Township Planning Staff believe that reducing the side yard setbacks will create a more efficient use of land within the employment area. There have been a number of variance requests for new industrial developments which have requested reductions to side yards.
<b>Part 13</b>	A-111 Regulations	As per the parent zone,	As per the parent zone; plus access to the 'A-111' zone must be established and	See Site Specific Mapping Change below. Staff are proposing that a specific property

			necessary approvals obtained prior to any non-agricultural use of the 'A-111' zone.	on Spring Creek Road be zoned to an existing 'A-111' zone, however, wish to ensure that there is an approved access to the zone due to a significant amount of NPCA and other environmental regulations.
<b>SITE SPECIFIC</b>				
<b>Concession 9, Part Lot 4, PIN 46049-0044 LT (Griffin Lands) Spring Creek Road</b>	South Portion of Griffin Lands	Agricultural 'A'	Agricultural 'A-111'	A portion of the subject property was zoned A1-559 in 2015 which permitted a contractors establishment. When the Township's new Zoning Bylaw was adopted in 2017, the regulation text was carried over, but the mapping was not. This will remap the subject property to 'A-111' and propose a change to the regulation text.
<b>9558 RR 65 9578 RR 65 9522 RR 65 1461 RR 2</b>	Plazek Auto Recycler Lands	Agricultural 'A-5' Agricultural 'A'	Rural Residential 'RuR' Employment 'M2-5'	The zoning over the Plazek Auto Recycler lands has historically been inaccurate and does not represent the actual limits of the auto recycling operation on the subject lands. The applicants are working on a site plan application and boundary adjustment to

				reconfigure the property to match what is existing. This zoning amendment is proposed to match the zoning to the proposed lot lines.
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**FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this report or the proposed changes to the Zoning By-law.

**INTER-DEPARTMENTAL & PUBLIC COMMENTS:**

Notice of the proposed changes to the Township of West Lincoln Zoning By-law were circulated in the local newspaper. Additionally, the notice was posted on the Township website and circulated to agencies and departments. Notice was also mailed to property owners where there are site specific zone changes proposed.

At the time of writing this report, no comments have been received from the public. The Township is also awaiting any formal comments from agencies or departments.

**CONCLUSION:**

Staff recommends that following receipt of public and agency comments, staff prepare and present a recommendation report to committee for the Housekeeping round 6 zoning bylaw amendments initiated by the Township of West Lincoln.

**ATTACHMENTS:**

1. Draft Zoning Amendment Bylaw
2. Zoning Map – Concession 9, Part Lot 4, PIN 46049-0044 LT, (Griffin Lands)
3. Zoning Map – 9558 RR 65, 9578 RR 65, 9522 RR 65 & 1461 RR 2

**Prepared & Submitted by:**



**Gerrit Boerema**  
Planner II

**Approved by:**



**Bev Hendry**  
CAO



**Brian Treble**  
Director of Planning & Building

## **THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

### **BY-LAW NO. 2022-##**

#### **A BY-LAW TO AMEND ZONING BY-LAW NO. 2017-70, AS AMENDED, OF THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS THE TOWNSHIP OF WEST LINCOLN COUNCIL IS EMPOWERED TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, 1990, AS AMENDED;**

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:**

1. THAT, Part 2 “Definitions” of Zoning Bylaw 2017-70 as amended, is hereby amended by amending the definition of “Lot” as highlighted:

#### **LOT**

means one parcel or tract of land that is registered as a legally conveyable parcel of land in the Land Registry Office which is:

- a whole lot as shown on a Registered Plan of Subdivision except those which have been deemed not to be a Registered Plan of Subdivision under a by-law enacted pursuant to the Planning Act; or
- a separate parcel of land shown on a Registered Plan of Condominium that is individually owned and conveyed as a single unit with associated private outdoor areas excluding common elements and other shared facilities that have common ownership;
- a separate parcel of land **without any adjoining lands being owned by the same owner held under distinct and separate ownership from all abutting lots as shown by a registered deed or transfer in the records of the land registry office as of** as of March 5, 1979 (Bylaw 2018-89); or
- a separate parcel of land, the description of which is the same as in a deed which has been given consent pursuant to the Planning Act; or
- a separate parcel of land being the whole remnant remaining to an owner or owners after a conveyance made with consent pursuant to the Planning Act;

and which:

- fronts on a public street; or
- fronts on, and is legally tied to, a private street within a Registered Plan of Condominium which provides direct access to a public street or which connects to another private street(s) in Registered Plan(s) of Condominium having access to a public street; or
- for an existing lot, the existing lot has access to an existing private street which provides direct access to a public street or which connects to another existing private street(s) having access to a public street.

For the purposes of this By-law, no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it had or have been conveyed to or acquired by any public agency; **and,**

**For greater certainty, a lot created through testamentary devise or by a navigable waterway is not a lot**

for the purposes of this by-law unless it meets the requirements of this definition and By-law 2017-70.

2. THAT, Part 7 “Commercial Zones” of Zoning By-law 2017-70, as amended, is hereby amended by changing Subsection 7.2 Table 16: Permitted Uses in Commercial Zones, as illustrated as highlighted in the table below:

Uses	Zones where Permitted			
Principal Uses				
Apartment dwelling	C1			
Art gallery	C1			
Commercial kennel (see s. 3.8)			C3	
Commercial school	C1	C2	C3	C4
Communications establishment	C1		C3	C4
Contractors establishment			C3	
Day care		C2		C4
Drive-through facility (see s. 3.12)			C3	C4
Dry cleaning/ laundry depot	C1	C2	C3	C4
Financial institution	C1		C3	C4
Funeral home	C1		C3	
Garden centre			C3	C4
Hotel/ motel			C3	
Motor vehicle dealership			C3	
Motor vehicle gasoline bar			C3	C4
Motor vehicle repair establishment			C3	
Motor vehicle service station			C3	C4
Motor vehicle washing establishment			C3	C4
Office, including a medical office	C1	C2	C3	C4
Personal service shop	C1	C2	C3	C4
Pet care establishment (see s. 3.8)			C3	C4
Place of entertainment	C1		C3	C4
Private club	C1		C3	C4
Recreation facility	C1		C3	C4
Restaurant	C1	C2	C3	C4
Retail store	C1	C2	C3	C4
Service shop	C1		C3	C4
Shopping center				C4
Studio	C1	C2	C3	C4
Veterinary clinic	C1		C3	C4
Wayside pit or quarry (see s. 3.27)			C3	C4
Accessory Uses <sup>(1)</sup>				
Accessory buildings or structures and accessory uses (see s. 3.1)	C1 <sup>(1)</sup>	C2 <sup>(1)</sup>	C3 <sup>(1)</sup>	C4 <sup>(1)</sup>
Accessory dwelling units (see s. 3.2)	C1 <sup>(1)</sup>			
Outside display and sales area			C3 <sup>(1)</sup>	C4 <sup>(1)</sup>
Outside storage			C3 <sup>(1)</sup>	C4 <sup>(1)</sup>
Renewable energy system (see s. 3.15)	C1 <sup>(1)</sup>	C2 <sup>(1)</sup>	C3 <sup>(1)</sup>	C4 <sup>(1)</sup>

3. THAT, Part 8 “Employment Zones” of Zoning By-law 2017-70, as amended, is hereby amended by amending Subsection 8.3 Table 19: Regulations for Permitted Uses in Employment Zones, as shown as highlighted in the table below:

Regulation	Zone Requirements		
	M1	M2	M3
Minimum lot area	2,000m <sup>2</sup>		-
Minimum lot frontage	30m		-
Minimum front yard	15m		30m <sup>(1)</sup>



Regulation		Zone Requirements		
		M1	M2	M3
Minimum <i>exterior side yard</i>		7.5m		30m <sup>(1)</sup>
Minimum <i>interior side yard</i>	Adjoining a <i>lot</i> in a Residential <i>Zone</i>	15m	30m	90m <sup>(1)</sup>
	Other	5m		30m <sup>(1)</sup>
Minimum <i>rear yard</i>	Adjoining a <i>lot</i> in a Residential <i>Zone</i>	15m	30m	90m <sup>(1)</sup>
	Other	7.5m		30m <sup>(1)</sup>
Maximum <i>lot coverage</i>		50%		-
Maximum <i>height</i>		10m		15m <sup>(1)</sup>
Minimum <i>landscaped open space</i>		10% <sup>(2)</sup>		-
Maximum <i>outside storage</i>		25% <sup>(3)</sup>		-
Maximum accessory <i>retail gross floor area</i>		10% of <i>gross floor area</i>		-

4. THAT, Part 13 “Special Provisions” of Zoning By-law 2017-70, as amended, is hereby amended by amending Subsection 13.2 Table 29: Site Specific Provisions, Provision ‘A-111’:

111	C6	A	As per the parent <i>zone</i> , plus: <i>Contractors establishment</i> including <i>outside storage</i> of associated materials, machinery and other products used, and related <i>buildings and structures</i> that are adequately serviced by private services.	As per the parent <i>zone</i> ; plus access to the ‘A-111’ zone must be established and necessary approvals obtained prior to any non-agricultural use of the ‘A-111’ zone.
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5. THAT, Map C6 to Schedule ‘A’ to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on a portion of Concession 9, Part Lot 4, PIN 46049-0044 LT, (Griffin Lands) shown on Schedule ‘A’, attached hereto and forming part of this By-law from an Agricultural ‘A’ zone to an Agricultural ‘A-111’ zone.
6. THAT, Maps C1 & C2 to Schedule ‘A’ to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on a portion of 9558 Regional Road 65, 9578 Regional Road 65, 9522 Regional Road 65 and 1461 Regional Road 2, Caistor Center, shown on Schedule ‘A’, attached hereto and forming part of this By-law from an Agricultural zone with site specific exception ‘A-5’ and Agricultural ‘A’ to a Rural Residential ‘RuR’ zone, from an Agricultural ‘A’ and Agricultural zone with site specific exception ‘A-5’ zone to an Industrial Employment with site specific exception ‘M2-5’.
7. THAT, the Clerk of the Township of West Lincoln is hereby authorized to effect any minor modifications or corrections to the By-law of a descriptive, numerical or grammatical nature as may be deemed necessary after passage of this By-law.
8. THAT, this By-law shall become effective from and after the date of passing thereof.

READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS ##<sup>th</sup>  
DAY OF JUNE, 2022.

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

**EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2022-##**

The Township's Comprehensive Zoning By-law 2017-70 was passed by the Council of the Corporation of the Township of West Lincoln on June 26, 2017. This By-law amends Zoning By-law 2017-70, as amended, to address issues that have become apparent during its first few years of implementation.

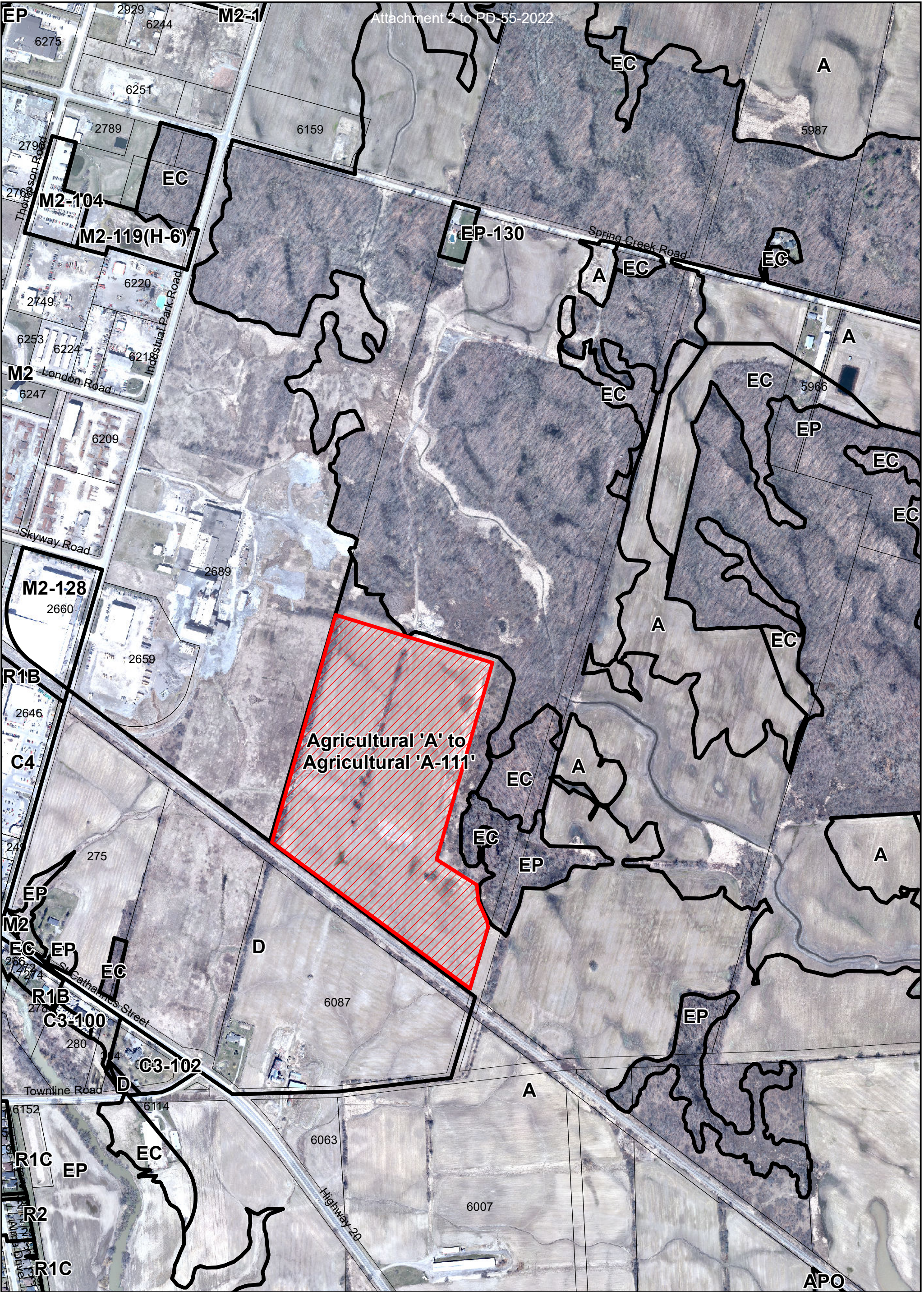
A Public Meeting was held on DATE. ## members of the public provided oral comments. ### written comments were received from property owners. No other public comments were received. All comments received were evaluated by staff and Council through their decision.

File: 1601-003-22

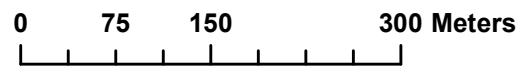
Township of West Lincoln

DRAFT






**Location Map**  
Spring Creek Road, Concession 9,  
Part Lot 4, PIN 46049-0044 LT



**Legend**

 Subject Property









**DATE:** June 13, 2022

**REPORT NO:** PD-60-2022

**SUBJECT:** **Technical Report – Zoning Bylaw Amendment – B & A Heaslip Farms Ltd. – 3976 Regional Road 20 (File No. 1601-006-22 & 1601-007-22)**

**CONTACT:** Gerrit Boerema, Planner II  
Brian Treble, Director of Planning & Building

**OVERVIEW:**

- Two applications for zoning bylaw amendment have been submitted by Ben and Pam Heaslip on behalf of B & A Heaslip Farms Ltd. for the property legally described as Concession 3, Part Lot 22 and Part Lot 23 in the former Township of Gainsborough, now in the Township of West Lincoln, municipally known as 3976 Regional Road 20 (see attachment 1 for a survey sketch). Planning Staff have combined both applications into one application and report as they deal with the same property and related severance applications.
- This application for rezoning is required as a condition of consent from two severance applications B15/2021WL and B01/2022WL, that were conditionally approved by the Township of West Lincoln's Committee of Adjustment on January 26<sup>th</sup>, 2022.
- The first severance application, B15/2021WL, was an agricultural severance which proposed to sever the nearly 400-hectare farm parcel into three agricultural lots.
- The second severance application, B01/2022WL, was a surplus farm dwelling severance which proposed to sever a dwelling with 0.43 hectares (1.06 acres) of land from the conditionally approved center retained agricultural parcel with an area of 33.90 hectares (83.77 acres).
- Both consent applications had a condition that the subject property be rezoned to recognize any zoning deficiencies such as deficient lot area, and setbacks for the existing dwelling, to zone the retained agricultural lands as Agricultural Purposes Only (Parcel 2) and to zone the severed residential parcel to Rural Residential (Parcel 3).
- Two zoning amendment applications were received, however only one is required to deal with the zoning amendments. Staff will recommend in a future recommendation report that the additional zoning amendment fee be refunded back to the applicant.
- A Recommendation Report will be prepared by Township Staff following input from the public meeting and any agency comments, and will be presented at a future Planning/Building/Environmental Committee or Council Meeting.

## **RECOMMENDATION:**

1. THAT, Report PD-60-2022, regarding “Technical Report - Zoning By-law Amendment – B & A Heaslip Farms Ltd. 3976 Regional Road 20 – File No. 1601-006-22 & 1601-007-22”, dated June 13<sup>th</sup>, 2022, be RECEIVED; and,
2. THAT, a recommendation report be submitted to a future Planning/Building/Environmental Committee and Council meeting once a full staff and agency review has been completed.

## **ALIGNMENT TO STRATEGIC PLAN:**

### **Theme # 3**

- **Strategic Responsible Growth**

## **BACKGROUND:**

Two applications for Zoning By-law Amendments have been submitted by Ben and Pam Heaslip on behalf of B & A Heaslip Farms Ltd. for the property legally described as Concession 3, Part Lot 22 and Part Lot 23 in the former Township of Gainsborough, now in the Township of West Lincoln, municipally known as 3976 Regional Road 20 (see attachment 1 for a survey sketch). Planning Staff have combined both applications into one application and report as they deal with the same property and related severance applications.

This application for rezoning is required as a condition of consent from two severance applications B15/2021WL and B01/2022WL, that were conditionally approved by the Township of West Lincoln's Committee of Adjustment on January 26<sup>th</sup>, 2022. Both consent applications had a condition that the subject property be rezoned. B15/2021WL required a zoning amendment to address a lot size deficiency on Parcel 2 (33.9 hectares) while B01/2022WL required a zoning amendment to zone Parcel 2 to Agricultural Purposes Only to restrict future residential development and to zone Parcel 3, being the severed residential lot, to Rural Residential 'RuR'. There is also a front yard setback for the existing dwelling of 5.49 metres which needs to be recognized as the minimum front yard setback for a dwelling is 15 metres. This is in part due to a Regional Road widening request.

## **CURRENT SITUATION:**

Township Staff have reviewed the application to determine alignment with the relevant Provincial, Regional and Local policies.

### **1. Provincial Policy Statement (PPS)**

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 2.3.4.1 c) of the PPS, lot creation in prime agricultural areas is discouraged and may only be permitted for a residence surplus to a farming operation as a result of farm consolidation, provided that the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and, the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. Evidence has been provided that Ben and Pam

Healsip of B & A Healsip Farms Ltd. are bonafide farmers, and thus, qualify for a surplus farm severance, provided that the farmer owns two farms with dwellings that are in the same name as the subject property.

In order to conform to Provincial Policy, the retained agricultural lands from the surplus farm dwelling severance application B01-2022WL will need to be rezoned to Agricultural Purposes Only (APO). The severed residential dwelling will also need to be rezoned to Rural Residential (RuR) to recognize the existing residential use.

## **2. A Place to Grow – Provincial Growth Plan (P2G)**

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 severed lands. It is a requirement for the severed agricultural lands to be rezoned to Agricultural Purposes Only ('APO'). This will ensure the retained lands are not used for residential purposes in perpetuity

## **3. Greenbelt Plan**

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.

## **4. Regional Official Plan**

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

The Niagara Region Official Plan 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 plan 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 c) *the consent to convey is for a residence surplus to a farming operation as a result of a farm consolidation, provided that new residential dwellings are prohibited in perpetuity on any vacant remnant parcel of land created by the*

*severance and conditional upon obtaining approval of a rezoning to preclude its use for residential purposes is permitted.* This rezoning application helps to satisfy this Policy.

The Regional Official Plan also states that the size of surplus farm dwelling lots do not exceed an area of 0.4 hectares except to the extent of any additional area deemed necessary to support a private water supply and sewage disposal system. The proposed severed residential lot is  $\pm 0.4$  hectares ( $\pm 1.0$  acre) which is the maximum permitted size.

The zoning amendment is aligned to the Regional Policy Plan.

## 5. Township of West Lincoln Official Plan (OP)

The subject lands are designated as Good General Agriculture in the Township's Official Plan (OP). The Township Official Plan allows for surplus farm severances in the Good General Agricultural area where it can meet the following criteria:

- i. The residence is surplus to a farm operator (bona-fide farmer);*

B & A Heaslip Farms operate over 1624 acres of which they own about 800 acres, and rent a further 705 acres from 9 different local land owners, the remaining land (119 acres) is land they cannot farm in bush, buildings, etc. The surplus farm dwelling consent is a follow up to an agricultural severance application B15/2021 that created two other agricultural lots that are in B & A Heaslip Farms Ltd. name. In addition, there are five other properties within the Township of West Lincoln owned by B & A Heaslip Farms Ltd. Two of these properties (4585 Canborough Road and 6119 Sixteen Road) also have a dwelling on the property.

The MDS I formula is a distance that is required between a livestock operation and existing houses in the area. The policy requires that any livestock operations on the property meet the required MDS I to the residential use to be severed. However, as there are no livestock operations on the subject property, MDS I is not applicable.

- ii. The separated residential parcel has a lot size of 0.4 hectares (1 acre) except to the extent of any additional area deemed necessary to support the residence and the private services required to serve that residence, as determined through a septic evaluation. Under no circumstances shall a severed residential lot be greater than 1.0 hectare. The created lot must be of regular shape (i.e. rectangular or square) whenever possible.*

The proposed lot to be severed for residential purposes is 0.43 hectares in size (1.07 acres) and is rectangular/square in shape.

- iii. The remnant farmland shall be rezoned Agricultural Purposes Only (APO) in perpetuity or be merged on title with an abutting piece of Agricultural lands, provided the lands are not already zoned Agricultural Purposes Only (APO).*

This rezoning application is rezoning the remnant agricultural land (from severance application B1-2022WL) to APO.

- iv. Where there are two or more dwellings legally existing on one lot, and neither was built for the purpose of a permanent farm help house, only one surplus farm severance shall be permitted in compliance with this policy.*



There is only one existing dwelling on the property.

- v. Farm Help houses are not eligible for surplus farm dwelling severances.

The existing house was not built as a farm help house.

As the zoning amendment 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.

## **6. Township of West Lincoln Zoning By-Law (ZBL)**

The property is currently zoned Agricultural 'A', and Environmental Protection 'EP'. A condition of the consent application was that the applicants apply for, and receive approval of a Zoning by-law amendment application.

The Zoning By-law Amendment proposes to rezone Parcel 2 from an Agricultural Zone 'A' to an Agricultural Purpose Only Zone 'APO-####' with a site specific provision to recognize the deficient lot area, refer to Parcel 2 on the attached survey for location. This application also proposes to rezone Parcel 3 from an Agricultural Zone 'A' to a Rural Residential Zone 'RuR', refer to Parcel 3 on the attached survey for location. The existing environmental zoning is to be maintained.

The Rural Residential zone will also need a site specific zone to address a front yard setback deficiency for the existing dwelling of 5.49 metres whereas 15 metres is required. This is due in part to a regional road widening requirement.

### **FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this application.

### **INTER-DEPARTMENTAL COMMENTS:**

Notice of Public Meeting was circulated to all relevant agencies on May 24<sup>th</sup>, 2022. A yellow sign was posted on the property and a notice of hearing was posted to the website on May 24<sup>th</sup>, 2022

The Niagara Region provided comments on the previous consent applications which were made on January 26<sup>th</sup> 2022.

- For the agricultural severance, the Niagara Region indicated no concerns with the supporting information provided, confirmed the consent is consistent with the Provincial Policy Statement and conforms with the Regional Official Plan.
- For the Surplus Farm Dwelling Severance, Niagara Regional staff indicated that they had no objection to the proposed surplus farm dwelling severance, in principle.

The Niagara Peninsula Conservation Authority (NPCA) provided comments on the previous agricultural severance application which was made on January 26<sup>th</sup> 2022. The NPCA have indicated that they no objections to the proposed severance applications provided that the following condition is met:

- Verification signed by staff at the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF) which indicates that the Provincially

Significant Wetlands boundaries on site have been revised. Verification shall be submitted to NPCA staff for review and approval. The NPCA will need to be satisfied that the proposed lot lines do not bisect the 30-metre development buffer associated with the Wetlands on the subject property. Once signed verification from the MNDMNR has been received, NPCA staff may need to complete a site visit to verify the features on site.

Township Building Department, Septic Inspector, and Public Works Department, had no objections to the applications during the consent process.

**PUBLIC COMMENTS:**

A Notice of Public Hearing was circulated to all residents within a 120m radius of the property on May 24<sup>th</sup> 2022. In addition, a yellow sign was posted on the property and the notice of hearing was posted to the Township's website. As of the preparation of this Technical Report, staff have received no public comments regarding this application.

**CONCLUSION:**

Township staff have completed a preliminary review of this application against the applicable planning policy. This application was submitted to fulfil two conditions of consent to address any zoning deficiencies, zone Parcel 2 to an Agricultural Purpose Only Zone 'APO-###' with a site specific provision to recognize the deficient lot area and to zone Parcel 3 to a Rural Residential Zone 'RuR' with a site specific exception to recognize any deficiencies.

A future staff report will provide a recommendation to Planning/Building/Environmental Committee for this application following input received through the public meeting process.

**ATTACHMENTS:**

1. Survey Sketch – Heaslip
2. Draft Zoning Bylaw Amendment

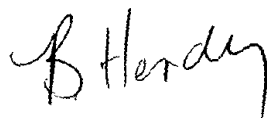
**Prepared & Submitted by:**



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**Gerrit Boerema**  
Planner II

**Approved by:**



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**Bev Hendry**  
CAO



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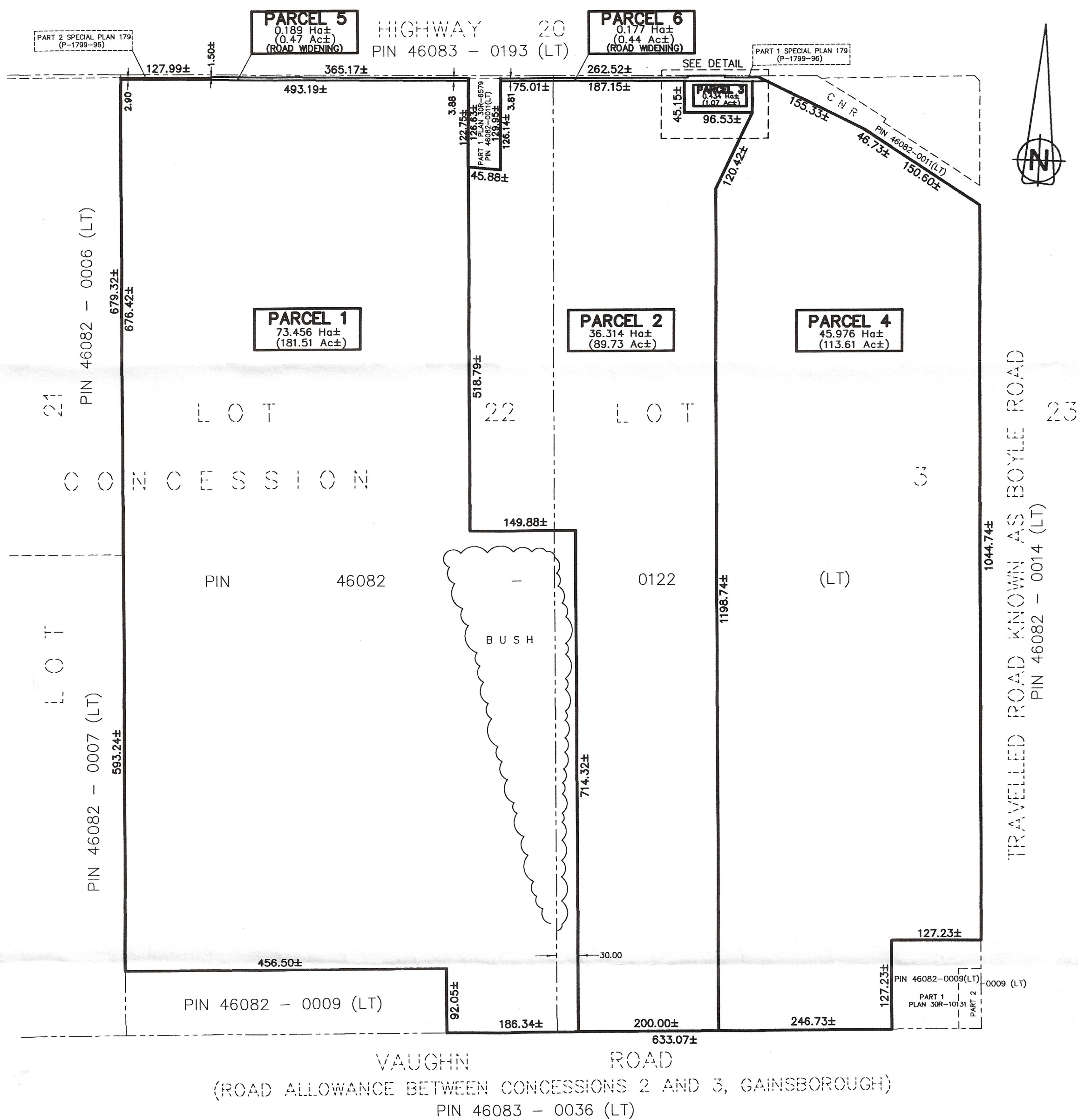
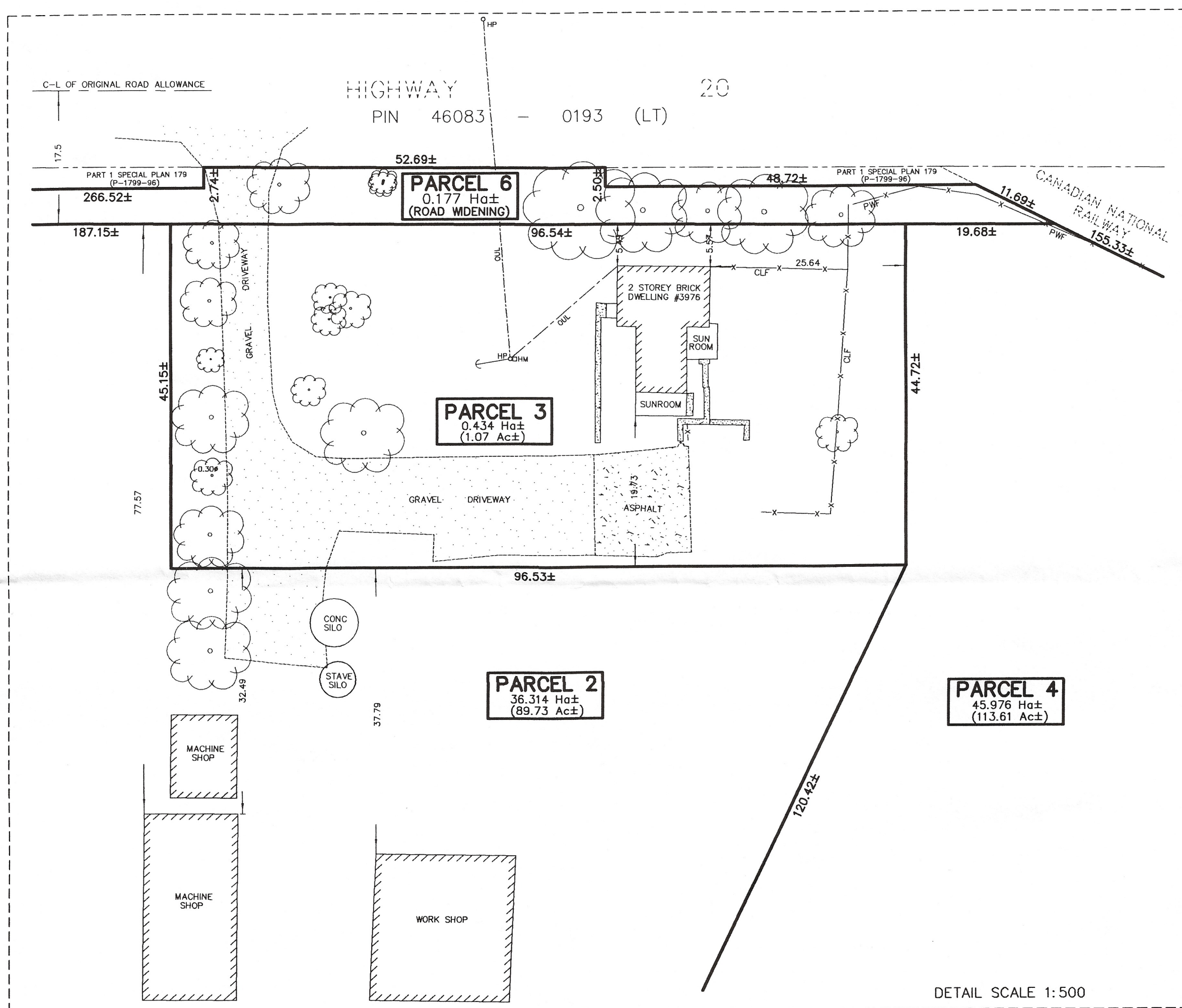
**Brian Treble**  
Director of Planning & Building



SCALE 1 : 5000

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**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**BY-LAW NO. 2022- XX**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2017- 70, AS  
AMENDED, OF THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS THE TOWNSHIP OF WEST LINCOLN COUNCIL IS EMPOWERED TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, 1990;**

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:**

1. THAT Schedule 'A' Map 'E9' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Concession 3, Part Lot 22 & 23, formerly in the Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 3976 Regional Road 20, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'E9' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural zone 'A' to a Rural Residential zone 'RuR-###' with side specific exception.
3. THAT Map 'E9' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural zone 'A' to an Agricultural Purpose Only zone with a site specific provision 'APO-###'.
4. THAT Part 13 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:
  1. APO-###  
Permitted Uses:  
As per the parent zone  
Regulations:  
As per the parent zone, except a minimum lot area of 33.90 hectares whereas 39 hectares is required.
  2. RuR-###  
Permitted Uses:  
As per the parent zone.  
Regulations  
As per the parent zone, except a minimum front yard setback for the existing dwelling of no less than 5.49 metres.
5. THAT all other provisions of By-law 2017-70 continue to apply.
6. AND THAT this By-law shall become effective from and after the date of passing thereof.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
\_\_\_\_<sup>th</sup> DAY OF JUNE 2022.**

**MAYOR DAVE BYLSMA**

**JOANNE SCIME, CLERK**

DRAFT

**EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2022-XX****Location:**

This By-law involves a parcel of land located on the south side of Regional Road 20, west side of Boyle Road, and north side of Vaughan Road, legally known as Concession 3, Part Lot 22 & 23, formerly in the Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 3976 Regional Road 20.

**Purpose & Effect:**

The purpose of the zoning amendment bylaw is to zone Parcel 2 of the subject lands Agricultural Purpose Only zone 'APO-###' with a site specific provision to recognize a deficient lot size of 33.9 hectares whereas 39 hectares is the required minimum and to zone Parcel 3 of the subject lands to a Rural Residential zone 'RuR-###' to address a deficient front yard for the existing house.

**Public Consultation:**

The Public Meeting was held on Monday June 13<sup>th</sup>, 2022. The Township did not receive any verbal or written comments regarding this application.

File: 1601-006-22

Applicants: B & A Heaslip Farms Ltd.

**DATE:** June 13, 2022

**REPORT NO:** PD-63-2022

**SUBJECT:** **Recommendation Report - Amendment to Parking By-law 89-2000**

**CONTACT:** Brian Treble, Director of Planning & Building

**OVERVIEW:**

- In 2014, the Township of West Lincoln passed By-laws 2014-67 and 2014-74 to implement the Administrative Monetary Penalties Program (AMPS) for parking enforcement and ticketing.
- The model By-laws used at that time were prepared by legal counsel and benefitted both Port Colborne and West Lincoln.
- It appears that in order to properly implement 89-2000 through AMPS, one other By-law should have been passed as an amendment to 89-2000.
- This report recommends that a further amending by-law as attached to the report, to amend 89-2000 be implemented such that enforcement is clear in the future.

**RECOMMENDATION:**

1. That, Report No. PD-63-22, relating to the “Recommendation Report, Amendment to Parking By-law 89-2000”, dated June 13<sup>th</sup>, 2022, be RECEIVED; and,
2. That, By-law 89-2000 be amended by the passage of a by-law similar to that found at attachment 1 to this report.

**ALIGNMENT TO STRATEGIC PLAN:**

- **Theme # #5**
  - **Community Health and Safety**

**BACKGROUND/ CURRENT SITUATION:**

By-law 2014-67 and 2014-74 implemented AMP’s for parking ticket issuance and enforcement. One of the benefits of this Administrative Monetary Penalties process is the appeal process. A Screening Officer and a Hearing Officer deal with challengers to the issuance of parking ticket and not the courts. There have only been 2 parking tickets appealed to a Hearings Officer in the past eight years.

Further, in 2021, the Township expanded AMPs enforcement to a number of other non-parking by-laws to assist with implementation and enforcement. In addition, just a few months ago, West Lincoln joined with the majority of municipalities in Niagara Region to share the resources of a Hearings Officer.

In the most recent parking ticket appeal to the Hearings Officer it became apparent that another amendment to 89-2000 should have occurred in 2014, but it does not appear that it happened. This report is written to rectify that oversight and pass a by-law to link the ticket value to the infraction for:

- a) Interfering with snow removal
- b) Interfering with street cleaning
- c) Interfering with the movement of traffic

**FINANCIAL IMPLICATIONS:**

Not applicable to this report.

**INTER-DEPARTMENTAL COMMENTS:**

Not applicable to this report.

**CONCLUSION:**

An amendment to 89-2000 is required in order to properly enforce the on street parking procedure to help enforce ticket issuance during snow removal. This report recommends that a by-law be passed at the next Council meeting such as the Draft By-law attached to this report.

**ATTACHMENTS:**

1. Draft Amending By-law

**Prepared & Submitted by:**



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**Brian Treble**  
Director of Planning & Building

**Approved by:**



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**Bev Hendry**  
CAO



**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**BY-LAW NO. 2022–XX**

**A BY-LAW TO AMEND BY-LAW 89-2000 WHICH REGULATES  
TRAFFIC AND PARKING ON TOWNSHIP ROADS**

**WHEREAS** the Council of the Corporation of the Township of West Lincoln enacted By-law 89-2000 to regulate traffic and parking on Township roads;

**AND WHEREAS** the Council of the Corporation of the Township of West Lincoln now deems it expedient to amend Schedule “A” of By-law 89-2000 which sets out Administrative penalty amounts

**AND WHEREAS** the Council of the Township of West Lincoln has previously amended Schedule ‘A’ through By-law 2014-67; and By-law 2014-74

**THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN ENACTS  
AS FOLLOWS:**

1. That, By-law 89-2000, as amended, be further amended by adding thereto the following:
  - a. 205.01.12 **“Park as to interfere with snow removal from highway”**
  - b. 205.01.12 **“Park as to interfere with street cleaning measures”**
  - c. 205.01.12 **“Park as to interfere with the movement of traffic”**
2. That this new By-law takes effect on June 27<sup>th</sup>, 2022.

**READ A FIRST, SECOND  
AND THIRD TIME AND  
FINALLY PASSED THIS 27<sup>th</sup>  
DAY OF JUNE, 2022.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

**DATE:** June 13, 2022

**REPORT NO:** PD-62-2022

**SUBJECT:** **Information Report - Efforts to Commence Township of West Lincoln Official Plan 5 Year Review**

**CONTACT:** Brian Treble, Director of Planning & Building

**OVERVIEW:**

- This report is written to inform the Planning/Building/Environmental Committee of the requirements moving forward as it related to planning procedures and policies of the Township of West Lincoln.
- The Township of West Lincoln has focused on the urban settlement area of Smithville and the rural settlement areas as it related to long range planning and now through public meetings for OPA 62 (April 27, 2022) and OPA 63 (forthcoming on June 27, 2022) which implement proposed new settlement boundaries and growth related policy.
- All of this work has to align with the Region's Municipal Comprehensive review work that is underway as well. The Region is required to complete a municipal comprehensive review and submit their proposed amendments to the Province as approved by Regional Council by July 1, 2022. A Regional staff recommendation report is scheduled for presentation to Regional Planning Committee on June 15, 2022. A draft of the Region's report is attached to this report.
- Our work and the Region's work must align and must implement Provincial Policy and the Region's work has resulted in the preparation of brand new Official Plan which is planned for Regional Council consideration in June 2022.
- Once Regional Council approval is achieved, their document must be approved by the Ministry of Municipal Affairs and Housing.
- Our land use planning documents must align with the Region's work. To date however we have only focused on hamlets, urban areas and growth planning. All of the other sections of the Township Official Plan and some new policy sections are required to be completed at the Township level. Therefore, the 2022 Township Budget approved a Township of West Lincoln Official Plan 5 Year Review.
- Township staff have initiated discussions on this project and the need to align our Official Plan Amendment with the language of the new Regional Official Plan as it related to all other aspects of a land use plan/official plan (including a review of agricultural, natural heritage, severance and applicable policies, etc).

### OVERVIEW Cont'd:

- This report is written to inform Committee and Council that these other components will be under review with the assistance of an external Planning Consultant very soon and that Official Plan amendments 62 and 63, although large and subject to decisions shortly, are not just the completion of a process, but also open the door to the commencement of the next stages of the work to be completed over the next year.
- Staff will keep Committee and Council updated on the status and timing of the hiring of a Consultant and other details regarding updating the Township policies and plans.

### RECOMMENDATION:

1. That, Information Report No. PD-62-22, regarding the “Efforts to Commence Township of West Lincoln Official Plan 5 Year Review”, dated June 13<sup>th</sup>, 2022, BE RECEIVED FOR INFORMATION PURPOSES.

### ALIGNMENT TO STRATEGIC PLAN:

- **Theme #3 and 6**
  - **Strategic Responsible Growth**
  - **Efficient, Fiscally Responsible Operations**

### BACKGROUND:

Provincial Policy and the *Planning Act* require that regular reviews of land use planning documents occur. This is usually on a five-year cycle. In addition to that, the Province at the last review of the Provincial Growth Plan established a timeline that all upper-tier and/or single-tier municipalities affected by the Growth Plan must have their plans reviewed, updated and approved by the Province by July 1, 2022. Also noted was a timeline for lower tier implementation that is required within one year of Regional approval in order to ensure the Township land use plan aligns with the Regional Plan.

### CURRENT SITUATION:

The Township of West Lincoln has focused on the urban settlement area of Smithville and the rural settlement areas as it related to long range planning and now through public meetings for OPA 62 (April 27, 2022) which implement proposed new urban boundaries and growth related policy.

All of this work has to align with the Region’s Municipal Comprehensive Review work that is underway as well. The Region is required to complete a municipal comprehensive review and submit their proposed amendments as approved by Regional Council to the Province by July 1, 2022. A Regional staff recommendation report is scheduled for presentation to Regional Planning Committee on June 15, 2022. A draft of the Region’s report is attached to this report.

Our work and the Region's work must align and must implement Provincial Policy and the Region's work has resulted in the preparation of brand new Official Plan which is planned for Regional Council adoption in June 2022. Once Regional Council approval is achieved, their document must be approved by the Ministry of Municipal Affairs and Housing.

To date the Township of West Lincoln have only focused on planning policies in regards to hamlets, urban settlement areas and growth planning. All of the other sections of the Township's Official Plan and some new policy sections will be completed at the Township level. Therefore, the 2022 Township Budget approved a Township of West Lincoln Official Plan 5 Year Review capital account.

Township staff have initiated discussions on this project and the need to align our Official Plan with the language of the new Regional Official Plan as it relates to all other aspects of land use plan/official plan (including a review of agricultural, natural heritage, severance and applicable policies, etc.).

This report is written to inform Committee and Council that these other components will be under review with the assistance of an external review agency very soon. Official Plan amendments 62 and 63, although large and subject to decisions shortly, are not just the completion of a process, but also open the door to the various stages of the work to be completed over the next year.

Staff will keep Committee and Council updated on the status and timing of the hiring of a Consultant, etc.

#### **FINANCIAL IMPLICATIONS:**

A capital project item has been approved to complete the Official Plan 5 Year review. This capital item has a budget available of up to \$50,000 (G/L 1-18-18101-520623).

#### **INTER-DEPARTMENTAL COMMENTS:**

The alignment of the Township Official Plan 5-year review will need to be timed with Provincial approval as of the Regional Official Plan Amendment ultimately approved by the Provincial Ministry of Municipal Affairs and Housing.

It is beneficial however, to get the 5-year review process going now so that any required background research and data collection can occur such that the Official Plan 5-year review policy review and re-writing is ready to go once the new Regional Official Plan has been approved. This will include discussion with the Region and others with a land use policy interest such as NPCA.

#### **CONCLUSION:**

This report is written to inform Committee and Council of the next steps in the Official Plan land use process in West Lincoln. Further, the report identifies the linkage to Regional and Provincial Policy and approval timelines.

Staff will keep Committee and Council informed as our process commences and unfolds, including a projected timeline and public consultation schedules.

**ATTACHMENTS:**

1. Regional Staff Report PDS-17-2022 (appendixes can be accessed at the following link <https://niagararegion.ca/official-plan/recommendation-report.aspx> )
2. Regional Official Plan PowerPoint Presentation

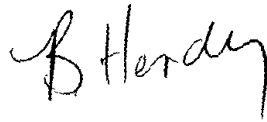
**Prepared & Submitted by:**



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**Brian Treble**  
Director of Planning & Building

**Approved by:**



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**Bev Hendry**  
CAO

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**Subject:** Niagara Official Plan: Recommendation Report for Adoption

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, June 15, 2022

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## Recommendations

1. That the Niagara Official Plan (NOP) **BE DECLARED** to meet the requirements of Section 26(1)(a),(b) and (c) of the *Planning Act* as required by Section 26(7) of the *Planning Act*;
2. That the NOP, as summarized in this Report and attached as Schedule A to the proposed By-law listed as Appendix 1, **BE ADOPTED** in accordance with Section 17(22) of the *Planning Act*;
3. That the proposed By-law to adopt the new NOP **BE APPROVED**;
4. That the current NOP, as approved by By-law (828-785-73, as amended) **BE REPEALED** on the date the new NOP is approved by the Province of Ontario;
5. That the requirements of 17(15) and 17(16) of the *Planning Act* **BE DECLARED** to have been met and that no additional public meeting or open house be required;
6. That the notice of decision of Council's adoption of the NOP **BE GIVEN** in accordance with Section 17(23) of the *Planning Act*;
7. That a copy of this Report **BE PROVIDED** to local area municipalities; and
8. That a copy of this Report and supporting materials **BE PROVIDED** to the Ministry of Municipal Affairs and Housing for review and approval, in accordance with Section 17(31) and 26(6) of the *Planning Act*.

## Key Facts

- This report provides a final recommended NOP for Council adoption. The recommended NOP and associated by-law are attached as Appendix 1 to this report.

- 
- The NOP is one of Regional Council's Strategic Priorities and includes contemporary policies on climate change, the natural environment system, agricultural system, regional structure, complete communities and aggregates.
  - The process for the completion of the new NOP has complied with *Planning Act* requirements.
  - Extensive consultation, exceeding Planning Act requirements, with various groups has taken place at all stages in the NOP's development including determining important areas to address; formulation of background study directions; draft policy sections; and consolidated draft and proposed NOP policies.
  - Consultation outreach included the public, agencies, various groups, First Nations and Indigenous communities, local area municipalities and Niagara Peninsula Conservation Authority.
  - Adjustments to the policies and the schedules of the draft NOP as itemized in this report, were made based on input received through the statutory process.
  - Following Regional Council adoption, the NOP will be submitted to the Minister of Municipal Affairs and Housing for approval in order to meet the Provincial conformity deadline of July 1, 2022.
  - The NOP is consistent with the *Provincial Policy Statement 2020*, conforms to *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (Growth Plan)* and *Greenbelt Plan (2017)*, does not conflict with the *Niagara Escarpment Plan (2017)* and meets the requirements of the *Planning Act*.
  - A monitoring program for the NOP will be put in place to track policy performance and allow for updates to the plan as necessary to address changing trends.

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## Financial Considerations

The budget for the creation of the Niagara Official Plan was approved through the 2017 Operating Budget. The total gross budget of \$3M was approved with \$2.025M of the budget funded by development charge revenue and the remaining \$0.975M funded from the levy. To date, \$2.2M has been spent and/or committed.

Remaining budget of \$0.8M will be utilized to support the implementation of the Niagara Official Plan, including preparation of related guidelines and future studies. Should additional resources be required, above existing Planning and Development Services budget amounts, requests will be included for consideration through future Operating Budget submissions.

Approval of growth allocations and distribution is necessary for finalization of the Water and Wastewater Master Plan (W/WWMP) and Transportation Master Plan (TMP) as well as Development Charges By-law to ensure growth is supported from infrastructure and financial perspectives.

## Analysis

The purpose of this report is to provide a final recommended NOP for Council adoption. The recommended NOP is attached to the proposed by-law as Appendix 1 to this report.

## Background

The NOP is one of Regional Council's Strategic Priorities and implements Council's vision for how Niagara will reach its full potential by protecting resources, managing residential growth, attracting jobs and protecting against climate change.

The NOP is the first wholesale review since the original policy plan was approved in 1973. The NOP is a long range planning document that sets out what we protect, where and how the region will grow, and policy approaches for success. The NOP implements a planning horizon to 2051, which conforms with the timeframe in the *Growth Plan*.

The requirements for an Official Plan are set out in the *Planning Act*. As required, the recommended NOP is consistent with the *Provincial Policy Statement*, conforms to the *Growth Plan*, the *Greenbelt Plan* and does not conflict with the *Niagara Escarpment Plan* and meets the requirements of the *Planning Act*.



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Information Report PDS 14-2022 associated with the April 28, 2022 Statutory Public Meeting, provided background information on the NOP, including the key areas addressed by the NOP, the key steps in the development and consultation leading up to the Statutory Public Meeting and key revisions made in the development of the NOP.

Appendix 2 to this report updates the consultation record relating to the development of the NOP identifying the consultation has taken place on the NOP during its evolution and those involved in the consultation. A total of 48 presentations/workshops were held with local Councils and 23 broad public information sessions, open houses, public meetings, as well as the required statutory open house and public meeting.

As the development of the NOP has evolved and as part of the settlement area boundary review (SABR), Council has been informed by three draft Land Needs Assessments (LNAs). The final recommended LNA is attached as Appendix 3. The LNA is based on a Made-in-Niagara strategy to manage the forecasted growth of 694,000 people and 272,000 jobs by 2051. The LNA reflects the NOP's growth strategy associated with the identification of strategic growth areas, including the more recently identified south Niagara Falls Growth Centre, the recommended regional 60% percent intensification rate and recommended areas for settlement area expansion, as well as adjustments to natural heritage mapping.

## **New Niagara Official Plan**

The Planning and Economic Development Committee has been involved in the evolution of the NOP's development and made key direction decisions to endorse policy and mapping on the natural environment system, settlement area boundary expansions and employment areas for further consultation.

At this point, a recommended NOP is presented for adoption as consultation has been complete and the NOP is required to be submitted to the Province by July 1, 2022. To assist in the decision making process, this report focuses on key differences of the new Official Plan versus the existing Plan, as well as changes made to the draft version as a result of statutory consultation to arrive at the recommended NOP.

The Niagara Official Plan will:

- conform to Provincial plans and establish the policy framework for local official plans;
- provide new policy direction to take meaningful action on climate change and transition to net-zero, climate-resilient communities;

- 
- result in policies and mapping that provide stronger protections for Niagara's natural environment system exceeding Provincial requirements;
  - add approximately 1,190 hectares of mapped prime agricultural area and greenbelt protected country side lands to the Region's agricultural system over and above lands removed for settlement area expansion, boundary rationalizations and technical adjustments;
  - contain new policies for managing excess soils and petroleum resources as well as policies to better manage impacts from hauling aggregates;
  - establish a new regional structure, and strategic growth areas, and provide clear direction on where and how the Region will grow;
  - establish a 60% intensification rate, 50 people and jobs per hectare greenfield density target, and affordable housing targets (20% for rental, 10% for ownership);
  - contain policies to support municipalities in providing gently density in established neighbourhoods and provide flexibility in locating intensification in built-up areas to meet targets;
  - identify and protect employment areas for a range of employment uses, and identify future employment areas, needed beyond 2051; and
  - include new regional policy tools like secondary plans, urban design and sub-watershed planning to assist in managing and planning for growth and achieve great communities while protecting the environment.

### **Final Revisions after Consultation**

Staff have made revisions based on continued internal review to improve the readability of the NOP, as well as respond where necessary to input received from all the submissions and delegations and further address municipal comments.

The Statutory Open House was held on April 7, 2022. Approximately 97 members of the public attended. There were 26 speakers at the April 28, 2022 Public Meeting and 175 comments were submitted between the March 4, 2022 close of consultation on the draft NOP and proposed NOP for the Public Meeting. Appendix 4 outlines comments submitted and provides responses. A public meeting delegates' response table is included as Appendix 5.

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Key revisions made since the posting of the proposed NOP for formal consultation and included in the recommended NOP are:

- Clarity regarding the key sections and policies associated through out the plan that align with core policy directions found in the climate change section, including the use of a leaf graphic;
- Comment box explaining the importance of transit supportive densities;
- A Growing Region chapter objective addition to “promote *transit-supportive* development to increase transit usage, decrease greenhouse gas emissions, and support the overall health of the community.”
- A textbox in the NOP providing an example of how a local area municipality may plan for additional intensification units beyond those identified in table 2-2.
- A refinement in wording to provide municipalities the flexibility to adjust urban boundaries with no net gain through their local official plan conformity exercises, outside of a Regional Comprehensive Review but by amendment to the Regional Official Plan.
- A policy revision to allow municipalities to plan for growth in the NOP’s identified strategic growth areas in terms of secondary planning by the addition of the words “or equivalent”
- Policy addition clarifying agricultural activities that can take place in the Growth Plan Natural Heritage System.
- Addition of a policy to support the restoration of natural features removed outside of the planning process, in support of the Region’s Woodland By-law.
- The inclusion of the 0 Nigh Road property in Fort Erie into the urban settlement area boundary as minor adjustments in the LNA allowed inclusion of the property.
- A site specific policy addition relative to the settlement area boundary expansion in Crystal Beach, Fort Erie requiring development of the eastern most property to be subject to a local official plan amendment and updating of the Regional Transportation Master Plan. The two properties located to the west, which include the horse and pony rescue operation, are no longer recommended to be included in the urban boundary.

- 
- A site specific policy addition in West Lincoln that only permits infrastructure such as roads or storm water management feature and open space inside a calculated minimum distance separation area to ensure future residential development of expansion lands is appropriately setback from a neighbouring livestock operation.
  - The inclusion of an implementation policy respecting complete applications and potential to expedite municipal reviews as required by legislation.

The Region has strived to provide a growth management policy strategy, address climate change, protect the environment and protect agricultural lands. The NOP also establishes a policy framework for secondary planning, urban design and watershed planning to support growth management, the development of complete communities and environmental protection. The NOP considers these areas important regional roles. It has been an objective of the NOP to provide local area municipalities with the flexibility to address local planning matters within the NOP's policy framework.

## **Implementation of the Niagara Official Plan**

### **1. Local Official Plan Conformity**

Once the NOP is approved and in-effect local municipalities are required to undertake reviews of their official plans in accordance with the *Planning Act* to address provincial policies and conform to the NOP. Local municipalities have one year to bring forward amendments or new official plans to conform to the NOP.

### **2. Development Application Review**

The development application review process is critical step in aligning policy and development. Through the review process, municipalities and the Region will ensure targets are achieved and systems are protected as guided through applicable plans.

### **3. Monitor and Measure Performance of the NOP**

The approved NOP is not intended to be a static document and will be updated to address changing planning trends and policy performance. Monitoring the implementation of this Plan, in cooperation with local area municipalities, is critical to analyze the effectiveness of the policies in the Plan in meeting its overall goals and objectives.

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## Alternatives Reviewed

The Province has set a conformity deadline of July 1, 2022. If this date is missed, the *Place to Grow Act* gives the Minister of Municipal Affairs and Housing authority to amend the current Regional Official Plan to bring it into conformity with provincial policy.

Regional Council may choose to refer the NOP, in whole or in part, back to staff for revisions. However, this will result in missing the Provincial deadline set for July 1, 2022. By not adopting the NOP at this time, the Province will have the authority to make amendments to the Regional Official Plan that may not be in the interest of the Region.

In addition, the current Regional Official Policy Plan will remain in place until a new Plan is approved by the Ministry of Municipal Affairs and Housing. The Region would not have an up-to-date regional policy framework to respond to planning for growth and protecting the environment within the Region and alignment with Council Strategic Priorities.

Referring the NOP back to staff at this time would delay implementation of key policy direction, including;

- establishing a 2051 planning horizon to replace the current 2031 horizon that is less than 10 years away;
- new natural environment system and policies with greater protection for features and biodiversity;
- addition of new prime agricultural land to protect quality farm lands;
- higher intensification rates to reduce settlement boundary expansion and support affordable housing targets and housing diversification;
- clarity on where intensification should, and should not, be directed; and,
- alignment with the Economic Development Strategy and Niagara 2051 programs.

## Relationship to Council Strategic Priorities

The Niagara Official Plan supports the following Council Strategic Priorities:

- 
- **Supporting Business and Economic Growth:** Through long range planning for the supply and retention of a broad range of community and employment lands that offer community related employment and industrial employment opportunities to attract and support economic wellbeing;
  - **Healthy and Vibrant Community:** Through planning for safe, healthy neighbourhoods that are attractive, inclusive and connected, based on complete community principles and design;
  - **Responsible Growth and Infrastructure Planning:** Through coordinated, efficient use of existing infrastructure and optimizing planned infrastructure that will service the communities of Niagara and facilitate movement of people and goods; and
  - **Sustainable and Engaging Government:** Through planned growth that is fiscally sustainable and fosters strong, successful relationships between all levels of government in the supply of services and infrastructure.

### Other Pertinent Reports

PDS 40-2016	Regional Official Plan Update
PDS 41-2017	New Official Plan Structure and Framework
PDS 3-2018	New Official Plan Update
PDS 6-2018	Natural Environment Project Initiation Report
PDS 18-2018	Natural Environment – Project Framework
PDS 9-2019	New Official Plan Consultation Timeline Framework
PDS 10-2019	Update on Natural Environment Work Program – New Regional Official Plan
PDS 32-2019	Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study
PDS 1-2020	New Niagara Official Plan – Public Consultation Summary
PDS 3-2020	Ecological Land Classification Mapping Update
PDS 9-2020	Niagara Official Plan – Consultation Details and Revised Framework
PDS 26-2020	Natural Environment Work Program – Phase 4: Identification and Evaluation of Options
PDS 35-2020	Niagara Official Plan Consultation Update
PDS 4-2021	Niagara Official Plan – Steps and Direction Moving Forward

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PDS 1-2021	Natural Environment Work Program – 2nd Point of Engagement
PDS 17-2021	Niagara Official Plan Consolidated Policy Report
PDS 30-2021	Niagara Watershed Plan – Draft for Consultation
PDS 32-2021	Update on Niagara Official Plan - Further Draft Policy Development
PDS 36-2021	Consultation Response and Further Policy Development
PDS 39-2021	Niagara Official Plan: Employment Area Conversion Recommendations
PDS 8-2021	Niagara Official Plan: Natural Environment System
PDS 41-2021	Settlement Area Boundary Review - Urban Recommendations
PDS 42-2021	Settlement Area Boundary Review - Rural Recommendations
PDS 2-2022	Niagara Official Plan - Proposed Draft for Consultation
PDS 6-2022	Niagara Official Plan: Final Urban Settlement Area Recommendations
PDS 7-2022	Niagara Official Plan: Final Rural Settlement Area Recommendations
PDS 14-2022	Niagara Official Plan: Proposed Niagara Official Plan, Statutory Public Meeting

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**Prepared by:**

David, Heyworth, MCIP, RPP  
Manager, Long Range Planning  
Planning and Development

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**Recommended by:**

Michelle Sergi, MCIP, RPP  
Commissioner  
Planning and Development Services

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**Submitted by:**

Ron Tripp, P.Eng.  
Chief Administrative Officer

This report was prepared in consultation with Greg Bowie, Senior Planner, Erik Acs, MCIP, RPP, Manager of Community Planning and Diana Morreale, MCIP, RPP, Acting Director of Community and Long Range Planning.

## Appendices

All web only appendices can be accessed at <https://niagararegion.ca/official-plan/recommendation-report.aspx>

Appendix 1	Proposed By-law (attached) and Niagara Official Plan (web only)
Appendix 2	Niagara Official Plan Consultation Record
Appendix 3	Niagara 2051 Land Needs Assessment (web only)
Appendix 4	Response Table for Written Submissions Received during Statutory Consultation (web only)
Appendix 5	Statutory Public Meeting Delegate Response Table



# Niagara Official Plan

## Recommendation for Adoption

PDS 17-2022 • PEDC • Wednesday, June 15, 2022

# THE NEW NIAGARA OFFICIAL PLAN

In 2017, the Niagara Region initiated a comprehensive review of its Official Plan to address the challenges facing our communities today.

Report PDS 17-2022 has been brought forward to request the adoption of the final Niagara Official Plan for Provincial approval.



# how we got here



## STEP ONE

2018:  
Special Regional  
Council Meeting

## STEP TWO

2018-2020:  
Background Studies  
and Key Policy  
Directions

## STEP THREE

2021:  
Draft Policy  
Sections and  
Mapping

## STEP FOUR

January 2022:  
Draft Consolidated  
Official Plan

## STEP FIVE

April 2022:  
Proposed  
Official Plan

## STEP SIX

June 2022:  
Final Plan for  
Adoption



# a vision for niagara

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The new Niagara Official Plan sets a vision for our communities over the next few decades. Its policies and mapping establish key principles for future development will allow us to create more complete communities.



## DIVERSE

housing types, jobs and population



## EXCEPTIONAL

development and communities



## THRIVING ECONOMY

prosperous agricultural industry, employment areas, and job creation



## RESILIENT

urban and natural areas





# how we protect

## ADDRESSING CLIMATE CHANGE

Interconnected policies throughout the plan that take meaningful action on climate change and transition to net-zero, climate-resilient communities.

## STRENGTHENING THE ENVIRONMENT

Extensive background review and consultation have resulted in policies and mapping that provide stronger protections for Niagara's natural environment system.

## ADDING PRIME AGRICULTURAL AREAS

The new Niagara Official Plan adds 3,791 hectares of land to the Prime Agricultural Area.

“

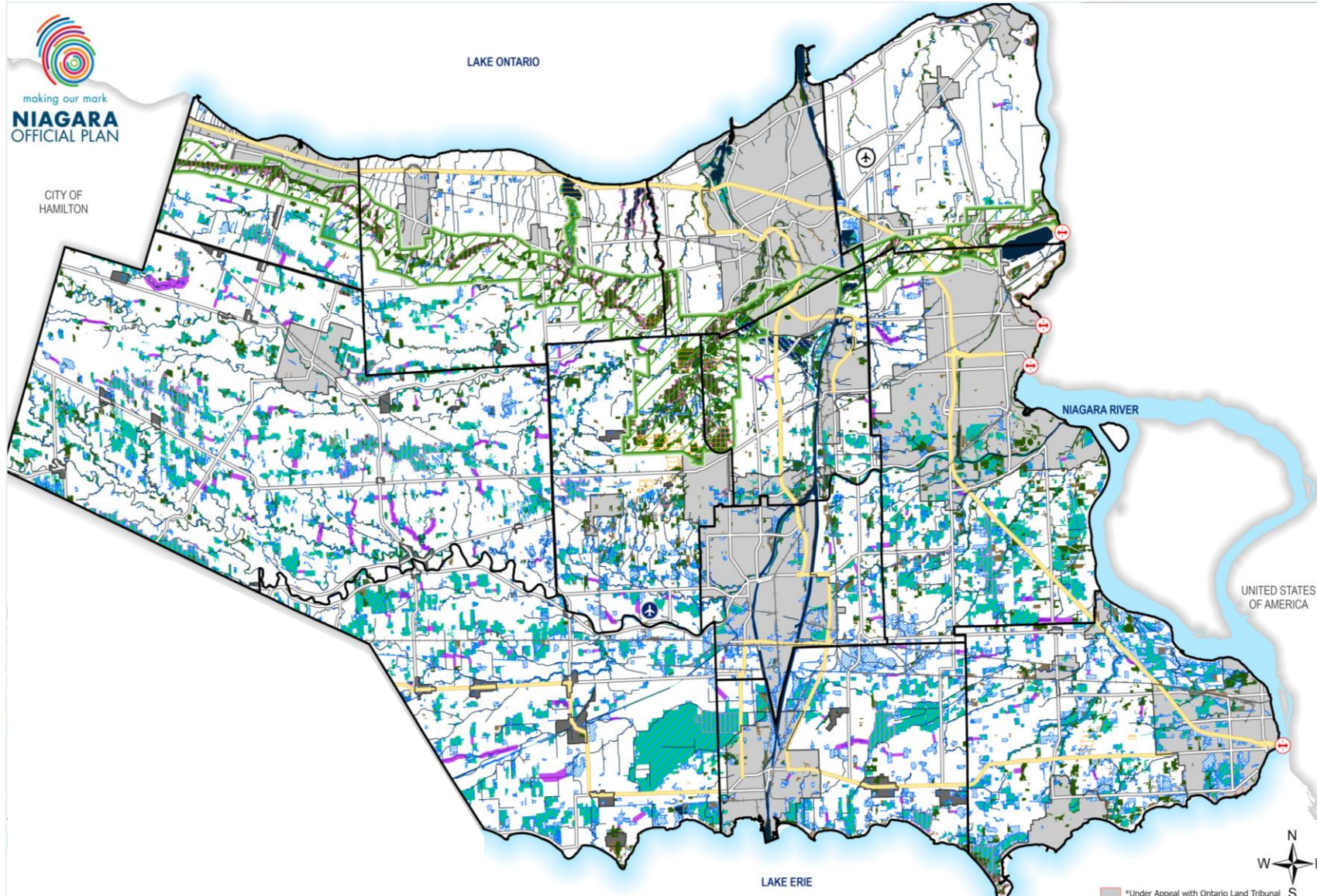
“A holistic and flexible approach to environmental stewardship and consideration of the natural environment, such as in infrastructure, planning and development, **aligned with a renewed Official Plan**”

Objective 3.2, Council's Strategic Plan 2019-2022





# natural environment



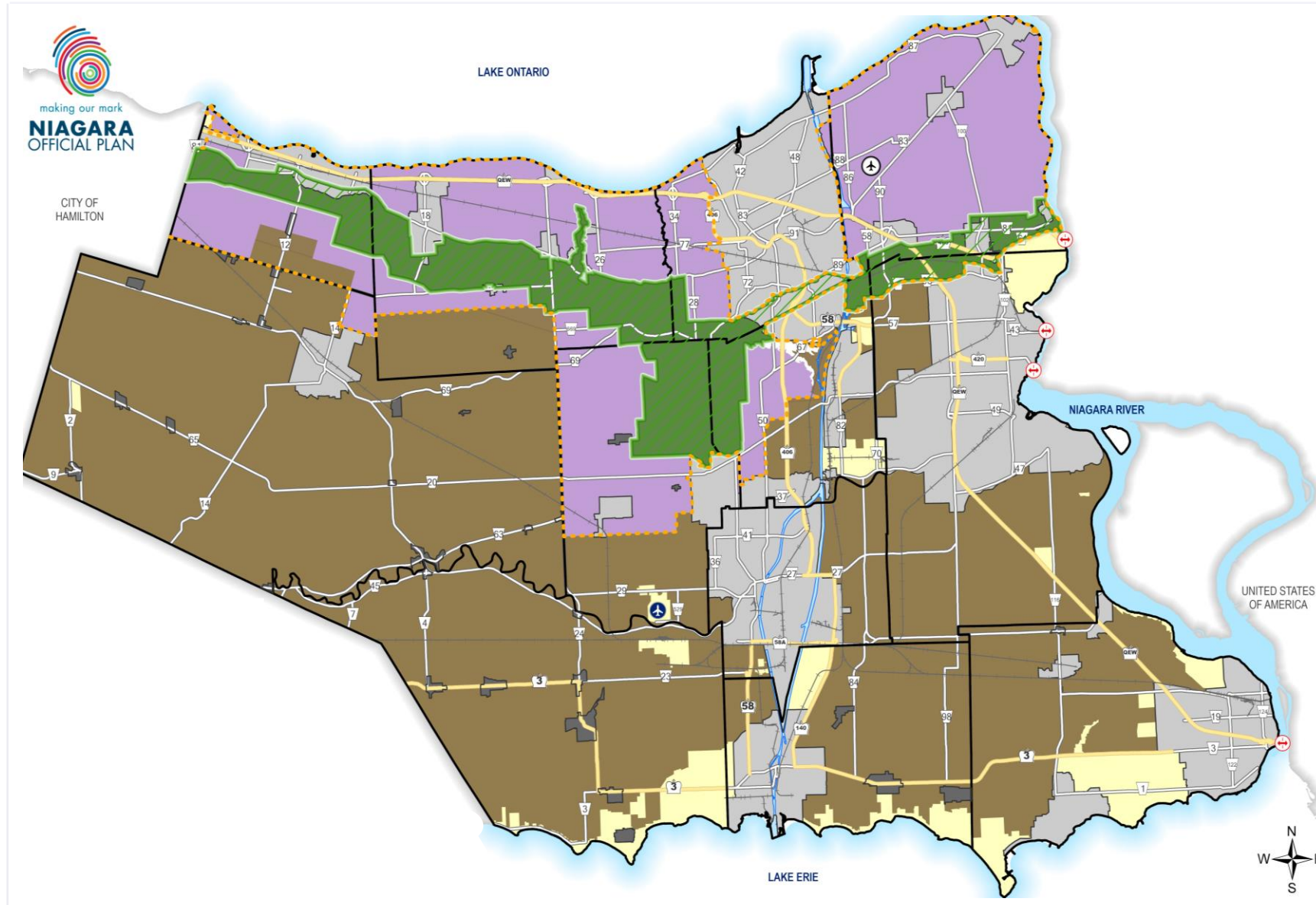
## LEGEND

- Urban Area
- Rural Settlement Area
- Niagara Escarpment Plan Area
- Linkages
- Life Science ANSI
- Earth Science ANSI
- Significant Woodlands
- Other Woodlands
- Other Wetlands and Non Provincially Significant Wetlands
- Provincially Significant Wetlands
- Permanent and Intermittent Streams
- Inland Lakes





# agricultural land base



## LEGEND

- Greenbelt Plan Boundary
- Specialty Crop Area
- Niagara Escarpment Plan Area
- Prime Agricultural Area
- Rural Lands
- Urban Area
- Rural Settlement Area



# how we grow

“

“Retain, protect and increase the supply of affordable housing stock to provide a broad range of housing to meet the needs of the community”

Objective 2.3, Council’s Strategic Plan 2019-2022

## GROWTH MANAGEMENT GUIDANCE

By establishing a new Regional Structure, the Official Plan will provide clearer direction for urban development, including the identification of strategic growth areas.

## INCREASING OUR HOUSING SUPPLY

Intensification, density, and affordable housing targets will provide measurable guidance for the development of a range of housing options and tenures.

## SETTLEMENT AREA EXPANSIONS

60% intensification rate is established and settlement area expansions have been identified to address community housing and employment needs.

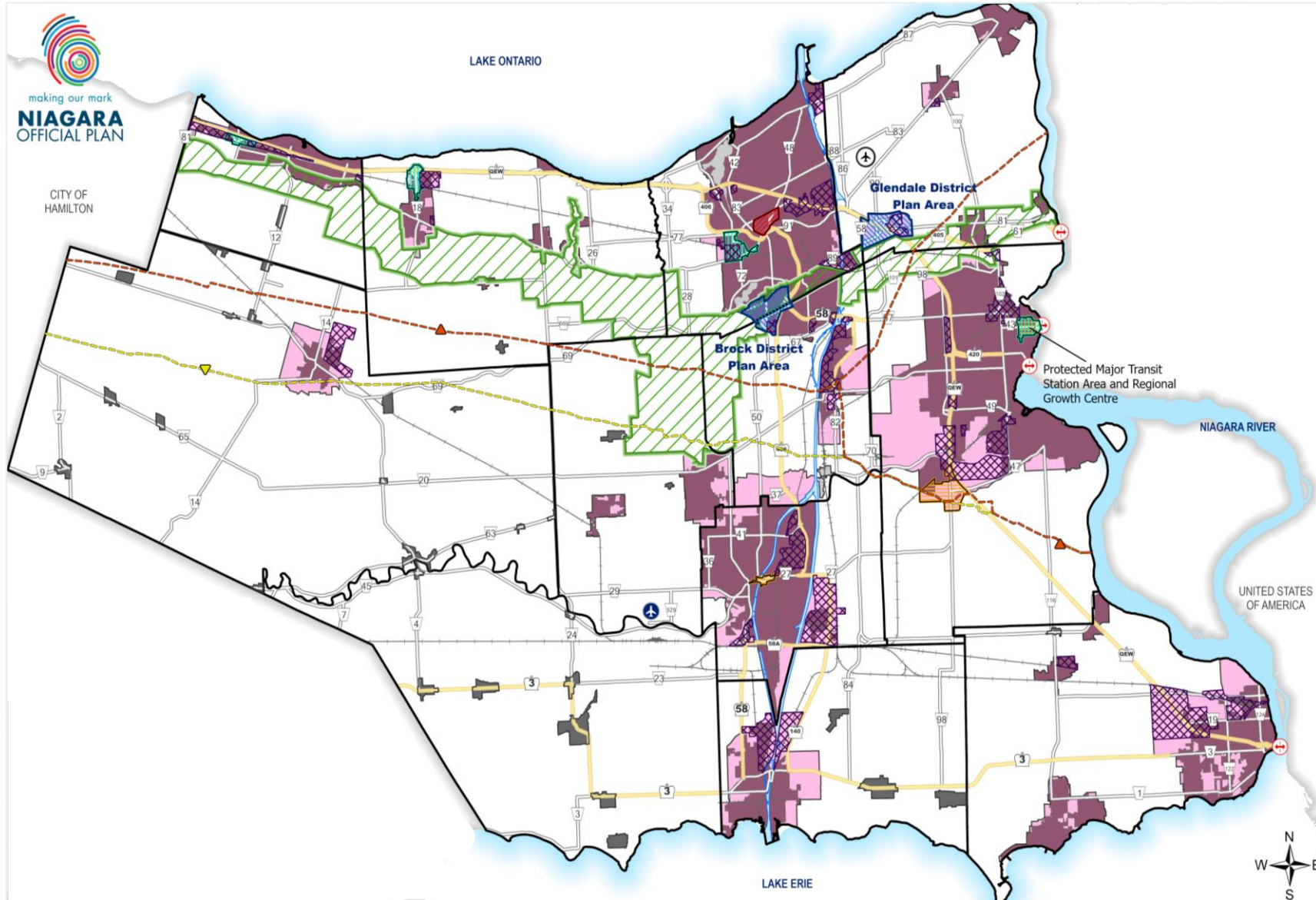
## PROTECTING EMPLOYMENT AREAS

Employment areas are identified and protected for a range of employment uses, including heavy industrial, light industrial, knowledge and innovation industries, and rural employment.



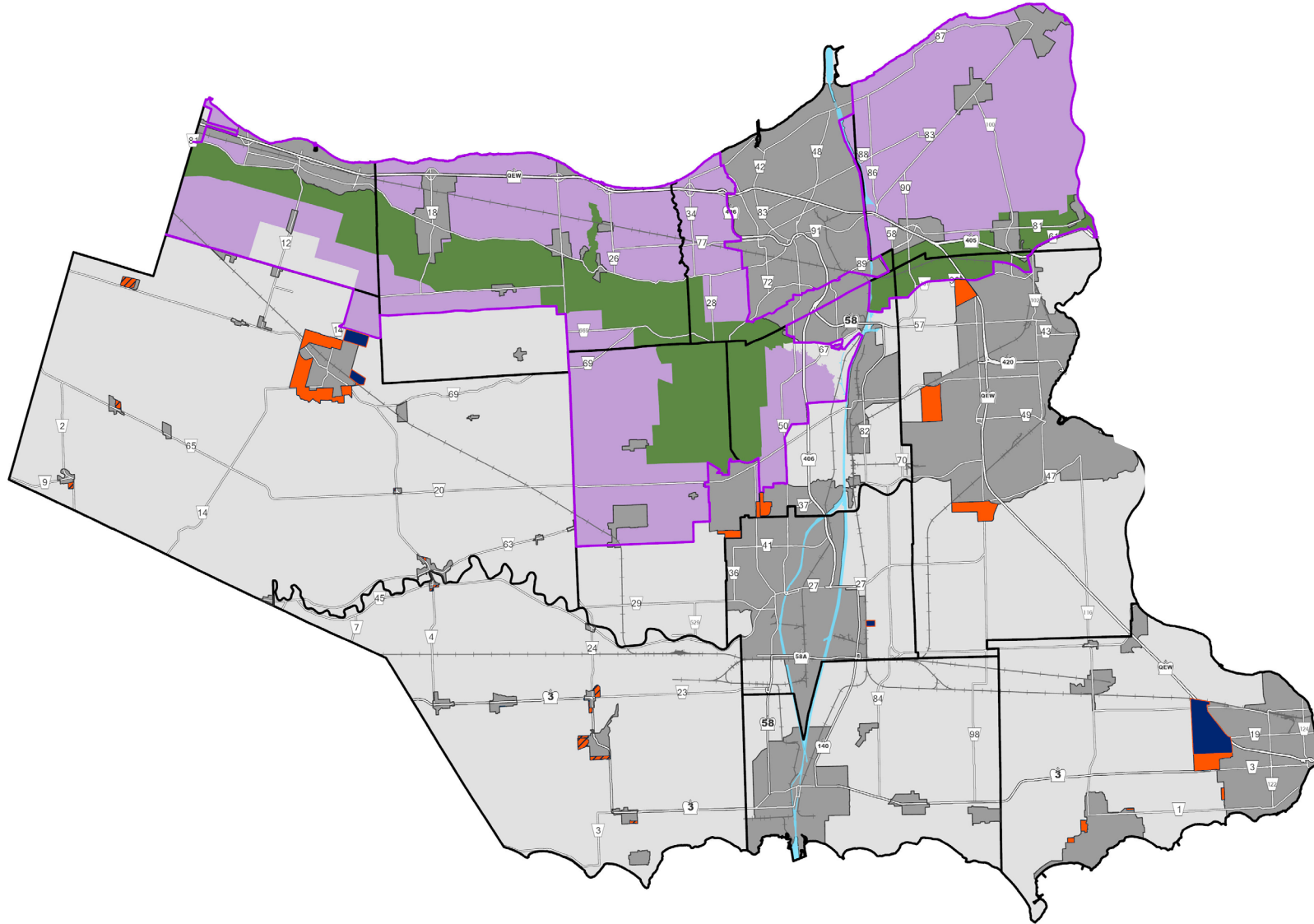


# regional structure





# expansion areas



## LEGEND

- Community Area Expansion
- Employment Area Expansion
- Rural Settlement Expansion
- Greenbelt Area Boundary
- Specialty Crop Area
- Niagara Escarpment Plan Area
- Settlement Area



# how we realize this vision

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## URBAN DESIGN

New policies added that outline the design standards to be used for buildings, streetscaping, and the public realm.



## SECONDARY PLANS

Secondary plans or equivalent work will help to manage land use and promote complete communities.



## STUDY COORDINATION

The Official Plan informs and is informed by key infrastructure management plans to coordinate where and how we grow.

# final revisions to the plan

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**01**

Added policies to permit urban boundary adjustments with no net gain to developable land through an amendment to this Plan.

**02**

Clarified Provincial exemptions for agricultural uses within or adjacent to natural areas.

**03**

Added text box and objective related to transit-supportive development.

**04**

Highlighted key sections and policies associated with climate change through the Plan.

**05**

Added site specific policy for an urban expansion in West Lincoln to ensure future residential development respects minimum distance separation.

**06**

Added 0 Nigh Road to expansion area in the Town of Fort Erie.

**07**

Removed the two westerly parcels, including the Horse and Pony Rescue Operation. (Crystal Beach Expansion Area)

**08**

Added a site specific policy to ensure updated Regional TMP conclusions are reflected in Local Official Plans. (Crystal Beach Expansion Area)

**09**

Updated base mapping and combined schedules for clarity.

**10**

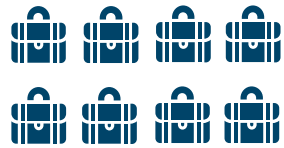
Added employment areas to the Regional Structure schedule.



# opportunities and benefits



**202,000**  
more people

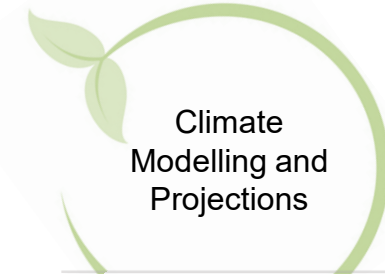


**85,000**  
more jobs



Over a **third** of all growth will be directed to the region's **strategic growth areas**.

## A new **climate change work program**



A net total of

**1,190ha**

will be added to the Prime Agricultural Area land base.

## Natural Environment System **OPTION 3C**

With Council's direction, the new Plan includes detailed policies and mapping that strongly protects the environment.

**60%**

intensification rate, higher than Provincial (50%) and the current ROP target (40%)

**20%** **10%**

affordable rental  
housing target

affordable ownership  
housing target

# MONITORING OUR PROGRESS



A monitoring programs will be used to track Official Plan targets and objectives.

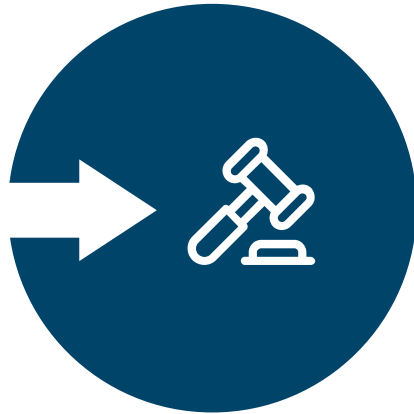


We have the ability to review our plan and adjust forecasts where necessary.



Updates to the Official Plan will be tied to updates to other key infrastructure studies.

# moving forward



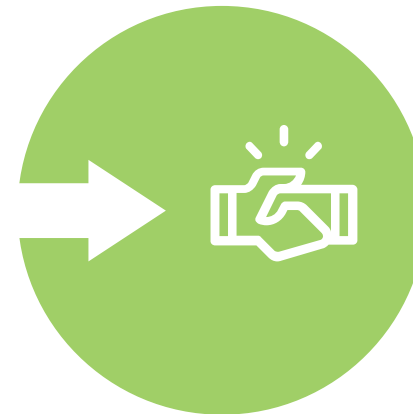
## COUNCIL ADOPTION

Council to decide to  
repeal and replace the  
current Official Plan.



## SUBMIT TO PROVINCE

The Official Plan will  
be circulated to the  
Province for approval.



## PROVINCIAL APPROVAL

The Province will  
approve final changes.  
There are no appeals.



## LOCAL CONFORMITY

Local Official Plans will  
be updated to conform  
to the Region's.

**DATE:** June 13, 2022

**REPORT NO:** PD-54-2022

**SUBJECT:** Recommendation Report – DeHaan Homes Inc., Crossings on the Twenty South Site Plan Amendment and Condition Clearance (File No. 2100-008-21 (Site Plan)) (File No. 2000-072-08 (Condo))

**CONTACT:** Gerrit Boerema, Planner II  
Brian Treble, Director of Planning & Building

**OVERVIEW:**

- A Site Plan Amendment application was submitted to the Township in November of 2020 in order to make a change to the approved site plan drawings for Crossings on the Twenty South, specifically changing a fence along the northerly limit of the condominium development from a solid wood fence to a chain link fence.
- The Crossings on the Twenty South Condominium was initially draft plan approved in 2009. The site plan was approved and registered in January of 2019 and later amended in July of the same year.
- Following the submission of this Site Plan Amendment application, the conditions for draft plan approval were updated in January of 2021 to reflect the concern regarding the lands between the limit of the condominium development and the Twenty Mile Creek (annotated as “Additional Lands of Owner” on the site plan). The owner intended to transfer these lands to the Township, but there was concern from the Township over contamination issues.
- The site plan amendment application has been on hold as staff were waiting on a clear understanding of the future of the “Additional Lands of Owner” as the change to the fencing was adjacent to those lands.
- A plan has now been brought forward for the condominium to retain ownership of the “Additional Lands of Owner” and that the lands would undergo a Risk Assessment and Record of Site Condition.
- A site plan amendment bylaw has been drafted and is attached to this report that would address the initial fence change from 2020 as well as address the “Additional Lands of Owner”.



**OVERVIEW CONTINUED:**

- As such, this report is requesting approval from Committee and Council to authorize the Mayor and Clerk to enter into an amending Site Plan Agreement with DeHaan Homes Inc. and any mortgagees, to do the following:
  - Address fencing changes from 2020 (Solid Board Fence to Chain Link)
  - To add additional temporary fencing around the lands marked as “Additional Lands of Owner” on the site plan by amending Schedule ‘B’ of the agreement and adding additional security.
  - That the “Additional Lands of Owner” become part of the common element of the condominium.
  - The addition of clauses requiring the completion of a Risk Assessment and Record of Site Condition within 30 months (2.5 years).
  - The requirement for a \$100,000.00 security to ensure the Risk Assessment and Record of Site Condition are completed to the satisfaction of the Township within the 30-month period.
- Once the amending Site Plan Agreement has been signed by all parties and registered, and the required security collected, Condition No. 3b. would be deemed cleared.
- Township staff have consulted with Legal Council and the Township Public Works Department in the preparation of the Draft Amending Agreement.
- The Owner has reviewed the Draft Amending Agreement and is willing to sign the agreement and post the securities.
- At this time Planning Staff Recommend support of the amending Site Plan Agreement and authorization for the Mayor and Clerk to enter into the amending Site Plan Agreement with DeHaan Homes Inc. and any mortgagees.

**RECOMMENDATION:**

1. That Report PD-54-2022, regarding “Recommendation Report Crossings on the Twenty South Site Plan Amendment and Condition Clearance File No. 2100-008-21 (Site Plan) File No. 2000-072-08 (Condominium)” dated June 13, 2022, be received; and,
2. That, the Mayor and Clerk be authorized to enter into an Amending Site Plan Agreement with DeHaan Homes Inc. and any mortgagees once the Amending Site Plan Agreement and associated schedules are finalized to the satisfaction of the Director of Planning and Building; and
3. That, Condition No. 3b. of the Crossings on the Twenty South Community Draft Plan of Condominium be deemed to be cleared following the signing, registration of the Amending Site Plan Agreement and submission of security to the Township of West Lincoln.

**ALIGNMENT TO STRATEGIC PLAN:**

**Theme # 3**

- **Strategic Responsible Growth**

## **BACKGROUND:**

The Crossings on the Twenty South Condominium Community is a 24-unit draft plan approved condominium development located north of the Shurie Road – Townline Road intersection in Smithville on Carter Drive. The Draft Plan of Condominium was conditionally approved in 2009. Several extensions to the draft plan approval were provided since 2009, most recently a two-year extension in 2020 (set to expire September 26, 2022).

In January of 2021 a condition was added to the draft plan approval requiring that a plan be provided for the ownership of lands north of the limit of the development and south of the Twenty Mile Creek, shown as “Additional Lands of Owner” on the draft condominium plan. This condition was added after it was discovered that the intention of the owner was to transfer these lands to the Township and that there were possible contamination issues with the land due to its former use.

In January of 2019 a Site Plan Agreement was approved for the Crossings on the Twenty South Community, with a minor amendment to the site plan made in July of the same year.

All of the 24 units have now been constructed and have been granted occupancy prior to final approval and registration, as is permitted and typical for a Standard Condominium. It also appears that most of the site works have now been completed. The residents are anxious to obtain final approval of the Condominium so that it can be registered and their units purchased.

## **CURRENT SITUATION:**

An additional site plan amendment application was submitted in November of 2020 by DeHaan Homes Inc., which sought to change some of the fencing on the site plan from solid board fencing to chain link, along the northerly limit of the development to allow for better views of the creek. This application in part revealed the desire of DeHaan Homes Inc. to transfer the lands between the limit of development and the creek to the Township and their potential for contamination.

This site plan amendment application has been on hold until an ownership plan could be determined for those lands as that would impact the placement of fencing. A plan has now been developed which includes those lands remaining as part of the condominium as a common element and having those lands undergo a Risk Assessment and Record of Site Condition process.

The Risk Assessment, Record of Site Condition, required temporary fencing and security have all been incorporated into the previously submitted site plan amendment application and in the draft Site Plan Amending Agreement found in Attachment 1. Planning staff are recommending that once the amending Site Plan Agreement is signed by all parties and registered on title, and once all the required securities are collected, staff can proceed on clearing condition no. 3b. which was added in January 2021 by Committee and Council.

The Condition is as follows:

- i. That prior to final condominium approval, the additional lands of the owner, as regulated by the Niagara Peninsula Conservation Authority, be the subject of a report to Council that outlines the proposed use and ownership plans, and that such report is approved by the Township of West Lincoln Council prior to final clearance of the condition; and
- ii. That, this change of conditions is in accordance with Section 51 (44) of the Planning Act, which includes the provision for an appeal period as the change of condition shall not be considered as minor.

Planning Staff, together with Legal Counsel and Township Public Works Staff have reviewed the amending Site Plan Agreement and revised landscape plan and site plan and recommend support of Committee and Council Authorizing the Mayor and Clerk to enter into an amending Site Plan Agreement to resolve the fencing change and to resolve the issues around ownership of the contaminated lands, which has impeded the registration of this condominium.

The approval of the amending Site Plan Agreement would not mean the condominium could be registered yet, as there are still a number of outstanding items that the Township needs, including a surveyor certificate, the draft condominium plan for registration and the draft declaration.

Additionally, the site plan drawing needs to be further modified to remove some fencing that no longer is needed based on the limits of the condominium. Fencing has been shown completely surrounding an area annotated as 'open space' on the site plan drawing, which would limit access for the condominium residents and the ability to maintain the grass. As such Public Works and Planning have requested that the fencing between the 'open space' area and the condominium units be removed. The Planning Consultant for DeHaan Homes is currently making that change and the revised final drawings are expected shortly.

#### **FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this report. The Township will receive a security in the amount of \$100,000.00 for the completion of the Record of Site Condition and Risk Assessment and additional security for the fencing. If these studies are not completed within the 30-month time frame laid out in the Draft Amending Agreement, this security deposit would be forfeited to the Township.

#### **INTER-DEPARTMENTAL COMMENTS:**

The draft Amending Site Plan Agreement and schedules have been circulated to Township Legal Counsel and the Township Public Works Department for review. The Township Legal Counsel has provided the Draft Amending Agreement to the Owner's Legal Counsel for their review.

The Township Public Works Department has also reviewed the draft site plan and had questions regarding the location of fencing and how the lands to the north of the development would be used and maintained in the future. DeHaan Homes Planning

Consultant is currently making the required changes to the site plan and landscape plan drawings.

The site plan amendment has also been circulated to the Niagara Peninsula Conservation Authority (NPCA) as some of the fencing works are located within the Conservation Authorities regulated area. At the time of writing they have not provided comments, but a review of the NPCA Policy document indicates that fencing, in most circumstances, is permitted and does not require an NPCA work permit. A condition is already in the Site Plan Agreement which would require the Owner to obtain an NPCA work permit if doing any works requiring a permit within the NPCA regulated area.

**CONCLUSION:**

A site plan amendment application has been made to the Township in November 2020 to propose changes to the fencing on the Crossings on the Twenty South Community Condominium development. This application has been on hold until it could be determined what would be done with the lands north of the limit of development and south of the creek. A plan has now been established and an amending Site Plan Agreement drafted to address both the proposed fence changes from 2020 and to address how the “additional lands of Owner” will remain with the Condominium.

Planning staff recommend that Committee and Council authorize the Mayor and Clerk to enter into an amending Site Plan Agreement with DeHaan Homes Inc. and any mortgagees and that Condition No. 3b. of the Conditions for Draft Plan Approval of Crossings South be deemed cleared once the amending Site Plan Agreement is signed and registered and the security is collected.

**ATTACHMENTS:**

1. Draft Amending Site Plan Agreement
2. Draft Amending Site Plan Authorization Bylaw
3. Revised Site Plan
4. Revised Landscape Plan

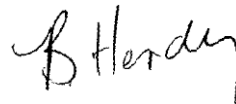
**Prepared & Submitted by:**



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**Gerrit Boerema**  
Planner II

**Approved by:**



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**Bev Hendry**  
CAO



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**Brian Treble**  
Director of Planning & Building



**TOWNSHIP OF WEST LINCOLN  
AMENDING SITE PLAN AGREEMENT  
DEHAAN HOMES INC. CROSSING ON THE TWENTY  
CONDOMINIUM DEVELOPEMNT SOUTH**

THIS AGREEMENT made in triplicate this \_\_\_\_ day of \_\_\_\_\_, 2022, and authorized by By-law 2022-\_\_\_\_ of the Corporation of the Township of West Lincoln.

BETWEEN:

DeHaan Homes Inc.

hereinafter called the OWNER  
OF THE FIRST PART

AND:

Meridian Credit Union

hereinafter called the MORTGAGEE  
OF THE SECOND PART

AND:

The Corporation of the Township of West Lincoln

hereinafter called the TOWNSHIP  
OF THE THIRD PART

**WHEREAS** the lands described as PT LTS 20 & 57 PL M88 AS CONFIRMED BY PL 30BA-1685 PTS 2 & 3, 30R14321 & LT 56 PL M88 AS CONFIRMED BY PL 30BA1685, PLAN M88 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT PT LT 20 PL M88 AS CONFIRMED BY PL 30BA1685 PT 2, 30R14321; PLAN M88 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT; TOWNSHIP OF WEST LINCOLN; SUBJECT TO AN EASEMENT IN GROSS OVER PART LOT 56, PLAN M88 AS CONFIRMED BY PL 30BA1685, PARTS 1, 2, 3, 4, 5, 6, 7, & 8, PLAN 30R14065 AS IN NR489170; TOWNSHIP OF WEST LINCOLN are subject to a Site Plan Agreement Dated the 14<sup>th</sup> day of January, 2019 and registered on the 12<sup>th</sup> day of February, 2019 as Instrument No. NR503842, an amended on July 5, 2019 and registered on the 26<sup>th</sup> day of August, 2019 as Instrument No. NR519352;

**AND WHEREAS** the parties now wish to amend the said Site Plan Agreement by deleting therefrom Schedule 'B', and replacing with a new Schedule 'B', the Site Plan;

**AND WHEREAS** the parties now wish to amend the said Site Plan Agreement by adding additional clauses to the Site Plan Agreement;

**AND WHEREAS** the parties now wish to amend the said Site Plan Agreement by deleting therefrom Schedule 'C', 'Administration Fee – Cost Estimate of Site Works' and replacing with a new Schedule 'C' the 'Administration Fee – Cost Estimate of Site Works';

**AND WHEREAS** the parties now wish to amend the said Site Plan Agreement by deleting therefrom Schedule 'D', 'Financial Requirements' and replacing with a new Schedule 'D' the 'Financial Requirements';

**AND WHEREAS** By-law 2022-### authorizes an amending site plan agreement between the Township of West Lincoln, DeHaan Homes Inc. and Meridian Credit Union.

**NOW THEREFORE THIS AGREEMENT WITNESSES THAT** in consideration of the premises and of the covenants herein contained, the parties hereto hereby covenant and agree as follows:

1. The Site Plan Agreement dated the 14<sup>th</sup> day of January, 2019 and registered on the 12<sup>th</sup> day of February, 2019 as Instrument No. NR503842, and as amended in an amending site plan agreement dated July 5, 2019 and registered on the 26<sup>th</sup> day of August, 2019 as Instrument No. NR519352, is hereby further amended by deleting therefrom Schedule 'B' and substituting therefore Schedule 'B', as attached hereto.
2. The Site Plan Agreement dated the 14<sup>th</sup> day of January, 2019 and registered on the 12<sup>th</sup> day of February, 2019 as Instrument No. NR503842, and as amended in an amending site plan agreement dated July 5, 2019 and registered on the 26<sup>th</sup> day of August, 2019 as Instrument No. NR519352, is hereby further amended by deleting therefrom Schedule 'C' and substituting therefore Schedule 'C', as attached hereto.
3. The Site Plan Agreement dated the 14<sup>th</sup> day of January, 2019 and registered on the 12<sup>th</sup> day of February, 2019 as Instrument No. NR503842, and as amended in an amending site plan

agreement dated July 5, 2019 and registered on the 26th day of August, 2019 as Instrument No. NR519352, is hereby further amended by deleting therefrom Schedule 'D' and substituting therefore Schedule 'D', as attached hereto.

- 4.
5. That the following clauses be inserted into the site plan agreement under Section 18 'Additional Clauses':
- k. That the owner shall complete a Risk Assessment on the subject lands, south of the Twenty Mile Creek and north of the current limits of development, as shown on the amended site plan in Schedule 'B' as "Lands Subject to RSC  $\pm 1,080\text{m}^2$ " following the technical requirements and reporting framework provided in Schedule C of O. Reg. 153/04; and shall obtain acceptance by the Ministry of Environment, Conservation and Parks. A security deposit and associated administration fee shall be provided to the Township as per Schedule 'C' and Schedule 'D' to this agreement.
  - l. Following the acceptance of the Risk Assessment, the owner shall provide to the Township a Record of Site Condition for the subject lands (Lands Subject to RSC  $\pm 1,080\text{m}^2$ ) and complete any associated works, prior to such lands being used. Prior to the Record of Site Condition, the lands shall be fenced as depicted on the Landscape Plan prepared by IBI Group and dated June 2014, last revised 2022-05-11, and attached hereto in Schedule 'B'.
  - m. The owner shall complete the Risk Assessment and shall provide to the Township a copy of the Record of Site Condition within thirty (30) months (2.5 years) of the signing of this amending agreement; failure to do so will result in the owner being in default of this agreement and the security deposit referred to in Paragraph k, above, and set out in Schedule 'C' and Schedule 'D' of this agreement shall become the property of the Township of West Lincoln.
6. Save and except for the amendments set out in paragraph 1, 2 and 3 hereof, the terms of the Site Plan Agreement dated the 14<sup>th</sup> day of January, 2019 and registered on the 12<sup>th</sup> day of February, 2019 as Instrument No. 503842, and as amended by the Amending Site Plan Agreement dated July 5, 2019 and registered on the 26th day of August, 2019 as Instrument No. NR519352 remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have hereunto affixed their respective corporate seals under the hands of the respective authorized officers.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

**THE CORPORATION OF THE  
TOWNSHIP OF WEST LINCOLN**

\_\_\_\_\_  
MAYOR: DAVE BYLSMA  
Date Signed:\_\_\_\_\_

\_\_\_\_\_  
CLERK: JOANNE SCIME  
Date Signed:\_\_\_\_\_

**DEHAAN HOMES INC.**

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
I HAVE THE AUTHORITY TO BIND THE  
CORPORATION

Print Name: \_\_\_\_\_

Position: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**MERIDIAN CREDIT UNION**

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
I HAVE THE AUTHORITY TO BIND THE  
CORPORATION

Print Name: \_\_\_\_\_

Position: \_\_\_\_\_

Date Signed: \_\_\_\_\_

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**SCHEDULE 'B'**

**DRAWINGS TO BE INSERTED AS SCHEDULE 'B'**

**Site Plan Drawing, dated April 2008, Last Revised May 11, 2022, prepared by IBI Group.**

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**SCHEDULE "C"****ADMINISTRATION FEE****COST ESTIMATE OF SITE WORKS**

<b>A. Site Preparation + Grading (PRIM)</b>		
A.1	Site Clean-up + Clearing	\$ 2,500.00
A.2	Silt Fence	\$ 6,720.00
A.3	Mud Mat	\$ 1,000.00
A.4	Strip Topsoil and stockpile	\$ 200.00
A.5	Pre-Grade Site to Specific Pre-grade Elevation	\$ 10,000.00
Sub-Total for Section A		\$ 20,420.00
<b>B. Sanitary Sewers (PRIM)</b>		
B.1	200 m dia. PVC Sanitary Sewer	\$ 28,275.00
B.2	Sanitary M.H.'s A1, A2	\$ 10,000.00
B.3	Sanitary Pumping Station as per Sco-Terra drawings	\$ 68,500.00
B.4	Supply & Install Genset	\$ 25,000.00
B.5	150 dia. PVC Bypass sewer complete	\$ 2,625.00
B.6	1800 Dia. Valve & metre Chamber complete	\$ 7,500.00
B.7	Pump Station Control panel	\$ 10,000.00
B.8	50mm HPDE DR 17 Sanitary Forcemain	\$ 43,750.00
B.9	TV Inspection of Sanitary Sewers	\$ 2,625.00
Sub-Total for Section B		\$ 198,275.00
<b>C. Storm Sewers (PRIM)</b>		
C.1	PVC Storm Sewer	\$ 55,920.00
C.2	Storm M.H. # 2 & #3	\$ 10,000.00
C.3	Outlet Headwall	\$ 5,000.00
C.4	Stormceptor MH #1	\$ 22,000.00
C.5	Catchbasins and Leads	\$ 31,500.00
C.6	Rip Rap at Headwall and swale	\$ 2,000.00
C.7	Sediment Control	\$ 3,300.00
C.8	TV Inspection of Storm Sewers	\$ 3,075.00
Sub-Total for Section C		\$ 132,795.00
<b>D. Watermains &amp; Appurtenances (PRIM)</b>		
D.1	PVC Watermain	\$ 29,000.00
D.2	Gate Valve	\$ 1,500.00
D.3	3-Way Hydrants	\$ 10,000.00
D.4	Copper Waterservice	\$ 7,200.00
Sub-Total for Section D		\$ 47,700.00
<b>E. Building Services (PRIM)</b>		
E.1	PVC Sanitary Sewer Lateral	\$ 38,400.00
E.2		\$ 23,600.00
Sub-Total for Section E		\$ 62,000.00
<b>F. Roadbase, Curbs, Base Asphalt and Associated Works (PRIM)</b>		
F.1	Saw-cut exist. Curb and gutter for new driveway	\$ 1,200.00
F.2	Excavate/fill compact shape roadway subgrade	\$ 11,400.00
F.3	Excavate/fill compact shape Parking	\$ 5,625.00
F.4	Subdrain for Roadway and Parking	\$ 9,000.00
F.5	Conc. Barrier curb and Gutter	\$ 31,500.00
F.6	Granular A Road Base	\$ 30,150.00
F.7	Base Asphalt	\$ 26,860.00
Sub-Total for Section F		\$ 115,735.00
<b>G. Final Roadways, Sidewalks and Associated Works (SEC)</b>		
G.1	Adjust frames and Covers	\$ 2,450.00
G.2	Finish Asphalt	\$ 28,440.00
G.3	Sidewalk	\$ 20,375.00
Sub-Total for Section G		\$ 51,265.00
<b>H. Fencing, Grading, Street Lighting &amp; Miscellaneous Works (SEC)</b>		
H.1	Slope along Easterly Property Line	\$ 4,350.00
H.2	Chain Link Fence	\$ 20,000.00
H.3	Wood Privacy Fence (East and North) 1.8m	\$ 39,000.00
H.4	Wood Privacy Fence (East) 1.2m	\$ 600.00

H.5 Streetlighting	\$ 41,580.00
Sub-Total for Section H	\$ 105,530.00
SUBTOTAL OF PRIMARY WORKS	\$ 576,925.00
SUBTOTAL OF SECONDARY WORKS	\$ 156,795.00
SUBTOTAL	\$ 733,720.00
HST	\$ 95,383.60
HST REBATE	\$ 82,470.13
TOTAL	\$ 746,633.47
A. LETTER OF CREDIT TO BE SUBMITTED	\$ 453,094.03
50% of Primary Services and 100% of Secondary Services	

**Additional Security to be collected:**

Secondary Works – Fencing	\$23,625.00
HST	\$ 3,071.25
HST REBATE	\$ 2,655.45
A. Additional Letter of Credit to be Submitted	<b><u>\$24,040.80</u></b>

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SCHEDULE "D"

FINANCIAL REQUIRMENTS

A. LETTER OF CREDIT

1. Guarantee of Primary Services (50% of the value of Primary Services)	\$288,462.50
2. Guarantee of Secondary Services (100% of the value of Secondary Services)	\$156,795.00
3. HST (with HST Rebate)	<u>\$ 7,836.53</u>
TOTAL LETTER OF CREDIT	<u>\$453,094.03</u>

B. ADMINISTRATION FEE

The Owner shall pay to the Township a cash fee applicable to the total cost of site works in a sufficient amount to cover any costs of administration, including engineering and other inspections and supervision of these works, plans review and analysis in accordance with the following:

(a) Total cost of services less than \$ 1,000.00: no charge;	
(b) Total cost of services less than \$ 5,000.00: \$ 250.00 total charge;	
(c) Total cost of services less than \$ 20,000.00: \$1,500.00 total charge;	
(d) Total cost of services less than \$ 30,000.00: \$2,000.00 total charge;	
(e) Total cost of services less than \$ 60,000.00: \$3,000.00 total charge;	
(f) Total cost of services less than \$ 75,000.00: \$4,000.00 total charge;	
(g) Total cost of services less than \$100,000.00:\$5,000.00 total charge;	
(h) For total costs of services over \$100,000.00, the total fee cost shall be:	
i. \$5,000.00 for the cost of services up to \$100,000.00, plus	\$
5,000.00	
ii. Four percent (4%) of the total costs of any services in excess of	
\$100,000.00 up to \$500,000.00; plus	\$ 16,000.00
iii. Three-percent (3%) of the total cost of any services in excess	\$
7,399.00	
of \$500,000.00	
TOTAL FEE	<u>\$ 28,399.00</u>
TOTAL FEE PAYABLE (Cash or Cheque)	<u>\$ 28,399.00</u>
ADDITIONAL ADMINISTATION FEE FOR FENCING	<u>\$ 2,000.00</u>

C. LOT GRADING PERFORMANCE DEPOSIT \$ 10,000.00

D. WATER METER AND BACKFLOW PREVENTION UNIT DEPOSIT \$ 5,000.00

E. LEGAL FEES DEPOSIT \$ 5,000.00

TOTALFEE PAYABLE (Cash or Cheque) \$ 20,000.00

ADDITIONAL SECURITY DEPOSIT OR LETTER OF CREDIT

F. RISK ASSESSMENT AND RECORD OF SITE CONDITON  
DEPOSIT/LETTER OF CREDIT \$ 100,000.00

TOTAL LETTER OF CREDIT OR DEPOSIT \$ 100,000.00

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**BY-LAW NO. 2022-##**

**A BY-LAW TO AUTHORIZE AN AMENDING SITE PLAN AGREEMENT WITH DEHAAN HOMES INC., AND MERIDIAN CREDIT UNION ON LANDS DESCRIBED AS PT LTS 20 & 57 PL M88 AS CONFIRMED BY PL 30BA-1685 PTS 2 & 3, 30R14321 & LT 56 PL M88 AS CONFIRMED BY PL 30BA1685, PLAN M88 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT PT LT 20 PL M88 AS CONFIRMED BY PL 30BA1685 PT 2, 30R14321; PLAN M88 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT; TOWNSHIP OF WEST LINCOLN; SUBJECT TO AN EASEMENT IN GROSS OVER PART LOT 56, PLAN M88 AS CONFIRMED BY PL 30BA1685, PARTS 1, 2, 3, 4, 5, 6, 7, & 8, PLAN 30R14065 AS IN NR489170; TOWNSHIP OF WEST LINCOLN (ORIGINAL SITE PLAN AGREEMENT AUTHORIZED BY BY-LAW NO. 2017-116)**

**WHEREAS** the Corporation of the Township of West Lincoln deems it expedient to enter into an Amending Site Plan Agreement with DeHaan Homes Inc., and Meridian Credit Union on lands described as PT LTS 20 & 57 PL M88 AS CONFIRMED BY PL 30BA-1685 PTS 2 & 3, 30R14321 & LT 56 PL M88 AS CONFIRMED BY PL 30BA1685, PLAN M88 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT PT LT 20 PL M88 AS CONFIRMED BY PL 30BA1685 PT 2, 30R14321; PLAN M88 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT; TOWNSHIP OF WEST LINCOLN; SUBJECT TO AN EASEMENT IN GROSS OVER PART LOT 56, PLAN M88 AS CONFIRMED BY PL 30BA1685, PARTS 1, 2, 3, 4, 5, 6, 7, & 8, PLAN 30R14065 AS IN NR489170.

**AND WHEREAS** approval and authority for such Amending Agreement is required;

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN ENACTS AS FOLLOWS:**

1. That the Council of the Corporation of the Township of West Lincoln enter into an Amending Site Plan Agreement with DeHaan Homes Inc., and Meridian Credit Union, on lands described as PT LTS 20 & 57 PL M88 AS CONFIRMED BY PL 30BA-1685 PTS 2 & 3, 30R14321 & LT 56 PL M88 AS CONFIRMED BY PL 30BA1685, PLAN M88 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT PT LT 20 PL M88 AS CONFIRMED BY PL 30BA1685 PT 2, 30R14321; PLAN M88 IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT; TOWNSHIP OF WEST LINCOLN; SUBJECT TO AN EASEMENT IN GROSS OVER PART LOT 56, PLAN M88 AS CONFIRMED BY PL 30BA1685, PARTS 1, 2, 3, 4, 5, 6, 7, & 8, PLAN 30R14065 AS IN NR489170.
2. That the Mayor and Clerk be and each of them is hereby authorized to sign the said Amending Site Plan Agreement and any other document or documents necessary to implement the intent of this By-law and the said Amending Site Plan Agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto and deliver the same to the appropriate parties.
3. That a copy of the said Amending Site Plan Agreement and any supplementary Agreements, when executed by the said parties shall be attached hereto as "Schedule A" and shall form part of this By-law.

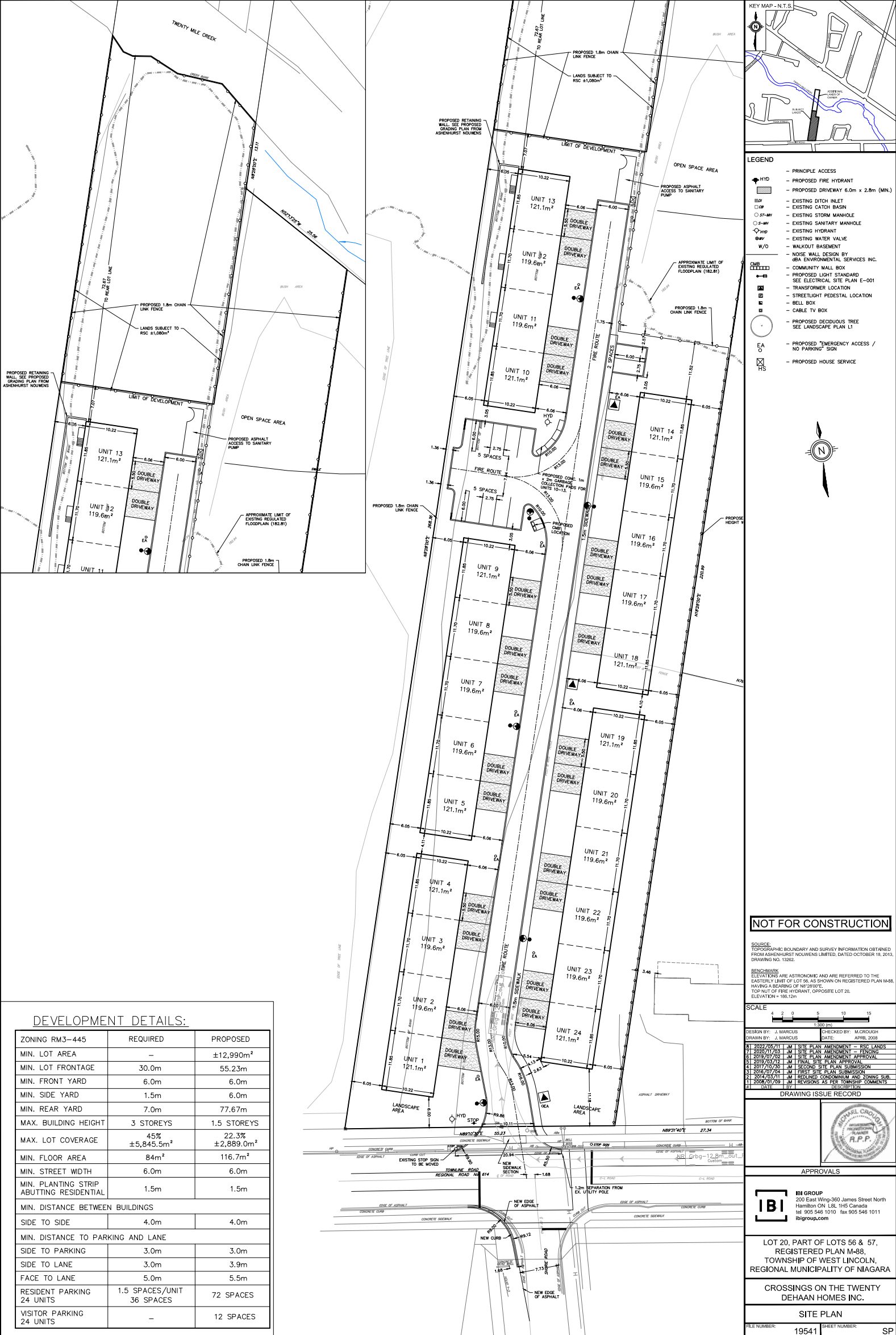
**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS 27<sup>th</sup>  
DAY OF JUNE, 2022**

\_\_\_\_\_  
**MAYOR DAVE BYLSMA**

\_\_\_\_\_  
**JOANNE SCIME, CLERK**

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**DATE:** June 13, 2022

**REPORT NO:** PD-58-2022

**SUBJECT:** **Recommendation Report – Housekeeping Amendments No. 7  
Residential Zone Regulations**

**CONTACT:** Gerrit Boerema, Planner II  
Brian Treble, Director of Planning & Building

**OVERVIEW:**

- In September of 2021 the Township initiated amendments to the Township's Zoning By-law 2017-70, as amended, to add new regulations for back to back and stacked back to back townhouses.
- Committee and Council approved the amendments to the Zoning By-law, however, they were appealed within the appeal period and Township Staff are working with the appellant on options for a settlement.
- Staff have reached out to a planning consultant to review some of the Township's residential zone regulations in the Township's Zoning By-law as part of the ongoing appeal.
- Based on the planning consultants review staff believe a more comprehensive review of the residential zone regulations are needed to adapt to new forms of residential development and to allow for the most efficient use of land as Smithville grows.
- Staff are seeking authorization to commence a Zoning By-law amendment process (Housekeeping No. 7) and to retain a consultant to review and provide recommendations on the Township's Residential Zone regulations. This process would involve a public meeting and consultation process.

**RECOMMENDATION:**

1. That Report PD-58-2022, regarding "Recommendation Report, Housekeeping Amendments No. 7, Residential Zone Regulations", dated June 13, 2022 be received; and
2. That, Township staff be authorized commence a Township initiated Zoning By-law amendment process, including a public consultation process and public meeting, and to obtain a consultant to review and recommend changes to the Township's Zoning By-law, Residential Zone Regulations.

## **ALIGNMENT TO STRATEGIC PLAN:**

### **Theme # 3**

- **Strategic Responsible Growth**

### **BACKGROUND:**

In the fall of 2021, Township Staff were given direction from Committee and Council to start a zoning amendment process with the goal of adding in specific regulations regarding a new type of housing unit in Smithville being back-to-back and stacked back-to-back townhouses. These units are essentially townhouse units, or stacked townhouse units, that share a common rear wall in addition to common side walls. This results in a unit not having any rear yard.

Following Council's approval of the bylaw an appeal was made by a landowner who participated in the public consultation process. Through discussions regarding this appeal and a third party planning consultant review of the proposed bylaw, staff recognized that a more comprehensive review of the residential zoning regulations need to be undertaken to ensure that they are aligned with new forms of residential development and making efficient use of land.

### **CURRENT SITUATION:**

The Township has undertaken a number of housekeeping amendments to the Township's Zoning By-law since its adoption in 2017. These amendments have focused on different aspects of the zoning bylaw including accessory dwelling units, site specific zonings, changes to definitions and most recently the implementation of new regulations for back-to-back and stacked back-to-back townhouse dwellings (currently under appeal).

The proposed Zoning By-law amendment would focus on the uses permitted within Residential Zones and the associated regulations (e.g. setbacks, height, lot coverage etc.). Township staff propose to retain a planning consultant, preferably a consultant that has both a planning and architectural background, to review and, if necessary, recommend changes to Part 6 of the Zoning Bylaw – Residential Zones.

### **FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this report. Costs associated with Township initiated zoning amendments are budgeted within the Planning operating budget

### **INTER-DEPARTMENTAL COMMENTS:**

There are no inter-departmental comments at this time.

### **CONCLUSION:**

Staff are seeking authorization to commence a Township initiated Zoning By-law amendment process which would involve retaining a consultant to review the Township's Residential Zone provisions of the Zoning By-law and recommend changes where necessary. This process would also involve a public consultation process.

**Attachments:**

1. Part 6 of Zoning Bylaw 2017-70, as amended – Residential Zones

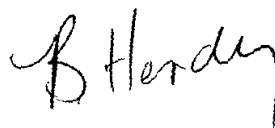
**Prepared & Submitted by:**



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**Gerrit Boerema**  
**Planner II**

**Approved by:**



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**Bev Hendry**  
**CAO**



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**Brian Treble**  
**Director of Planning & Building**



## PART 6. RESIDENTIAL ZONES

### 6.1 APPLICABLE ZONES

The permitted *uses* and regulations of Part 6 apply to land within the following *zones*:

Zone	Symbol
Rural Residential	RuR
Residential Low Density	– Type 1A R1A
	– Type 1B R1B
	– Type 1C R1C
	– Type 1D R1D
	– Type 2 R2
	– Type 3 R3
Residential Medium Density	– Type 1 RM1
	– Type 2 RM2
	– Type 3 RM3
Residential High Density	RH

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

### 6.2 PERMITTED USES

In the *zones* identified in Section 6.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 13.

**Table 13: Permitted Uses in Residential Zones**

Uses	Zones where Permitted											
Principal Uses												
Apartment dwelling										RM3	RH	
Duplex dwelling									RM2			
Fourplex dwelling									RM2	RM3		
Retirement home											RH	
Semi-detached dwelling						R2	R3	RM1	RM2	RM3		
Single detached dwelling	RuR	R1A	R1B	R1C	R1D	R2	R3					
Stacked townhouse dwelling										RM3		
Street townhouse dwelling								RM1	RM2	RM3		
Townhouse dwelling									RM2	RM3		
Triplex dwelling									RM2	RM3		
Accessory Uses <sup>(1)</sup>												
Accessory buildings or structures and accessory uses (see s. 3.1)	RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>	R2 <sup>(1)</sup>	R3 <sup>(1)</sup>	RM1 <sup>(1)</sup>	RM2 <sup>(1)</sup>	RM3 <sup>(1)</sup>	RH <sup>(1)</sup>	
Accessory dwelling unit (see s. 3.2)	RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>	R2 <sup>(1)</sup>	R3 <sup>(1)</sup>					
Bed and breakfast establishment (see s. 3.4)	RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>							

Uses	Zones where Permitted									
<i>Boarding or rooming house</i>	RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>					RM3 <sup>(1)</sup>
<i>Garden suite</i> (see s. 3.2)	RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>					
<i>Group home</i> (see s. 3.6)	RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>	R2 <sup>(1)</sup>	R3 <sup>(1)</sup>			
<i>Home occupation</i> (see s. 3.7)	RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>	R2 <sup>(1)</sup>	R3 <sup>(1)</sup>			
<i>Renewable energy system</i> (see s. 3.15)	RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>	R2 <sup>(1)</sup>	R3 <sup>(1)</sup>	RM1 <sup>(1)</sup>	RM2 <sup>(1)</sup>	RM3 <sup>(1)</sup>

<sup>(1)</sup> Denotes *uses* that are only permitted accessory to or in conjunction with a permitted *principal use*.

### 6.3 REGULATIONS

In the *zones* identified in Section 6.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Tables 14 and 15.

**Table 14: Regulations for Permitted Uses in Low Density and Rural Residential Zones**

Regulation				Zone Requirements						
				RuR	R1A	R1B	R1C	R1D	R2	R3
Minimum lot area	Municipal services	Single detached dwelling		0.4 ha	800m <sup>2</sup>	550m <sup>2</sup>	475m <sup>2</sup>	400m <sup>2</sup>	360m <sup>2</sup>	300m <sup>2</sup>
		Semi-detached dwelling <sup>(1)</sup>							720m <sup>2</sup>	450m <sup>2</sup>
	Private services			0.4 ha						
Minimum lot frontage	Municipal services	Corner lot	Single detached dwelling	45m	21m	18m		15m	15m	12.5m
			Semi-detached dwelling <sup>(1)</sup>						24m	18m
		Other lot	Single detached dwelling	45m	21m	18m	15m	13m	12m	10m
			Semi-detached dwelling <sup>(1)</sup>						24m	18m
	Private services			45m						
Minimum front yard	Dwelling			15m	7.5m	6m	4.5m			
	Private garage <sup>(4)</sup>						6m			
Minimum exterior side yard				9m	6m	5m	4.5m		3m	
Minimum interior side yard	Dwelling			3m	1.5m	1.2m	1.2m <sup>(2)</sup>			
	Private garage (attached to dwelling) <sup>(4)</sup>						0.6m <sup>(3)</sup>			
Minimum rear yard				15m	10m		7.5m			
Maximum lot coverage	Municipal services			20%	35%	40%	45%			
	Private services				20%					
Maximum height				10m						
Minimum landscaped open space				35%	30%	25%				

<sup>(1)</sup> Where each *dwelling unit* of a *semi-detached dwelling* is located on a separate *lot*, the minimum *lot area* and minimum *lot frontage* for each *dwelling unit* shall be half the requirement identified above for the applicable *zone*.

<sup>(2)</sup> Where each *dwelling unit* of a *semi-detached dwelling* is located on a separate *lot*, no *interior side yard* shall be required along the common *lot line* of the attached wall joining the two *dwelling units*.

<sup>(3)</sup> This provision shall only apply where an attached *private garage* is located on a *lot* where the nearest *interior side yard* on the adjoining *lot* is required to be 1.2 metres or greater in width. If the nearest *interior side yard* on the adjoining *lot* is permitted to be less 1.2 metres, the minimum *interior side yard* for the *private garage* shall be 1.2 metres.

<sup>(4)</sup> Refer to Section 3.12.7 *Private Garages* for further regulations.

**Table 15: Regulations for Permitted Uses in Medium and High Density Residential Zones**

Regulation		Zone Requirements			
		RM1	RM2	RM3	RH
Minimum <i>lot area</i> (per <i>dwelling unit</i> )	<i>Apartment dwelling</i>	-		160m <sup>2</sup>	120m <sup>2</sup>
	<i>Duplex dwelling</i>	-	250m <sup>2</sup>	-	
	<i>Fourplex dwelling</i>	-		180m <sup>2</sup>	-
	<i>Retirement home</i>	-			120m <sup>2</sup>
	<i>Semi-detached dwelling</i> <sup>(1)</sup>	270m <sup>2</sup>	200 m <sup>2</sup>		-
	<i>Stacked townhouse dwelling</i>	-	-	160m <sup>2</sup>	-
	<i>Street townhouse dwelling</i>	225m <sup>2</sup>	180m <sup>2</sup>		-
	<i>Townhouse dwelling</i>	-	200m <sup>2</sup>	180m <sup>2</sup>	-
	<i>Triplex dwelling</i>	-	250m <sup>2</sup>	200m <sup>2</sup>	-
Minimum <i>lot frontage</i> <sup>(2)</sup>	<i>Apartment dwelling</i>	-		30m	
	<i>Duplex dwelling</i>	-	20m	-	
	<i>Fourplex dwelling</i>	-	30m		-
	<i>Retirement home</i>	-			30m
	<i>Semi-detached dwelling</i> <sup>(1)</sup>	9m/unit	8m/unit		-
	<i>Stacked townhouse dwelling</i>	-	-	30m	-
	<i>Street townhouse dwelling</i>	7.5m/unit	6m/unit		-
	<i>Townhouse dwelling</i>	-	30m		-
	<i>Triplex dwelling</i>	-	20m	18m	-
Minimum <i>front yard</i>	<i>Dwelling</i>	4.5m			7.5m
	<i>Private garage</i>	6m			
Minimum <i>exterior side yard</i>		3m			Greater of 50% of <i>building height</i> or 3m
Minimum <i>interior side yard</i>	Adjoining a <i>lot</i> in a low density residential <i>zone</i>	3m <sup>(3)</sup>			
	Adjoining a <i>lot</i> in any other <i>zone</i>	1.2m <sup>(3)</sup>			3m
Minimum <i>rear yard</i> <sup>(4)</sup>	Adjoining a <i>lot</i> in a low density residential <i>zone</i>	7.5m			
	Adjoining a <i>lot</i> in any other <i>zone</i>	6m			
Maximum <i>lot coverage</i>		45%	50%		
Minimum separation distance between <i>dwellings</i> on the <i>same lot</i>	Between exterior side walls	-	3m		
	Between exterior front or rear walls		12m		
	Between exterior front or rear walls and side walls		7.5m		
Maximum <i>height</i>		10m	12m		15m
Minimum <i>landscaped open space</i>		25%			
Minimum <i>amenity area</i> <sup>(5)</sup>	<i>Dwelling</i> with 3 or 4 <i>dwelling units</i> on one <i>lot</i>	-	20m <sup>2</sup> per <i>dwelling unit</i>		
	<i>Dwelling</i> with 5 to 8 <i>dwelling units</i> on one <i>lot</i>		40m <sup>2</sup> plus 10m <sup>2</sup> per <i>dwelling unit</i>		
	<i>Dwelling</i> with 9 or more <i>dwelling units</i> on one <i>lot</i>		-	80m <sup>2</sup> plus 5.5m <sup>2</sup> per <i>dwelling unit</i>	

**DATE:** June 13, 2022

**REPORT NO:** PD-03-2022

**SUBJECT:** **Recommendation Report- Zoning Bylaw Amendment – JCT Services – Eldon Darbyson (Agent) Joe Dilluio (Owner)**

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

**OVERVIEW:**

- An application for Zoning Bylaw Amendment has been made to rezone the property municipally known as 7005 Concession 4 Road.
- The applicants are requesting to rezone a portion of the property located at 7005 Concession 4 Road from Agricultural (A) to Agricultural Related (AR-#) with a site specific exception to permit an encroachment of outside storage and equipment within 30 metres of a street line/lot line of a separate lot that contains a residential use, as well as to remove the required landscaped open space requirement.
- The applicants are also requesting to rezone another portion of the subject property from Agricultural (A) to Environmental Conservation (EC) to provide protection to the existing watercourse located on the property, which will include a buffer area as required by the Niagara Region as discussed through the previous Pre-Consultation meeting.
- This use began a number of years ago and has been operating ever since in a non-compliant way within the agricultural area. An application for rezoning and a Planning Justification Report were finally received on August 19th, 2021.
- The business known as JCT Services provides trucking services for hauling compost, trees, nursery stock, grains, and soil delivery. The business also provides loading, excavating and grading services.
- The applicants are proposing a new 800 square metre accessory building which will be used to store, maintain and repair the trucks and equipment.
- Following the public meeting held on October 12th 2021 staff have had a few meetings to discuss the location of the accessory building relating to the business and received some detailed answers to the questions outlined in the conclusion section of the technical report.
- A Recommendation Report has now been prepared by Township staff following an additional two meetings with the applicant, agent and planning staff. In addition, agency comments have been taken into consideration in this recommendation report. It is recommended that the application be modified and approved in coordination with the Draft By-law attached to this report and generally described as follows:

**OVERVIEW CONTINUED:**

- To be rezoned to A-### with regulations reading. As per the parent zone, except the contractors yard should operate out of an accessory building at a total gross floor area of no more than 250 square meters and situated to the rear of the existing main dwelling.
  - A maximum of three persons other than the residents of the dwelling are permitted to be employed by the home industry
  - Outside storage of the home industry should only be located to the rear of the building and as represented on a site plan.
  - In the conduct of a home industry, no machinery or processes which emit noise, vibration, glare, fumes, odor, dust radio or television interference beyond the lot containing the home industry are permitted.
  - A sign may be erected in accordance with the sign by-law, 2020, as amended from time to time.
  - The existing business location shall be returned to agriculture.
  - To rezone the area around the existing business to A-####(H) to implement a holding provision on the business area of the parcel to trigger clean-up of the property and justify holding a security deposit.

**RECOMMENDATION:**

1. That, Recommendation Report PD-03-2022, regarding “Zoning Bylaw Amendment – JCT Services – 7005 Concession 4 Road, File No. 1601-014-21” Dated May 9th 2022, be RECEIVED; and,
2. That, an application for Zoning By-law Amendment 1601-014-21 submitted by Eldon Darbyson (Agent) on behalf of Joe Dilluio (Owner), be amended and approved in accordance with the attached amending by-law; and,
3. That, no further public meeting is required for the consideration of this by-law in accordance with Section 34(17) if the Planning Act; and,
4. That a draft by-law as found at Attachment No. 1 to this report is supported by Township staff and can be approved; and,
5. That an authorizing bylaw be passed at council to authorize the Mayor and Clerk to enter into a Development Agreement that will implement the approved Zoning By-law amendment which will regulate the scale of the use and will require the return of previous areas of the property to agricultural use.

**ALIGNMENT TO STRATEGIC PLAN:****Theme # 3**

- **Strategic, Responsible Growth**

**BACKGROUND:**

An application for a Zoning Bylaw Amendment has been submitted by Eldon Darbyson (Agent) on behalf of Joe Dilluio (Owner) for the property located on the north east corner of Caistor Gainsborough Townline Road and Concession 4 Road, legally described as Concession 4, Part Lot 39, formerly in the Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 7005 Concession 5 Road. The subject lands are approximately 19.9 hectares in size.



Approximately 0.89 hectares are current being used for residential and amenity space, approximately 0.77 hectares are being used for the client's contractor's establishment.

This application for rezoning has been submitted after a pre-consultation meeting which was held on September 23rd 2020. The subject property has been monitored by the Township's Bylaw Department for numerous years. A planning justification report to outline how the specific business is serving agriculture and how it fits within the Ministry of Natural Resources and Forests, and OMAFRA guidelines has been provided by the applicant for review. (Attachment 2)

This zoning bylaw amendment is required to recognize the existing business known as JCT Services, which the applicant describes as an Agricultural Service and Supply establishment, an Agricultural-Related use and a Contractors Establishment, as well as to permit a proposed 800 square metre accessory building to support the business. The following table outlines the zoning amendments the applicant is requesting and the justification that has been provided in support of this zoning bylaw amendment. The table also illustrates the township staff position with respect to each component of the proposal.

Amendment	Reason	Staff Response
To Rezone a portion of the property (approximately 5.08%) from Agricultural (A) to Agricultural Related (AR)	To permit an Agricultural Service and Supply Establishment, an Agriculture-Related Use and a Contractors Establishment	Return to closer to 2.0%
To add a special provision to the Agricultural Related (AR) zone to permit an encroachment of outside storage and equipment within 30 metres of a street line or a lot line of a separate lot that contains a residential use and/or top of bank of a watercourse	Required to recognize and permit the storage of trucks and outdoor storage in the front yard within 30 metres of the street line, adjacent residential use and top of bank of an adjacent watercourse	Should be located behind the principle residential dwelling and not within 30 metres of regulated lands.
Special provision to remove the landscaped open space limitation	Landscaped open space already exists. Additional landscaping will be required through the site plan approval process	Not supported
Rezone a portion of the property from Agricultural (A) to Environmental Conservation (EC)	Provides protection to the existing watercourse including a buffer area as required by the Niagara Region.	Supported

Staff have had multiple meetings with the applicant and their agent over the past several months and at the time of preparing the first technical report planning staff had concluded with a list of questions that committee and council agreed should be answered.

The applicant was requested to respond to these questions prior to bringing a recommendation report to council. These questions included:

1. More justification as to how this is an Agriculture-Related Business and how the business serves agriculture?

Response: This was discussed with Planning staff as Appendix B (of the applicants submitted justification report, as attached as attachment 2) describes the services of agriculture. It is noted that until; the zoning amendment is approved; the client did not want to invest further in the AR use which is designed to serve Agriculture. Future investments will increase the ability to serve the agricultural area.

2. More information on the scale of this Agricultural operation and what percentage of the work is agricultural related verses general contracting work?

Response: Similar to the above response, it is the owner's intention to better serve the agricultural community after a zoning approval. The accessory building, future trucks, smaller 'on-call' vehicles and water services cannot operate now based on the zoning (hence the purpose of amending the by-law). The owner would rather not add to the non-complying status which triggered the amendment. In terms of current business and the question of 'percentage' of works related to Agriculture verse general contracting work, it is difficult to quantify this as a percentage as the business reacts to seasons, harvest times, emergency calls from farm property owners etc. The general contracting portion is similar, but operates to supplement the agricultural function of the business. If the zoning bylaw amendment is approved, then investments will be made to enhance the agricultural services of the business and to reduce the portion of the business that is dependent on non-agricultural services.

3. How this serves the immediate surrounding agricultural lands?

Response: The existing and future use directly serves the subject property and the adjacent lands and area by collecting crop harvests and transporting the product to storage facilities (i.e. silos). Furthermore, the business provides/will provide services described in Appendix B. The zoning amendment will allow for the expansion of the services to the immediate surrounding and greater surrounding area.

4. Does this business impact the no truck route on Concession 4 Road and need to be situated in this location to be in close proximity to the area that is being serviced?

Response: Concession 4 Road has seasonal restrictions as well. Otherwise, trucks are permitted throughout most of the year. The road pattern allows for access to the greater transportation network and does not impact Caistor Gainsborough Townline Road. Smithville Road is in close proximity as is Silver Street which are two main connecting roads in the Township.

The second portion of this question discusses close proximity to the area.

Response: The business hauls product from the property and the surrounding properties as discussed above. There are many production crop lands that are accessible in close proximity to the business location.

5. Is Concession 4 Road adequately built and designed to withhold the traffic flow from the current proposed use?

Response: Concession 4 Road only has seasonal restrictions. The existing truck traffic on the road network is much more intense than the existing/proposed business requirements. Therefore, considering the existing use of the road network, the roads are capable of accommodating the traffic flow from the current and proposed use of property.

6. Details on how the business operated including what uses and employees are on site at any given time and frequency and direction of traffic flows.

Response:

- a. Up to 3 employees, plus the owner. Currently 2 employees plus the owner.
- b. Up to 4 heavy trucks per day (leave in the morning and return in the evening)
- c. If 1 or more heavy trucks are not in use, then 'on-call' services for a small vehicle (i.e. 1 tonne) are available.
- d. On-call services are not frequent.
- e. Site is used to:
  - i. provide access to production lands for farm vehicles and haulage trucks to collect and transport agricultural product;
  - ii. provide trucks and/or truck trailers;
  - iii. store soil and various sizes of aggregate;
  - iv. provide a front end loader used by the owner to manage materials;
  - v. provide parking for owner and employee vehicles; and
  - vi. provide parking for the 'on-call' vehicle.

As discussed with Planning staff, the road network allows for trucks to gain access to the greater highway network (i.e. Silver Street and Townline/Twenty Rd and Highway 20). The use of Caistor Gainsborough Townline Road is not required.

After further discussions Planning Staff feel that the use and scale of JCT Services does not fall within the provisions of an Agricultural Related use as applied for/ proposed, and falls more within the provisions of a Home Industry. Staff have modified the proposal and have prepared amending bylaws accordingly.

### **CURRENT SITUATION:**

Township Staff have reviewed and are providing the relevant Provincial, Regional and Local planning policy surrounding agriculture-related and home industry uses below.

## 1. Provincial Policy Statement (PPS)

The PPS guides the growth and development of the Province and provides the general framework for planning in the Province. All planning decisions must be consistent with the PPS. The subject property is within the agricultural area according to the Provincial Policy Statement 2020 and is defined as Prime Agriculture.

Section 2.3 of the PPS states that prime agricultural areas should be protected for long-term agriculture. Prime agricultural areas are areas where prime agricultural lands predominant. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated class 4 through 7 lands within the prime agricultural area.

Section 2.3.3 States that in prime agricultural areas, permitted uses and activities are: agricultural uses, agricultural-related uses and on-farm diversified uses. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations.

On-Farm diversified Use is defined as “uses that are secondary to the principal agricultural use on the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses and uses that produce value added agricultural products”.

Section 2.3.6 of the PPS provides direction related to non-agricultural uses in prime agricultural areas and allows planning authorities to permit limited non-residential uses, subject to all of the following criteria being demonstrated:

1. The land does not comprise a specialty crop area;
2. The proposed use complies with the minimum distance separation formulae;
3. There is an identified need within the planning horizon for additional land to be designated to accommodate the proposed use;
4. Alternative locations have been evaluated, and
5. a) there are no reasonable alternative locations which avoid prime agricultural areas; and,  
b) There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

## 2. A Place to Grow – Provincial Growth Plan (P2G)

Applications filed after June 16, 2006 must conform to the Growth Plan, the latest version is known as a plan for the Greater Golden Horseshoe, 2019. Section 1.2.3 of the P2G provides direction on how to read the Growth Plan, specifically noting that: This Plan must also be read in conjunction with other provincial plans as defined in the Planning Act that may apply within the same geography.

Section 1.4 of the Growth Plan provides direction on how to read the Places to Grow Plan, specifically noting that; This Plan should be read in conjunction with the applicable PPS. Since there are no applicable policies within the P2G for this particular situation, the PPS will be the only set of provincial policies to apply in evaluating this application.

### 3. Greenbelt Plan

Applications must conform to the Greenbelt Plan if they fall within the mapping provided with the Greenbelt Plan. Since the subject lands are outside the area designated in the Greenbelt Plan, the PPS is the provincial policy that applies in this situation.

### 4. Regional Policy Plan (RPP)

The Regional Policy Plan (RPP) provides general policies that are to be applied across the Niagara Region. The RPP is a 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 RPP 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.

The RPP designates this property as being in the Good General Agricultural Area and, therefore, the Agricultural Policies of the RPP apply. The RPP provides a policy framework which encourages farm diversification uses in appropriate locations and at a suitable scale to the farm and the agricultural area where they contribute to profitable and economically sustainable agriculture.

Policy 5.B.18 of the RPP states that farm diversification refers to those agriculture related value added and secondary uses that complement farming activities and provide for increasing the economic value and consumer appeal of an agricultural product or use. Farm diversification uses shall complement the principal agricultural uses on the property and in the surrounding area, and shall contribute to the sustainability and viability of the farming operation. All uses outside of settlement areas are subject to the Region's servicing policies.

Policy 5.B.19 states that Farm diversification uses shall be consistent with the applicable provisions of the Provincial Policy Statement (2005), and conform to the Niagara Escarpment Plan and the Greenbelt Plan.

Policy 5.B.21 of the RPP states the following criteria shall be considered when identifying whether or not diversification activities should be permitted in the Zoning By-law:

- a) Whether the proposed activity is more appropriately located in a nearby settlement area or in the Rural Area;
- b) Whether the use is required on or in close proximity to the agricultural operation for it to support and complement the agricultural activity;
- c) The extent to which the use is compatible with the existing farming operation and surrounding farming operations;
- d) Whether the scale of the activity is appropriate to the site and the farming operation;
- e) Whether the use is consistent with and maintains the character of the agricultural area;
- f) The use does not generate potentially conflicting off-site impacts;
- g) The use is limited to low water and low effluent producing uses, and the site is



capable of accommodating the use with private water and private sewage treatment systems;

- h) The use does not require significant improvements to utilities or infrastructure such as roads or hydro services;
- i) The use complies with all other applicable provisions of the Regional Official Plan

The following table was provided by the applicant to show the percentages of land uses on the subject lands:

Land Use	Land Area	Approximate Percentage
Total land area	19.9 hectares	100%
Agricultural Production and Environmental Protection Area	18.34 hectares	90.45%
Residence and Amenity Area	0.89 hectares	4.47%
Existing Business Area	0.77 hectares	3.87%
Proposed Business Area	0.24 hectares	1.21%

## 5. Township of West Lincoln Official Plan (OP)

The subject lands are designated as Good General Agriculture and a small portion of Natural Environment in the Township's Official Plan. The Agricultural Lands shall be protected in accordance with their level of agricultural viability with the Unique Agricultural Lands receiving the highest level of protection and the Rural Lands receiving the lowest level of protection.

Section 4.2.1 of The Township's Official Plan outlines that "Small scale agriculturally related uses related directly to serving, and requiring close proximity to the surrounding agricultural areas may be permitted where no opportunities exist for such uses to be located with the designated Urban and Hamlet Settlement Areas. The locating of these uses shall be subject to the policies of the Official Plan.

Section 4.4.2 e) of the Township's Official Plan states that Small scale commercial and Industrial Uses that are required to support the agricultural community shall be located so that they minimize the impact on the viability of existing and future agricultural operations. These uses shall be carefully regulated through a Zoning Bylaw Amendment as to their location, size and traffic generation in order to minimize potential disturbances and to ensure that private sewage disposal systems can accommodate the increased sewage loading to the satisfaction of the Township of West Lincoln.

Section 4.6.2 a) of the Township's Official Plan outlines policies that ensure a viable agricultural industry through such means as: Support for a large range of farm diversification activities in appropriate locations and at a scale suitable to the farm and the agricultural area where they contribute to economically sustainable agriculture.

Section 4.6.2 c) States that Farm Diversification shall refer to those farm related value-added and secondary uses that complement farming activities and provide for increasing the economic value and consumer appeal of an agricultural product or activity. Farm diversification activities shall complement the principal agricultural uses on the property and in the surrounding area, and shall contribute to the sustainability and viability of the farming operation.

## 6. Township of West Lincoln Zoning By-Law (ZBL)

The property located at 7005 Concession 4 Road is currently zoned Agricultural (A) and Environmental Protection (EP) in the Township's zoning By-law. Currently the existing operation is not permitted under the Agricultural provisions in the Township's zoning by-law. The applicants are proposing to rezone a portion of the lands associated with the proposed agriculture-related use from agricultural zone (A) to Agricultural-Related Zone (AR-#) with a site specific exemption to permit an encroachment of outside storage and equipment within 30 metres of a street line/lot line of a separate lot that contains a residential use, as well as to remove the required landscaped open space requirement. Through previous discussions with the Niagara Region and Niagara Peninsula Conservation Authority the applicants are also proposing to rezone a portion of the watercourse/buffer from an Agricultural zone (A) to Environmental Conservation (EC) zone. The applicants are also hoping to construct a (30.48m x 24.36m) 800 square metre accessory building to store the business equipment.

An Agricultural Related use is defined in the Township's Zoning Bylaw as a premise used for commercial and industrial uses that are directly related to agricultural uses in the area. They are required to be in close proximity to agricultural uses and directly related to or provide products and/or services to agricultural use as the primary business. As staff feel that this use does not directly relate or provide an agricultural use, the provision for Home industries have been provided as well and are interpreted to be a better policy fit for this application.

Section 7.38 of the By-law states that Home Industries shall be permitted by Zoning By-Law Amendment, or specifically identified as a permitted use. An amendment to the Zoning By-Law is required for the subject lands for the following reasons:

- The regulations of the A zone permit a Home Industry, however the permitted uses of a home industry do not permit a contractors establishment/yard they only permit the following uses:
  - Agricultural service and supply establishment, subject to Section 3.11
  - Agri-tourism/value added use, subject to Section 3.11
  - Pet Care establishment, subject to Subsection 3.8.2
  - Private kennel, subject to Subsection 3.8.1
  - Retail sale of items produced on the lot, including agricultural products produced on the same lot containing a permitted agricultural use,
  - Service Shop
  - Uses permitted as a home occupation by Subsection 3.7.2(u)
  - Veterinary Clinic
- The Regulations of Section 3.52 require that a home industry have a maximum of two full time employees, other than the owner.
- The total combined gross floor area used for the home industry in all accessory buildings and structures shall not exceed 75 square metres, whereas the proposed accessory building for this business has been proposed at a size of 800 square metres.
- Outside storage is not permitted as part of a home industry.

Zoning Table for Section 5.2, 5.3		Agricultural Zone (A)	Notes:
<b>5.2 PERMITTED USES</b>			
<ul style="list-style-type: none"> <li>Agricultural use</li> <li>Single detached dwelling</li> <li>Wayside pit and quarry</li> <li>Accessory uses including on-farm diversified uses including agriculture-related use</li> </ul>			Proposed to add agricultural service and supply establishment, agriculture-related use and contractors establishment.
<b>5.3 ZONE PROVISIONS AGRICULTURAL USES (Considering Agriculture Related Provisions)</b>			
a) Min Lot Area			
i) Agricultural	40 hectares		19.9 hectares (Existing)
ii) Ag Related	0.4 hectares		
b) Min Lot Frontage			
i) Agricultural	100m		Over 300 + metres (Complies)
ii) Ag Related	50m		
c) Min Front Yard Proposed building	10 m		116 metres (Complies)
d) Min Exterior Side Proposed Building	10m		226 metres (Complies)
e) Min Interior Side Yard Proposed Building	7.5m		121 metres (Complies)
f) Min Rear Yard Proposed Building	7.5 m		393 metres (Complies)
g) Max Lot Coverage Proposed Building	40%		0.5% (Complies) - Includes existing residence and proposed building
h) Max Building Height Proposed Building	15m		TBD (will comply)
h) Min Landscaped Open Space Proposed Building	10%		Proposed to remove landscaped open space provisions to be controlled through site plan process.
i) Max Outside Storage <sup>(3)</sup> Proposed uses	10%		Approximately 4.7% (Complies)
<sup>(3)</sup> Outside storage for purposes other than outside display and sales areas on the lot shall be located in a rear yard or side yard and screened from view from public streets and adjacent lots. No manure, compost or equipment storage area shall be permitted within 30 metres of a street line or a lot line of a separate lot that contains a residential use or the top of bank of a municipal drain or watercourse.			Outside storage is proposed in the side yard and a portion of the front yard. It is proposed to permit the storage of equipment not less than 20 metres from the street line, residential property line or watercourse.

Section 3.52a of the Township's Zoning By-law defines and sets out the complete regulations for home industries. These include:

- a) A home industry shall be located within a dwelling and/or within an accessory building or structure to a dwelling, except where specifically provided otherwise in this By-law, and only where permitted by the applicable zone.
- b) The residential appearance and character of the dwelling shall be maintained.
- c) A maximum of one (1) home industry shall be permitted on a lot, except where specifically provided otherwise in this By-law.
- d) A home industry that is located in whole or in part within a dwelling shall only be permitted where the ground floor area of the dwelling unit is not less than 55 square metres and shall occupy a maximum of 25% of the gross floor area of the dwelling.
- e) A home industry shall only be located in whole or in part within an accessory building or structure or private garage where:
  - i. The lot has a minimum lot frontage of 24 metres; and,
  - ii. The lot has a minimum lot area of 4,000 square metres; and,

- iii. The accessory buildings or structures comply with the requirements of Section 3.1; and,
- iv. The total combined gross floor area used for the home industry in all accessory buildings and structures shall not exceed 75 square metres or the maximum gross floor area permitted for accessory buildings and structures by Section 3.1, whichever is less.
- f) A home industry shall be operated by the person or persons whose principal residence is the dwelling on the lot upon which the home industry is located, and up to a maximum of two (2) persons other than the residents of the dwelling are permitted to be employed in the home industry.
- g) A sign is permitted to be displayed on the lot for the home industry, provided:
  - i. A maximum of one (1) sign is permitted on a lot for each permitted home industry; and,
  - ii. The sign shall not be illuminated; and,
  - iii. The sign shall have a maximum area of 0.2 square metres per side; and,
  - iv. The sign shall be setback a minimum of 1 metre to all lot lines and shall not be located within a sight triangle; and,
  - v. The maximum height of the sign shall be 0.8 metre; and,
  - vi. The sign shall comply with the Township's Sign By-law.
- h) There shall be no goods, wares or merchandise offered for sale or rent on the lot other than those produced on the lot as part of the home industry.
- i) Outside storage is not permitted as part of a home industry.
- j) In the conduct of a home industry, no machinery or processes which emit noise, vibration, glare, fumes, odour, dust, radio or television interference beyond the lot containing the home industry are permitted.
- k) Only the following uses are permitted as a home industry:
  - i. Agricultural service and supply establishment, subject to Section 3.11;
  - ii. Agri-tourism/value-added uses, subject to Section 3.11;
  - iii. Pet care establishment, subject to Subsection 3.8.2;
  - iv. Private kennel, subject to Subsection 3.8.1;
  - v. Retail sale of items produced on the lot, including agricultural products produced on the same lot containing a permitted agricultural use;
  - vi. Service shop;
  - vii. Uses permitted as a home occupation by Subsection 3.7.2 (u);
  - viii. Veterinary clinic

Staff are prepared to support a home industry use by site specific amendment to the zoning by-law. Provided that home industry is limited in scale, and the owner enter into a Development Agreement/ Site Plan Agreement with the Township. Given the history of this property, the Development Agreement shall collect and hold a \$5,000.00 security deposit for the life of the home industry, or 20 years, whichever is greater. The deposit will be used to help ensure compliance of the property with the provisions of the site specific zoning by-law amendment and security for clean up on the site to bring it back into compliance with the zoning by-law. Staff believe \$5000 is needed for a security which would be given back to the applicant when the clean-up of the property to convert the business area back to agricultural is completed to Townships satisfaction. This will likely require a record of site condition as well.

**FINANCIAL IMPLICATIONS:**

This application first started off as a bylaw enforcement matter. This has been an open file for several years now which has caused an increase by-law enforcement cost to the Township.

**INTER-DEPARTMENTAL COMMENTS:**

Notice of Public Meeting was circulated to all relevant agencies on September 9<sup>th</sup> 2021. A yellow sign was posted on the property and a notice of hearing was posted to the website.

The Niagara Peninsula Conservation Authority provided comments which state that there are NPCA regulated watercourses adjacent to the proposed development. The watercourse located east of the proposed development is connected to an Unevaluated Wetland and is identified as Type 2 Important Fish Habitat. The proposed development envelope will not encroach on these features and has been designed to stay outside of the regulation limit associated with the watercourse. The pond and associated wetland habitats will be buffered from construction influence by the existing thicket/forest identified on their mapping.

Standard erosion and sediment control measures will be required to prevent transportation of sediment to the watercourse and associated wetland during the construction phase of development. If vegetation removal is to occur to facilitate development, a restoration plan may be requested to enhance the buffer function following completion of construction activities. The NPCA has no real concerns with the proposal as shown in relation to NPCA regulated areas. Due to the potential for unevaluated wetland located on the property, any change in the development configuration should be circulated to the NPCA for further review. For the site plan application, the NPCA will need to see a grading and drainage plan as part of application so they can view where everything is placed in relation to the NPCA regulated areas. (please see attachment 7 for their full comments)

The Niagara Regional Planning and Development Services staff offers no objection to the proposed Zoning By-law Amendment to permit agriculture-related uses on the subject property as, in principle, it is consistent with the Provincial Policy Statement and conforms to Provincial and Regional plans. However, Regional staff request circulation of the draft By-law and the future site plan application to ensure that Provincial and Regional policies are sufficiently addressed with regard to primarily serving the agricultural operations on-site and in the area, and limiting the scale of the contractor's establishment. (Please see attachment 7 for their full comments)

Township Building Department will require building permits for the new buildings, and note that building and development charges will apply, and can only be processed after site plan approval.

**PUBLIC COMMENTS:**

A Notice of Public Hearing was circulated to all residents within a 120m radius of the property on September 9<sup>th</sup> 2021. In addition, a yellow sign was posted on the property 20 days prior to this public meeting, and the notice of hearing along with all the



submitted documents were posted to the Township's website. As of the preparation of this Recommendation Report, staff have received no formal public comments regarding this application.

### **CONCLUSION:**

A full Planning review has now been completed and staff have now concluded that support is possible up to one home industry that meets all of the zoning provisions identified under the Townships Zoning By-Law on the property. Staff have struggled with this application over the past few months with the proposed changes and struggled to find a way to fit them into an appropriate zoning for the use of the lands and the area. The location of the business was not within the appropriate provisions, the size of the building was well over the allowable size, and there were issues with neighbouring properties and compatibility.

As staff are now aware that the applicant is looking at other properties to potentially purchase within the Township of West Lincoln to run the business out of, it is of staff's opinion that implementing an approved zoning bylaw amendment which would replace the scale and use and will require the return of the previously touched areas of the property back to agricultural use, is an appropriate approach for this property.

### **ATTACHMENTS:**

1. Concept Plan
2. Planning Justification Report
3. Guidelines of Permitted Uses in Ontario's Prime Agricultural Areas
4. PPS 2020 Policy Compliance
5. West Lincoln Official Plan Policy Compliance
6. Agency Comments
7. Draft By-Law
8. Revised Concept Plan

**Prepared & Submitted by:**



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**Madyson Etzl**  
**Planner II**

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**Brian Treble**  
**Director of Planning & Building**

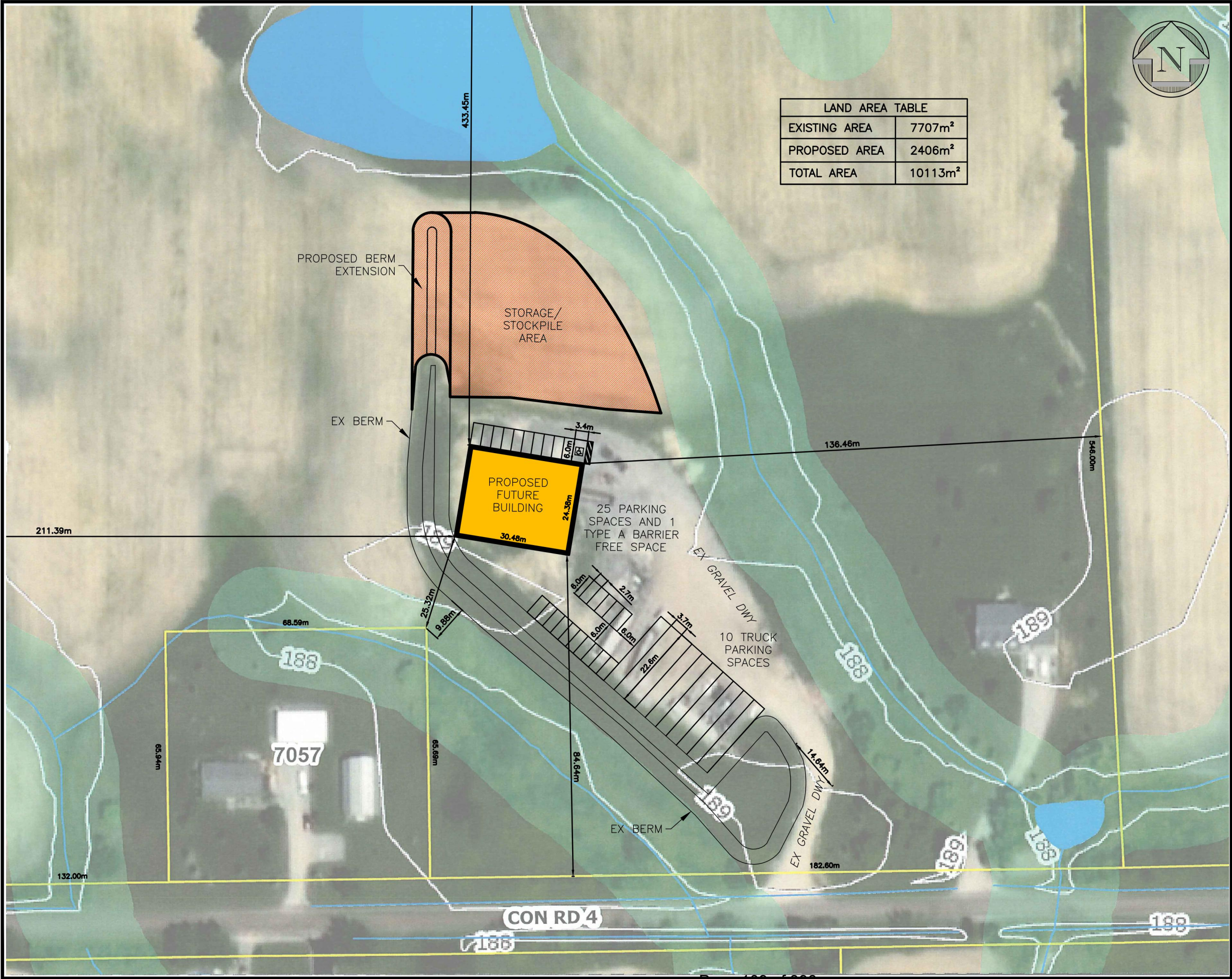
**Approved by:**

A handwritten signature in black ink, appearing to read "Bev Hendry".

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**Bev Hendry**  
**CAO**








LAND AREA TABLE	
EXISTING AREA	7707m <sup>2</sup>
PROPOSED AREA	2406m <sup>2</sup>
TOTAL AREA	10113m <sup>2</sup>

DATE	REVISION
MAY 5/21	ADDED LAND AREA TABLE

LEGEND:

-  NPCA APPROX REGULATION LANDS
-  WATER BODIES
-  EXPANSION AREA

Stamp



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*Consulting Engineers,  
Architects & Planners*

G. DOUGLAS VALLEE LIMITED  
CONSULTING ENGINEERS AND ARCHITECT  
2 TALBOT STREET NORTH  
SIMCOE, ONTARIO N3Y 3W4  
(519) 426-6270

Project Title  
**JCT EXPANSION**  
**7005 CONCESSION 4 RD**  
SMITHVILLE - WEST LINCOLN

Drawing Title  
CONCEPT SITE PLAN

Designed by : TJC	Drawn By : TJC	Checked By : JDV
Scale : 1:1000	Date : AUG 28/20	Drawing No. <b>01</b>
Project No. <b>20-075</b>		





# vallee

*Consulting Engineers,  
Architects & Planners*

Attachment No. 2

August 19, 2021

Township of West Lincoln  
318 Canborough St., Box 400  
Smithville, ON LOR 2A0

**Attention: Gerrit Boerema, RPP, MCIP  
Planner II**

Dear Gerrit;

**Reference: Proposed Zoning By-law Amendment  
7005 Concession 4 Rd  
Smithville, Township of West Lincoln  
Roll # 2602 020 009 10700  
Our Project 20-075**

### Introduction:

Mr. Joe Di Iluio (JCT Services) wishes to make application for a zoning by-law amendment for the property located at 7005 Concession 4 Rd, in Smithville, Township of West Lincoln. JCT Services is best described as an Agricultural Service and Supply Establishment, an Agriculture-Related Use and a Contractors Establishment, all of which are permitted under the zoning as an Agriculture-Related (AR). The following represent amendments required for this application.

Amendment	Reason
Rezone a portion of the property (approx. 5.08%) from from Agriculture (A) to Agriculture-Related (AR)	To permit an Agricultural Service and Supply Establishment, an Agriculture-Related Use and a Contractors Establishment.
Special provision to the AR Zone to permit an encroachment of outside storage and equipment within 30 metres of a street line or a lot line of a separate lot that contains a residential use and/or the top of bank of a watercourse.	Required to recognize and permit the storage of trucks and outdoor storage in the front yard within 30 metres of the street line, adjacent residential use and top of bank of the watercourse.
Special provision to remove the landscaped open space requirement.	Landscaped open space already exists. Additional landscaping will be required through the site plan approval process.
Rezone a portion of the property from Agriculture (A) to Environmental Conservation Zone (EC).	Provides protection to the existing watercourse including a buffer area as required by the Niagara Region.

This application:

- Is consistent with the Ministry Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas.
- Is consistent with the intent of the Provincial Policy.
- Complies with the Niagara Region Official Plan.
- Complies with the Town of West Lincoln Official Plan.
- Generates an acceptable level of traffic.
- Protects existing natural features.
- Controlled through site plan.
- Represents good planning.

**Zoning By-law Amendment – JCT Trucking**  
**7005 Concession 4 Rd, Town of West Lincoln, Niagara Region**  
**Our Project 20-075**

Page 2

**Description:**

The subject lands are approximately 19.9 hectares in area and are located on the north east corner of Castor Gainsborough Townline Road and Concession 4 Road. The lands are designated Agricultural in accordance with the Official Plan and Agricultural in accordance with the Zoning By-law.

Approximately 0.89 hectares (4.47%) is currently used for residential and amenity space purposes and 0.77 hectares (3.87%) for the clients current contractors establishment (total 7.13%). A small portion of the lands is environmentally protected and activities are directed away from these areas. The remaining lands of which their majority are currently being farmed, represent approximately 91.66% of the property area. All surrounding lands are all agricultural.

The business currently has 4 full time employees. JCT Services provides trucking services for hauling, grains, corn, soil, manure, aggregates, aggregate lime, etc. The business hauls trees and nursery stock for wholesale growers. A small inventory of products is kept on site for local customers and emergencies. It is intended that a water delivery service be established to service the rural community livestock activities. In addition to the trucking service and depot, the business provides loading, excavation and grading services for driveways, pads, materials for creating connections between agricultural fields, etc.

It is intended that a new building be constructed for the purpose of storing and maintaining trucks and community farm equipment. See Figure 1 below.

A berm is located on the south side of the current contractors establishment area to provide a visual screen from neighbouring lands. Additional screening is proposed to improve compatibility with the adjacent neighbour. All environmental features on site will be protected through proper separation between uses.

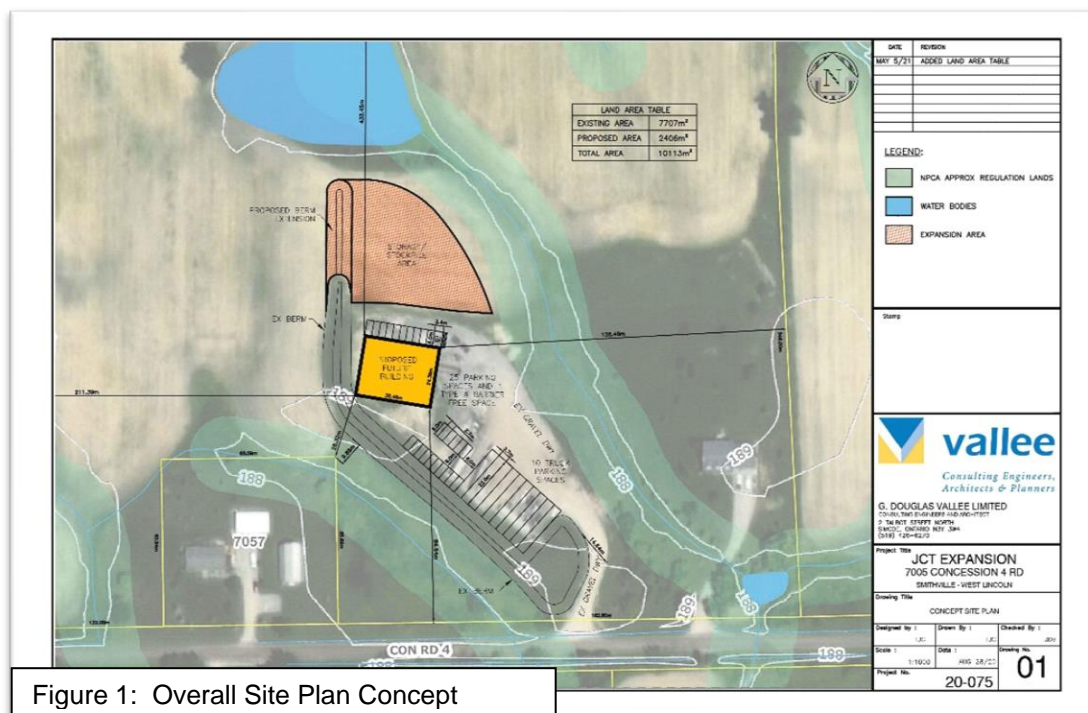


Figure 1: Overall Site Plan Concept

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## **Zoning By-law Definitions**

To set the context of the proposed amendment, 4 definitions of the zoning by-law are considered as follows:

1. **AGRICULTURAL SERVICE AND SUPPLY ESTABLISHMENT** means premises used for the supply of goods, materials, equipment and/or services that support agricultural uses.
2. **AGRICULTURAL USE** means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fiber, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures.
3. **AGRICULTURE-RELATED USE** means premises used for commercial uses and industrial uses that are directly related to agricultural uses in the area, require a location that is in close proximity to agricultural uses, and directly provide products and/or services to agricultural uses as the primary business, including agricultural service and supply establishments, commercial kennels, veterinary clinics, and farm produce processing and storage facilities.
4. **CONTRACTORS ESTABLISHMENT** means a premises where construction, maintenance, repair and service equipment, vehicles and materials of a contractor are stored and where a contractor performs work in preparation for providing construction, maintenance or repair services elsewhere, and may include an accessory office for the administration of the business.

Through pre-consultation and subsequent discussions with staff, a planning justification report is required to clarify how the business is serving agriculture and how it fits with the Ministry of Natural Resources and Food (OMAFRA) 'Guidelines of Permitted Uses in Ontario's Prime Agricultural Areas.' This analysis will satisfy the Town's requirement for a partial 'agricultural impact study.' The Niagara Region's comments mirror that of the Town's, and in addition, specifically request that the watercourse be rezoned to an appropriate Environmental Conservation Zone, including a 15 metre buffer on either side to preclude development in this area.

Appendices to this report include the following:

- Appendix A - Site Plan Concept
- Appendix B – Guidelines of Permitted Uses in Ontario's Prime Agricultural Areas Compliance
- Appendix C – Provincial Policy Statement 2020 Policy Compliance
- Appendix D – Town of West Lincoln Official Plan Policy Compliance

This application was submitted to include the information and material required under Section 34 (10.1) of the *Planning Act* as part of a complete application.

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## **Planning Review:**

The proposed Zoning By-law amendment was prepared in light of several planning documents including the Provincial Policy Statement, the Growth Plan, the Niagara Region Official Plan, the Town of West Lincoln Official Plan, the OMAFRA Guidelines of Permitted Uses in Ontario's Prime Agricultural Areas, Agricultural Impact Assessment Guidelines and the Zoning By-law.  
Guidelines of Permitted Uses in Ontario's Prime Agricultural Areas

An analysis of the existing and proposed activities of the JCT Services business are included in Appendix B. The proposed Agriculture-Related principle uses primarily serve the agricultural community and require a location that is in close proximity to agricultural uses in order to be viable. The property is central to a large tract of agricultural land which can readily be accessed through the existing road network and is in close proximity to the Regional road network. The success of the business is related to its proximity to the agricultural area where farm equipment is picked up and brought to the lands for service, agricultural products are transported between farm properties and destinations that include services such as drying and storage facilities, nutrient based products used in the rehabilitation of soils can be provided, and the movement of nursery stock, trees, soils and flowers in support of local wholesalers.

The stockpiling and transportation of aggregate materials are hauled to local area farmers for construction purposes including the establishment of laneways, pads and passages between fields. A small inventory of products is to be kept on site for a local convenience for when there is an urgent issue to get into local fields or to do repairs. The zoning by-law classifies this use as a contractors establishment which includes the storage of materials where a contractor performs work in preparation for providing construction, maintenance or repair services elsewhere.

The business is both farm related commercial and industrial and is compatible with and does not hinder surrounding agricultural operations. The use does not require services provided in settlement areas, will be designed to reduce impacts on surrounding properties through the site plan process and is limited in size. Agriculture is supported directly from the business services as its principle function and is sustainable due to its proximity to existing farm operations in the area, the Niagara area and Hamilton.

The business is segregated to a small portion of the property between two water courses which serves the purpose of limiting the business to a confined area and to ensure the protection of the surrounding farm production lands. It is proposed to add approximately 0.24 hectares of land to the existing operation and to facilitate the construction of the proposed building intended for storing and maintaining trucks and community farm equipment. Overall, approximately 90.45% of the property is preserved for agricultural production lands and environmental protection and the remaining 9.55% is occupied by an existing single detached dwelling, amenity area and the existing and proposed business lands.

In this instance, the proposed amendment to permit an Agriculture-Related use meets the tests of the Ministry's guidelines.

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### Provincial Policy Statement (2020)

The subject land is identified as being within the Rural Area according to the Provincial Policy Statement, 2020 (PPS). Details describing the applicable Provincial policies and how the application is consistent with the PPS are included in Appendix C.

The PPS provides policy direction for appropriate land use planning and development patterns to achieve healthy, liveable, and resilient communities that will protect resources of provincial interest, public health and safety, the quality of the natural and built environment and will facilitate economic growth.

Rural lands and natural heritage features are generally protected and allow for various types of development to occur that do not have a negative impact. The PPS encourages agriculturally related uses while ensuring public health and safety.

The proposed amendment to the zoning by-law to permit an agricultural-related use is inkeeping with the policies of the PPS. A decision by Council to approve the Zoning By-law amendment will be consistent with PPS, 2020.

### Niagara Region Official Plan

The lands are primarily designated Good General Agricultural in accordance with the Niagara Region Official Plan. In consideration of the Niagara Region's comments through pre-consultation and in light of Policy 5.B.20 of the Regional Official Plan, an analysis should discuss 'Agriculture-related uses' which are to complement:

- the principal agricultural uses on the property;
- the surrounding area; and
- farming activities.

Furthermore, the Regional Official Plan defines 'Agricultural-related Uses' to mean those farm-related commercial and farm-related industrial uses that are small-scale and directly related to the farm operation and are required in close proximity to the farm operation.

The detailed analysis contained in Appendix B – Guidelines of Permitted Uses in Ontario's Prime Agricultural Areas, address the Niagara Region's policies. The analysis reveals that the proposed amendment is in keeping with the intent of the Guidelines and the Provincial Policy Statement. Approximately 90.45% of the lands are available for continued agricultural production and environmental protection, 4.47% of the lands are used for the owner's residence and amenity area, and 5.08% of the remaining lands will contain the agricultural-related uses. The natural features will be zoned for protection and through the site plan process, impacts are mitigated through berming and landscaping.

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**Zoning By-law Amendment – JCT Trucking**  
**7005 Concession 4 Rd, Town of West Lincoln, Niagara Region**  
**Our Project 20-075**

The following table captures the approximate percentages of land uses:

<b>Land Use:</b>	<b>Land Area:</b>	<b>Approximate Percentage:</b>
Total land area	19.9 hectares	100%
Agricultural production and environmental protection areas	18.34 hectares	90.45%
Residence and amenity area	0.89 hectares	4.47%
Existing agricultural related use	0.77 hectares	3.87%
Proposed agricultural related use	0.24 hectares	1.21% (Total Ag Related: 5.08%)

In this instance, a decision by Council to approve the Zoning By-law amendment will be consistent with Niagara Region Official Plan.

**Town of West Lincoln Official Plan**

The lands are primarily designated Good General Agricultural in accordance with the Town of West Lincoln Official Plan. A small portion of the lands in the north east corner appear to be designated Natural Heritage System. The general agricultural objectives discuss the promotion and protection of viable agricultural industry and small scale and agriculturally-related uses that are compatible with and do not hinder surrounding agricultural operations. The policies permit all types of agricultural uses and small scale agriculturally related uses directly related to, serving and in close proximity to the surrounding agricultural areas.

The policies discuss consideration of locating agriculturally related uses in Hamlet or Urban areas. Considering the nature of the proposed business services and the policies that protect residential development, in this instance, it seems more appropriate to prevent large farm vehicles, haulage trucks and manure transportation away from more densely populated areas. The use does not require services provided in urban and hamlet areas. To remain viable, land and operating costs must be kept to a minimum.

The use is small scale and secondary to the main production lands. The agriculturally related use serves the agricultural activities in the area, yet remain small scale and preserve the balance of the production lands.

Site plan control is required for the proposed development which will ensure improved compatibility with the nearby residential uses. Berming, landscaping and rezoning sensitive water features and their associated buffer areas preserve the natural function of the watercourse and improve buffering to the adjacent residential dwelling.

A detailed analysis of the Official Plan policies is included in Appendix D. An amendment to the Official Plan is not required. In this instance, the proposed zoning by-law amendment to permit the proposed agriculturally related use, meets the general purpose and intent of the Official Plan.

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**Zoning By-law Amendment – JCT Trucking**  
**7005 Concession 4 Rd, Town of West Lincoln, Niagara Region**  
**Our Project 20-075**

Town of West Lincoln Comprehensive Zoning By-law 2017-70

The lands are currently zoned Agricultural Zone (A) with a small portion in the north east area of the property zoned Environmental Protection Zone (EP). It is proposed to rezone the portion of lands associated with the proposed agriculture-related use from Agriculture Zone (A) to Agriculture-Related Zone (AR). In consultation with the Conservation Authority and Niagara Region, it is proposed to rezone the watercourse and buffer area to Environmental Conservation Zone (EC).

The proposed development will comply with the Section 5.3 of the Agricultural Zone provisions. Amendments to Section 3.2.3 b) ii. and 3.2.3 h) are requested. Compliance with these provisions is detailed in the following chart, including those provisions that require an amendment.

Zoning Table for Section 5.2, 5.3		Agricultural Zone (A)	Notes:
<b>5.2 PERMITTED USES</b>			
<ul style="list-style-type: none"> <li>• Agricultural use</li> <li>• Single detached dwelling</li> <li>• Wayside pit and quarry</li> <li>• Accessory uses including on-farm diversified uses including agriculture-related use</li> </ul>			<b>Proposed to add agricultural service and supply establishment, agriculture-related use and contractors establishment.</b>
<b>5.3 ZONE PROVISIONS AGRICULTURAL USES (Considering Agriculture Related Provisions)</b>			
a) Min Lot Area			
i) Agricultural	40 hectares		19.9 hectares (Existing)
ii) Ag Related	0.4 hectares		
b) Min Lot Frontage			
i) Agricultural	100m		
ii) Ag Related	50m		Over 300 + metres (Complies)
c) Min Front Yard Proposed building	10 m		116 metres (Complies)
d) Min Exterior Side Proposed Building	10m		226 metres (Complies)
e) Min Interior Side Yard Proposed Building	7.5m		121 metres (Complies)
f) Min Rear Yard Proposed Building	7.5 m		393 metres (Complies)
g) Max Lot Coverage Proposed Building	40%		0.5% (Complies) - Includes existing residence and proposed building
h) Max Building Height Proposed Building	15m		TBD (will comply)
h) Min Landscaped Open Space Proposed Building	10%		<b>Proposed to remove landscaped open space provisions to be controlled through site plan process.</b>

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**Zoning By-law Amendment – JCT Trucking**  
**7005 Concession 4 Rd, Town of West Lincoln, Niagara Region**  
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i) Max Outside Storage <sup>(3)</sup> Proposed uses	10%	Approximately 4.7% (Complies)
<sup>(3)</sup> Outside storage for purposes other than outside display and sales areas on the lot shall be located in a rear yard or side yard and screened from view from public streets and adjacent lots. No manure, compost or equipment storage area shall be permitted within 30 metres of a street line or a lot line of a separate lot that contains a residential use or the top of bank of a municipal drain or watercourse.		<b>Outside storage is proposed in the side yard and a portion of the front yard. It is proposed to permit the storage of equipment not less than 20 metres from the street line, residential property line or watercourse.</b>

### Minimum Landscaped Open Space

Landscaped open space is provided on site currently. There is an existing watercourse which must be rezoned to Environmental Conservation Zone. Through the site plan application process, additional landscaping and buffering are proposed. At this time, it cannot be determined what the total landscaped open space provisions will be. Accordingly, removing this provision is appropriate to ensure the future site plan application meets the Town's expectation for berming, landscaping and open space.

### Separation Distance

Through pre-consultation a minimum separation distance between the watercourse and the activities of the proposed use must be 15 metres. A landscaped berm is proposed to further separate and buffer the proposed use from the watercourse and neighbouring residential property line. The north east corner of the adjacent residential property is subject to the same watercourse. Therefore, through the rezoning of the watercourse and buffer area to an Environmental Protection Zone, and through the provision of berming and landscaping to improve compatibility, the amendment to reduce the proposed separation distance from the residential property line and street line identified if sub (3) is appropriate.

It is noted that the residential property to the south west contains buildings that provide a barrier between the proposed use and its amenity area. This further reduces potential impacts that may be generated by some activities on the property. The dwelling at 7056 Concession 4 Road is over 100 metres away from the proposed use. Other dwellings in the area are greater than 150 metres away, thus impacts are reduced by virtue of increased separation.

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### Summary of Zoning By-law review

The proposed amendments will facilitate the recognition, establishment and minor expansion of the agricultural service and supply establishment, agriculture-related use and contractors establishment. Preservation of the watercourse and buffer areas along with site plan control are required and will reduce potential impacts created by the activities on the property. The reduction of the separation distance and removal of the landscaping provision is appropriate as greater measures for buffering, berming and landscaping are proposed and will be controlled through the site plan process.

### Agricultural Impact Assessment (AIA)

An AIA identifies and evaluates the impacts of non-agricultural uses to avoid, and where avoidance is not possible, minimize and mitigate impacts on agriculture. The Growth Plan and Greenbelt Plan define an AIA as:

“A study that evaluates the potential impacts of non-agricultural development on agricultural operations and the Agricultural System and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts.” (Greenbelt Plan and Growth Plan).

The proposed amendment is for an agriculturally related use. The Growth Plan and Provincial Policy Statement define agriculture-related uses as:

“Farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.”

As such, a full AIA is not required as part of this application; however, it is important to discuss the proposed development in light of minimizing and mitigating adverse impacts. A review of the Provinces Guidelines for Agricultural Impact Assessments has been considered. The following is provided:

1. The lands are not within Prime Agricultural lands;
2. There are other lands that may be used for the proposed agriculturally related uses; however, the uses do not exist, must have owner buy in and must be centrally located to serve the greatest area of agriculture as possible. The subject lands currently operate the agriculture related use and the application is proposed by the operator.
3. The use is better suited in the agricultural area rather than an urban or hamlet area and does not require municipal services.

The guidelines also state that:

“Mitigation is required when impacts are predicted and should be proportional to the estimated degree of impact or risk. Mitigation approaches will vary depending on the nature of the proposed development. A simple measure could include using a natural heritage feature or a road to separate agricultural and non-agricultural uses.”

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The Type 2 Fish Habitat and buffer area is being rezoned to Environmental Conservation to afford protection of the resource. It also buffers the agriculture related use from the road and adjacent single detached dwelling.

Efforts to minimize impacts are further discussed in the guidelines although they are more directed to settlement area boundary expansions or non-agricultural uses. As such the following is provided:

- The proposed development area is located between the existing dwelling and its amenity space the natural heritage feature thereby reducing the impact on viable production lands.
- The proposed development area is located as close to the road as possible while maintaining as much distance from the adjacent neighbouring dwelling.
- Approximately 90.45% of the balance of the lands is preserved for agricultural production and the natural heritage feature. Farm practices are generally discouraged to occur near Fish Habitats, as such the lands are not suitable for farming and should be protected for Environmental Conservation purposes.
- The proposed use is controlled through the site plan process where buffering measures such as landscaping can be required to help reduce dust and provide a visual buffer to adjacent uses and from the road.
- The development area is suitable for farm vehicle access and trucking access.
- The construction of the proposed building will be controlled through the site plan process and mitigation measures will be required by the Conservation Authority to protect the Fish Habitat during construction.
- The proposed use supports the agricultural system by providing products and services directly related to agriculture.
- The proposed area for development is kept to the smallest size possible to afford protection of the agriculture production lands.

The property is proposed to be designed to mitigate impacts and protect the agricultural production lands. The use is directly related to and supports agriculture. Alternative locations are possible; however, the subject property is appropriate for the proposed agriculture related use and is kept inside the smallest area possible while protecting the Type 2 Fish Habitat. In our opinion, this high level agricultural impact assessment meets the intent of the guidelines, provincial, regional and local policies.

#### Conclusion:

The proposed site specific zoning amendment to permit the agricultural service and supply establishment, agriculture-related use and contractors establishment with site specific provisions, is appropriate considering the following:

- 1) The amendment facilitates uses that directly service the agricultural community.
- 2) Limits larger scale truck traffic to morning and evening hours.
- 3) Smaller trucks and future water service trucks will be used on an 'on-call' basis.
- 4) Avoids more densely populated areas such as the Hamlet and Urban areas.
- 5) Does not require urban and hamlet services.
- 6) Protects and enhances the primary agricultural function of the property an area.
- 7) Protects the Type 2 Fish habitat and adds further protection through buffering and landscaping.
- 8) Is small in scale and enhances area farming activities and efficiencies.

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**Zoning By-law Amendment – JCT Trucking**  
**7005 Concession 4 Rd, Town of West Lincoln, Niagara Region**  
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- 9) Maintains the general intent and purpose of the Provincial Policy Statement, the Growth Plan, the Niagara Region Official Plan, the Town of West Lincoln Official Plan, the OMAFRA Guidelines of Permitted Uses in Ontario's Prime Agricultural Areas, Agricultural Impact Assessment Guidelines and the Zoning By-law.
- 10) The development will be controlled and enhanced through a future site plan application.

We respectfully request that staff and Council support the proposed zoning by-law amendment.

Yours truly,



---

Eldon Darbyson, BES, MCIP, RPP  
Director of Planning  
**G. DOUGLAS VALLEE LIMITED**  
Consulting Engineers, Architects & Planners

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to offer professional engineering services.



## Appendix B

### Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas

<b>1.4 Principles of Permitted Uses</b>		
<b>The intent of the PPS and these guidelines is to allow uses in prime agricultural areas that ensure settlement areas remain the focus of growth and development and:</b>		
a) agriculture remains the principal use in prime agricultural areas	✓	Yes. Approximately 92.2% of the lands will be used for production crop lands (including protection of streams and water). The other 7.8% is intended for the existing residential dwelling and amenity area and services subject of this application.
b) prime agricultural areas are protected for future generations	✓	Yes. Through the zoning amendment and site plan control process, limits will be set to ensure agricultural lands are protected.
c) land taken out of agricultural production, if any, is minimal	✓	A small portion of land approximately 0.24 hectares in area is required to establish a proposed farm service and repair establishment and stock pile area. This area will be added to the existing disturbed area, is limited in size and is located between environmental features to ensure the preservation of the agricultural function of the lands.
d) regard is given to the long-term (multi-generational) impact on prime agricultural areas	✓	Yes. The nature of the proposed multifaceted business supports agricultural by providing services to farm vehicles and transportation of farm products, farm supporting products, nutrients and nursery stock to and from local farm businesses.
e) normal farm practices are able to continue unhindered	✓	Yes. Approximately 92% of the lands will remain active production crop lands.
f) agricultural and rural character and heritage are maintained as much as possible	✓	Yes. Berming and landscaping will be installed to minimize the appears of the business in the area. The proposed zoning amendment will include the protection of natural environmental features including their buffer areas.
g) they make a positive contribution to the agricultural industry, either directly or indirectly	✓	Yes. The services proposed directly support the agricultural industry.
h) servicing requirements (e.g., water and wastewater, road access, fire services, policing) fit with the agricultural context")	✓	The proposed uses do not require urban type services. The lands have nearby access to the Regional Road network.

<b>Table 1. Criteria for permitted uses in prime agricultural areas</b>		
<b>Agriculture-Related</b>		
<p>a) Farm-related commercial and farm-related industrial uses</p> <p>Examples of uses:</p> <ul style="list-style-type: none"> <li>• Commercial farm equipment repair shops</li> <li>• Industrial operations that process farm commodities from the area such as fertilizer storage and distribution facilities.</li> </ul>	✓	<p>Yes. JCT Services will provide commercial farm equipment repair and maintenance services to the local area. Farm equipment will be transported to the property for service and returned to the client when completed.</p> <p>The business provides storage and distribution services to the local area including:</p> <ul style="list-style-type: none"> <li>• Grain which comes from local area fields and are shipped to drying and storage facilities;</li> <li>• Soils, manure and aggregate lime to spread as nutrients over production lands and/or used for the rehabilitation of farm land;</li> <li>• Nursery stock, trees, soil and flowers in support Niagara Region and Hamilton wholesale growers;</li> <li>• Aggregates which are hauled to local area farmers for construction purposes including the establishment of laneways, pads and passages between fields. A small inventory of products is to be kept on site for a local convenience for when there is an urgent issue to get into local fields or to do repairs; and</li> <li>• Water delivery services for livestock is not a primary focus of the business, however, are intended to diversify the overall business activities to serve the farming community.</li> </ul>
<p>b) Shall be compatible with and shall not hinder surrounding agricultural operations.</p> <p>a. Ensure surrounding agricultural operations are able to pursue their agricultural practices without impairment or inconvenience. (The use is limited in size and away from agricultural activities on the property.)</p>	✓	<p>Yes.</p> <p>The business:</p> <ol style="list-style-type: none"> <li>Does not impair surrounding agricultural operations and is limited in size;</li> <li>Does not require public services required in settlement areas,</li> </ol>



<ul style="list-style-type: none"> <li>b. Uses should be appropriate to available rural services (e.g., do not require the level of road access, water and wastewater servicing, utilities, fire protection and other public services typically found in settlement areas). Rural roads only, no need for settlement area services.</li> <li>c. Maintain the agricultural/rural character of the area (in keeping with the principles of these guidelines and PPS Policy 1.1.4). Buffering and landscaping proposed to minimize presence of use.</li> <li>d. Meet all applicable provincial air emission, noise, water and wastewater standards and receive all relevant environmental approvals.</li> <li>e. The cumulative impact of multiple uses in prime agricultural areas should be limited and not undermine the agricultural nature of the area.</li> </ul>		<ul style="list-style-type: none"> <li>c. Maintains the character of the area (enhancement through site plan control) Berming and landscaping enhancements are proposed to minimize the presence of the use. The scale of the development is to remain small and is proposed in an area away from the primary agricultural activities occurring on site.</li> <li>d. will obtain relevant environmental approvals if applicable; and,</li> <li>e. The uses permitted by the zoning by-law "AR" zone permit a list of uses that do not compromise the intent of this policy. The proposed uses are limited in scale and enhance the agricultural nature of the area by providing services required in agricultural practices.</li> </ul>
c) Directly related to farm operations in the area	✓	Yes. See 1 above. The surrounding areas are primarily agricultural production lands where crops and farm vehicles predominate. A new building is proposed for the purpose of storing and maintaining trucks and community farm equipment. The primary uses of the business serve the agricultural area. Secondary services such as water delivery for livestock are also intended to serve the agricultural area.
d) Supports agriculture	✓	Yes. The nature of the proposed multifaceted business supports agriculture by providing services to farm vehicles and transportation of farm products, farm supporting products, nutrients and nursery stock to and from local farm businesses.
e) Provides direct products and/or services to farm operations as a primary activity	✓	Yes. See 1 and 3 above. Provides services to move agricultural products, nutrients, farm equipment, forms of aggregate and vehicle repair to the agricultural community.
f) Benefits from being in close proximity to farm operations	✓	Yes. The lands are located in an area surrounded by agricultural lands for approximately 15-20 kilometres. While the business services the greater Niagara area and some portion of Hamilton, the proposed use becomes less viable if travelling costs rise. Maintaining and servicing farm vehicles becomes less viable if it is not in a convenient location to farm operations. Greater distances increase costs charged to farm operations and does not benefit the local farming community.

**Appendix C – Provincial Policy Statement 2020 – Policy Compliance**

This appendix demonstrates how the proposed application is consistent with those applicable policies of the Provincial Policy Statement.

<b>1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</b>		
Policy 1.1.1 outlines that healthy, liveable, and safe communities are sustained by:		The proposed development increases the efficient use of lands and will increase the property value and municipal tax base.
a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;	✓	
b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;	✓	The agriculturally-related use provides for employment.
c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;	✓	Development will not occur within watercourse lands thereby avoiding environmental and public safety concerns.
d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;	✓	N/A
e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;	✓	N/A
f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;	✓	N/A
g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;	✓	N/A
h) promoting development and land use patterns that conserve biodiversity; and;	✓	The development will avoid all natural features and will be subject to site plan control
i) the use shall comply with the Minimum Distance Separation Formulae;	✓	N/A

Policy 1.1.4.1 outlines that healthy, integrated and viable rural areas should be supported by: a) building upon rural character, and leveraging rural amenities and assets;	✓	The property will be landscaped as appropriate in consultation with the Town through the site plan control process to protect the rural character of the area.
b) promoting regeneration, including the redevelopment of brownfield sites;		N/A
c) accommodating an appropriate range and mix of housing in rural settlement areas;		N/A
d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;	✓	N/A
e) using rural infrastructure and public service facilities efficiently;	✓	N/A
f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;	✓	The agriculturally-related use provides for employment opportunities through the provision of goods and services.
g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;	✓	N/A
h) conserving biodiversity and considering the ecological benefits provided by nature; and	✓	All natural features will be protected through the site plan process thereby protecting the ecological benefits provided by nature.
i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.	✓	Yes. See policy 2.3 discussion below.

Policy 1.1.4.2 requires rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.	✓	The proposed use requires reasonable proximity to agricultural lands in order to be viable. The proposed uses are limited to approximately 5% of the property area. In this instance, avoiding a rural settlement area is more appropriate.
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<b>1.1.5 Rural Lands in Municipalities</b>		
Policy 1.1.5.1 states when directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.		

Policy 1.1.5.2 On rural lands located in municipalities, permitted uses are: a) the management or use of resources;	✓	Yes. The development will protect the environmental features of the property.
b) resource-based recreational uses (including recreational dwellings);	✓	N/A
c) residential development, including lot creation, that is locally appropriate;	✓	N/A
d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;	✓	Yes. The proposed use is an agriculturally-related use.
e) home occupations and home industries;		N/A
f) cemeteries; and		N/A
g) other rural land uses.		N/A

Policy 1.1.5.3 indicates that recreational, tourism and other economic opportunities should be promoted.	✓	N/A
Policy 1.1.5.4 states that development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.	✓	Yes. The proposed use will serve the agricultural area and be designed to include appropriate buffering through berms and landscaping.
Policy 1.1.5.5 states that development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.	✓	Yes. Additional municipal infrastructure is not required for this development.
Policy 1.1.5.6 indicates that opportunities should be retained to locate new or expanding land uses that require separation from other uses.	✓	Yes. The proposed agriculturally-related use will be buffered from adjacent residential development.
Policy 1.1.5.7 indicates that opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.	✓	Yes. The agricultural nature of the property will remain in place. The proposed agriculturally-related use is intended to use a small percentage of the overall property.
Policy 1.1.5.8 requires that new land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.	✓	N/A

<b>1.2.6 Land Use Compatibility</b>		
Policy 1.2.6.1 states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.	✓	The proposed use is not considered a major facility and does not appear to be impacted by any nearby major facility.

<b>2.1 Natural Heritage</b>		
Policy 2.1.1 states that natural features and areas shall be protected for the long term.	✓	Yes. Development will be located to protect the natural features on the property.
Policy 2.1.2 states that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.	✓	Yes. Through the Zoning By-law and Site Plan processes, development will be located to protect the natural features on the property.
Policy 2.1.5 states that development and site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.	✓	Yes. Natural areas will be avoided.
Policy 2.1.8 states that development and site alteration shall not be permitted on <i>adjacent lands</i> to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.	✓	Yes. The proposed development is located outside of adjacent lands to the natural heritage features. Accordingly, the watercourse and buffer area will be zoned for environmental conservation purposes.



<b>2.3 Agriculture</b>		
Policy 2.3.1 states that prime agricultural areas shall be protected for long-term use for agriculture.	✓	Yes. The existing agricultural area will be protected for long-term agricultural use.
<p>Policy 2.3.2 states Planning authorities shall designate prime agricultural areas and specialty crop areas in accordance with guidelines developed by the Province, as amended from time to time.</p> <p>Planning authorities are encouraged to use an agricultural system approach to maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network.</p>	✓	Yes. The lands have been identified as good general agriculture in the Regional Official Plan and Town Official Plan.
<b>2.3.3 Permitted Uses</b>		
<p>Policy 2.3.3.1 states in prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.</p> <p>Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.</p>	✓	Yes. The proposed agricultural-related use will serve the agricultural area and is confined to a small portion of the property to protect production lands.
Policy 2.3.3.2 states in prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.	✓	Yes. The main use of agricultural production lands will be preserved.
Policy 2.3.3.3 states new land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.	✓	Yes. The proposed use is not subject to the MDS formulae.

**Appendix D – West Lincoln Official Plan Policy Compliance**

This appendix demonstrates how the proposed application is consistent with those applicable policies of the Official.

<b>2.4 Goals of the Plan</b>		
The following goals form the basis for the policies of this Plan. a) To provide an environment for sustainable agriculture and related activities through the protection of prime agricultural lands and by preventing incompatible land uses. To protect agricultural lands located within the Provincial Greenbelt Plan.	✓	The lands are not within the Greenbelt Plan Area. The application facilitates a use that sustains agriculture.
b) To promote agricultural uses, agricultural related commercial uses and secondary uses...	✓	Yes. The proposed amendment facilitates an appropriate agriculturally related use.
c) To recognize the mixed use landscape of agricultural areas and to encourage nonfarm uses to locate within the existing settlement areas.	✓	Yes. The proposed location for the Agriculturally related use achieves maximum benefit to the surrounding agricultural community.
d) To protect, preserve and enhance the Natural Heritage Features of the Township including water courses, wetlands, other ground and surface water resources, woodlots, aggregate resources, fish and wildlife habitat, areas of natural and scientific interest and important corridors in recognition of significant social, economic and recreational benefits provided.	✓	Yes. The amendment includes protecting natural heritage features including water courses on the subject lands. A future site plan application will be submitted to address separation from these features.
e) To be consistent with Provincial Guidelines including: Provincial Policy Statement (PPS), Greenbelt Plan and Places to Grow Plan (P2G).	✓	The planning justification report demonstrates consistency with Provincial Policy.

Section 4.2.1 General Agricultural Policies a) Uses permitted within all Agricultural Areas:	✓	The property will be landscaped as appropriate in consultation with the Town through the site plan control process to protect the rural character of the area.
ii. Small scale agriculturally related uses related directly to, serving, and requiring close proximity to the surrounding agricultural areas may be permitted where no opportunities exist for such uses to be located with designated Urban and Hamlet Settlement Areas. The locating of these uses shall be subject to the policies of this plan.	✓	Yes. The use is small scale and proposed to be limited to approximately 1.1 hectare (5.08%) of the total lands. The lands are located in an area surrounded by agricultural lands for approximately 15-20 kilometres. While the business services the greater Niagara area, the proposed use becomes less viable if travelling costs rise. Maintaining and servicing farm vehicles becomes less viable if it is not in a convenient location to farm

		operations. Greater distances increase costs charged to farm operations and does not benefit the local farming community. In this instance, it is better to avoid locating the agriculturally related use in an Urban or Hamlet.
<p>4.4.2 Policies (for Good General Agricultural Areas)</p> <p>e) .... Small Scale Commercial and Industrial Uses that are required to support the agricultural community shall be located so that they minimize the impact on the viability of existing and future agricultural operations. These uses shall be carefully regulated through a Zoning By-law Amendment as to their location, size and traffic generation in order to minimize potential disturbances and to ensure that private sewage disposal systems can accommodate the increase sewage loading to the satisfaction of the Township of West Lincoln.</p>	✓	<p>The proposed agriculturally related use is located in an area that preserves the greatest amount of production lands on the property to minimize the impact on the viability of the existing agricultural operations. Additional protections are proposed to ensure natural features such as onsite stream are protected. Through the site plan application, potential disturbances will be mitigated through buffering and landscaping. Any private disposal services required for the property will be required to obtain the appropriate permit from the approval authority. Traffic generated by the use is anticipated to be minimal (approximately 4 heavy trucks will leave in morning and return later in the day (5-6pm) Smaller trucks are used on an 'on call' basis.</p>
<p><b>4.6 Agricultural Value-Added</b>  Agricultural Value-Added activities mean activities that generally occur on-farm (or off-farm under specific circumstances) which add value to agricultural products and their sale and distribution and are intended to promote and sustain the viability of farming operations. Such activities are generally considered agricultural-related uses, and are required to be small scale and related to the farm activity.</p>		
<p>4.6.2 Policies for Agricultural Values Added Uses</p> <p>a) To ensure a viable agricultural industry through such means as:</p>		
<p>ii. Support for a large range of farm diversification activities in appropriate locations and at a scale suitable to the farm and the agricultural area where they contribute to economically sustainable agriculture.</p>	✓	<p>Yes. JCT Services provides services and products in support of the farming community. Farm equipment will be transported to the property for service and returned to the client when completed.</p> <p>The business provides storage and distribution services to the local area including:</p> <ul style="list-style-type: none"> <li>Grain which comes from local area fields and are shipped to drying and storage facilities;</li> </ul>

		<ul style="list-style-type: none"> <li>• Soils, manure and aggregate lime to spread as nutrients over production lands and/or used for the rehabilitation of farm land;</li> <li>• Nursery stock, trees, soil and flowers in support Niagara Region and Hamilton wholesale growers;</li> <li>• Aggregates which are hauled to local area farmers for construction purposes including the establishment of laneways, pads and passages between fields. A small inventory of products is to be kept on site for a local convenience for when there is an urgent issue to get into local fields or to do repairs; and</li> <li>• Water delivery services for livestock is not a primary focus of the business, however, are intended to diversify the overall business activities to serve the farming community.</li> </ul> <p>The use is small scale and proposed to be limited to approximately 1.1 hectare (5.08%) of the total lands. The lands are located in an area surrounded by agricultural lands for approximately 15-20 kilometres. While the business services the greater Niagara area, the proposed use becomes less viable if travelling costs rise. Maintaining and servicing farm vehicles becomes less viable if it is not in a convenient location to farm operations. Greater distances increase costs charged to farm operations and does not benefit the local farming community.</p>
c) Farm Diversification refers to those farm related value-added and secondary uses that complement farming activities and provide for increasing the economic value and consumer appeal of an agricultural product or activity. Farm diversification activities shall complement the principal agricultural uses on the property and in the surrounding area, and shall contribute to the sustainability and viability of the farming operation.	✓	Yes. As discussed in b) above, the location of the proposed use compliments the on-site and surrounding agricultural activities which contribute to the sustainability and viability of farming operations.
d) Farm diversification activities shall be consistent with the applicable provisions of the Provincial Policy Statement	✓	Yes. The proposed use is an agriculturally-related use. See appendix B and C.
e) The Zoning By-law may permit such farm diversification activities as agriculturally related uses that are small scale	✓	Yes. The proposed use is captured in the zoning by-law. This application seeks to permit the agriculturally related use as it is

and directly related to the farm operation, or secondary uses that are also small scale and are compatible with the principal agricultural operation on the property and surrounding agricultural lands.		small scale and directly related to farm operations which support the subject lands and surrounding agricultural community.
d) The following criteria shall be considered when identifying whether or not diversification activities should be permitted in the Zoning By-law:		
i. Whether the proposed activity is more appropriately located in a nearby urban or hamlet area;	✓	The proposed agriculturally related use best serves the agricultural community by being located in convenient proximity of the community. The lands are located in an area surrounded by agricultural lands for approximately 15-20 kilometres. The proposed use becomes less viable if travelling costs rise. Maintaining and servicing farm vehicles becomes less viable if it is not in a convenient location to farm operations. Greater distances increase costs charged to farm operations and does not benefit the local farming community. The proposed agriculturally related use does not require urban services. In this instance, it is better to avoid locating the agriculturally related use in an Urban or Hamlet area.
ii. Whether suitable lands are available in nearby Hamlet Areas to accommodate the proposed activity;	✓	The nearest Hamlet is Smithville which is approximately 2 ½ kilometres from the subject property. The Hamlet policies encourage primarily residential uses and afford protection of those uses. There are policies that discuss compatibility between uses should non-residential uses be considered in the Hamlet area. In this instance, it would seem more appropriate to locate the agriculturally related use discourage large farm equipment, manure transportation and haulage vehicles away from more densely populated residential areas.
iii. Whether the use is required on or in close proximity to the agricultural operation for it to support and complement the agricultural activity;	✓	Yes. The lands are primarily production crop lands and the small scale use provides farm services to the lands and surrounding area.
iv. The extent to which the activity is compatible with the existing farming operation and surrounding farming operations;	✓	Yes. The proposed use provides services directly related to the farming community.
v. Whether the scale of the activity is appropriate for the site and the farming operation;	✓	Yes. The use is limited in scale (approximately 5.08% of the total lands)
vi. Whether the use is consistent with and maintains the character of the agricultural area;	✓	Yes. Through the site plan process and rezoning, buffer areas, landscaping and berming will be implemented to improve the character of the subject property and its relation to nearby uses.



		The proposed building will be similar to other agricultural buildings and the property will be kept clean and organized.
vii. The activity does not generate potentially conflicting off-site impacts;	✓	Significant impacts are not anticipated. The area of the proposed use is limited in size and will be buffered from nearby uses. Larger vehicles coming and going from the property generally occur once in the morning when trucks leave, and then once in the evening when they return. The number of trucks are limited. On-call trucks are small and do not travel frequently.
viii. The activity is limited to low water and low effluent producing uses, and the site is capable of accommodating the use on private water and private sewage treatment systems;	✓	Yes. The use will not require large volumes of water and is not anticipated to produce large volumes of effluent.
ix. The activity does not require significant improvements to infrastructure, such as roads; and	✓	The client indicates the road infrastructure is sufficient for the use.
x. Compliance with applicable regulations.		Noted.
i) Value-Added Production activities are intended to primarily serve the farm operation and surrounding local operations, and remain accessory to the principal farming operation in relation to the scale of the operation, its footprint and the product being manipulated. Such facilities may be recognized as permitted uses in the Zoning By-law. However, it is recognized that in order to extend the operating season of such facilities, some product may be obtained from surrounding farm operations or non local product may be sourced from other parts of Ontario, particularly in the "off seasons" to allow the efficient operation of the processing activities and contribute to the ongoing viability of the farm. Such facilities may require a site specific zoning amendment prior to expanding the operation to include non-local product. Where the majority of product is local, production activities may process product from off farm.	✓	The proposed use is accessory to the primary farming operation. Policies regarding off seasons and non-local product are not applicable to the proposed amendment.
r) The scale of value-added and diversification activities will vary depending on the scale and use of the principal farming activity. The following criteria shall be used to determine if a proposed farm diversification activity is of an appropriate scale:		
i. The proposed activity is clearly secondary to the main agricultural use of the property;		Yes. The proposed use represents approximately 5% of the lands to which the balance of the lands is primarily production lands with approximately 4.47% occupied by the residence / amenity area.

ii.	The agricultural character of the property is not adversely affected by the proposed activity;		The majority of the property are production lands. The proposed use is located away from the production lands and in an area that is more difficult to farm including consideration for on-site natural features and water courses.
iii.	Any buildings associated with the proposed activity do not occupy more than 5 percent of the lot area.		The entire secondary use is approximately 5%. The proposed building is approximately 0.37% of the total land holdings.

<b>10.7 The Core Natural Heritage System</b>			
	The policies of this section of the Official Plan discuss the protection of natural heritage features, fish habitats and linkages between features.	✓	In consultation with the Niagara Region and Conservation Authority, the proposed zoning by-law amendment is to rezone a small portion of the lands to an Environmental Conservation Zone to ensure the protection of the Type 2 Fish Habitat and its buffer. Details regarding buffering and grading will be addressed at the site plan stage of the proposal. All natural features will be preserved and protected.

October 1, 2021

Madysen Etzl, Planner II  
318 Canborough St. P.O. Box 400  
Smithville, ON L0R 2A0

VIA EMAIL ONLY

**NPCA FILE NO.: PLZBLA202101318**

**SUBJECT: NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA) COMMENTS FOR  
A ZONING BY-LAW AMENDMENT APPLICATION AT 7005 CONCESSION 4 ROAD  
IN THE TOWNSHIP OF WEST LINCOLN – FILE NO. 1601-14-21**

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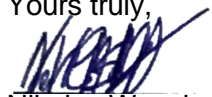
The NPCA has reviewed the materials submitted in support of the proposed Zoning By-law Amendment application at the subject lands, 7005 Concession 4 Road, West Lincoln ARN 260202000910700. As part of the Township's review process, the NPCA has been circulated the application for review due to the presence of Regulated Areas on the property. Based on our review, we offer the following comments.

The NPCA's Regulation Mapping indicates that numerous NPCA regulated Watercourses, and Unevaluated Wetlands are located on the subject lands.

1. NPCA staff note that the proposed development is located directly adjacent to the 15 metre development buffer associated with the Watercourses on site. In addition, NPCA staff note that the proposed development falls within 30 metres of the Unevaluated Wetlands on site.
2. NPCA staff are satisfied that the wetland habitats will be buffered from construction influence by the existing thicket/forest identified on the NPCA's regulated mapping.
3. NPCA staff will need to determine if any site alteration associated with the proposed development will have a negative impact on the NPCA regulated features on site. As such, the NPCA will require that a Grading and Drainage Plan be submitted for NPCA review and approval at the Site Plan Control stage.
4. Erosion and Sediment Control (ESC) measures will also be required to prevent transportation of sediment to the watercourse and associated wetland during the construction phase of development. The ESC measure shall be included on the Grading and Drainage Plan, or on a revised Site Plan to be submitted for NPCA review and approval at the Site Plan Control stage.
5. NPCA staff note that a portion of the proposed zoning includes Environmental Conservation (EC) zoning. NPCA staff do not typically request that Unevaluated Wetlands or Watercourse buffers be zoned as EC, nor will we request that they be zoned as EC in this case.

To conclude, the NPCA does not object the proposed Zoning By-law Amendment application. The applicants should be made aware that should any additional works (development or site alterations) be proposed within or adjacent to the above noted NPCA regulated features, Permits from this office may be required. All proposals and plans shall be circulated to the NPCA for review and approval prior to the commencement of any works on site. Should the applicant apply for a permit from the NPCA, all applicable permit fees will be required through the permitting process.

Yours truly,



Nikolas Wensing, Watershed Planner  
Niagara Peninsula Conservation Authority

## **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**

October 1, 2021

File No.: D.18.12.ZA-21-0100

Madyson Etzl  
Planner II  
Township of West Lincoln  
318 Canborough Street, P.O. Box 400  
Smithville, ON L0R 2A0

Dear Ms. Etzl:

**Re: Regional and Provincial Comments  
Zoning By-law Amendment  
Township File No.: 1601-14-21  
Applicant: JCT Services  
Agent: Eldon Darbyson  
Address: 7005 Concession 4 Road  
Township of West Lincoln**

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Regional Planning and Development Services staff has reviewed the information circulated with the proposed Zoning By-law Amendment to rezone a portion (5.08%) of the property located at 7005 Concession 4 Road from Agricultural (A) to Agricultural Related (AR#) with a site specific exception to permit an encroachment of outside storage and equipment within 30 metres of a street line/lot line of a separate lot that contains a residential use and/or top of bank of a watercourse, as well as to remove the landscaped open space the requirement. The applicant is also requesting to rezone another portion of land from Agricultural (A) to Environmental Conservation (EC) to provide protection to the existing watercourse including a buffer area. The rezoning is required to permit an Agricultural Service and Supply establishment, an Agriculture-Related Use and a Contractors Establishment.

A pre-consultation meeting for this proposal was held on September 17, 2020, with staff from the Township of West Lincoln, Niagara Peninsula Conservation Authority and Region in attendance, as well as the agent. The following comments are provided from a Provincial and Regional perspective to assist the Township in considering this application.

## **Provincial and Regional Policies**

The subject property is located within the Prime Agricultural Area according to the Provincial Policy Statement (PPS). Such lands shall be protected for long-term use for agriculture, and agriculture-related and on-farm diversified uses are permitted provided they are compatible with, and do not hinder, surrounding agricultural operations. Uses proposed on such lands should be considered under the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. The Regional Official Plan (ROP) provides that the subject property is outside of the Urban Area Boundary for the Township of West Lincoln, and is within the Good General Agricultural Area.

Regional and Provincial policies provide that the predominant use of land in agricultural areas will be for agriculture of all types, including farm diversification uses, such as agriculture related value added and secondary uses that complement farming activities and provide for increasing the economic value and consumer appeal of an agricultural product or use. These uses shall complement the principal agricultural use(s) on the property and in the surrounding area, and shall contribute to the sustainability and viability of the farming operation.

## **Proposed Zoning By-law Amendment**

The Zoning By-law Amendment application proposes to rezone a portion of the property to permit an "Agricultural Service and Supply Establishment, and Agriculture-Related Use and a Contractors Establishment" per the letter prepared by Eldon Darbyson (Director of Planning, G. Douglas Vallee Limited) dated August 19, 2021. The business on the subject property (JCT Services) provides trucking services for hauling, grains, soil, manure, aggregates, and aggregate lime; the business hauls trees and nursery stock for wholesale growers. It is intended that a water delivery service be established to service the rural community livestock activities. In addition to the trucking service and depot, the business provides loading, excavation and grading services for driveways, pads, and materials for creating connections between agricultural fields. It is intended that a new building will be constructed for the purpose of storing and maintaining trucks and community farm equipment.

According to the letter, 90.45% of the property will be preserved for agricultural production lands and environmental protection, and the remaining 9.55% is occupied by an existing single detached dwelling, amenity area and the existing and proposed business lands.

## **OMAFRA Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas**

The OMAFRA Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (the Guidelines) provide that agricultural and agriculture-related uses are permitted, subject to specific criteria. Agriculture-related uses are defined as farm-related commercial and farm-related industrial uses that are compatible with and do not hinder surrounding agricultural operations, directly related to farm operations in the area, support



agriculture, provide direct products and/or services to farm operations as a primary activity, and benefit from being in close proximity to farm operations.

### **Regional Official Plan Policies**

The ROP allows for agricultural uses and farm diversification in the Good General Agricultural Area. Farm diversification shall support and complement the primary agricultural use(s) of the property and in the surrounding area. Farm diversification uses are small scale in relation to the principal farming operation. Regional policies indicate that local municipalities should establish detailed Official Plan policies and Zoning By-law requirements for farm diversification uses. The proposed use can be considered as a value added support use, which support day to day farm operations and may include machinery repairs, seed suppliers, and other uses not more appropriately accommodated in settlement areas. Support uses are intended to primarily serve the farm operation and surrounding local farm operations and are intended to remain secondary to the principal farm operation. The ROP lists a number of criteria that the use shall be subject to, in considering whether the farm diversification activity should be permitted in the Zoning By-law:

- a) Whether the proposed activity is more appropriately located in a nearby settlement area or in the Rural Area;
- b) Whether the use is required on or in close proximity to the agricultural operation for it to support and complement the agricultural activity;
- c) The extent to which the use is compatible with the existing farming operation and surrounding farming operations;
- d) Whether the scale of the activity is appropriate to the site and the farming operation;
- e) Whether the use is consistent with and maintains the character of the agricultural area;
- f) The use does not generate potentially conflicting off-site impacts;
- g) The use is limited to low water and low effluent producing uses, and the site is capable of accommodating the use on private water and private sewage treatment systems;
- h) The use does not require significant improvements to utilities or infrastructure such as roads or hydro services;
- i) The use complies with all other applicable provisions of the ROP.

### **Policy Review**

The subject property is approximately 19.9 hectares in area, with agricultural production and environmental protection areas encompassing approximately 90.5% (18.34 hectares) of the lands. The information circulated with the application does not provide an indication of the existing agricultural use on the subject property. The existing and proposed agriculture-related use will occupy approximately 5.08% of the property (1.01 hectares). According to Appendix B, prepared by the agent and undated, the use generally aligns with the criteria of the OMAFRA Guidelines for an agriculture-related use:

The use can be considered as a farm-related commercial and industrial since it provides farm equipment repair and maintenance services, as well as storage and distribution of a variety of agriculture and agriculture-supportive products; is compatible with and will not hinder surrounding agricultural operations due to its limited size and berming to minimize the presence of the use; is directly related to farm operations in the area, to primarily serve agricultural uses in the surrounding area; supports agriculture; provides services to move agricultural products, nutrients, farm equipment, forms of aggregate and vehicle repair to the agricultural community; and benefits from being in close proximity to farm operations due to the agricultural operation clientele.

Regional staff have concerns that the services of loading, excavating and grading (contractors establishment) do not align with the OMAFRA Guideline criteria for an agriculture-related use, as it is difficult to tie this use to serving primarily agricultural operations. While it is unclear as to the amount of land that will be dedicated to this service, the PJR indicates that agriculture-related uses will occupy 5.08% of the lands; Regional staff expect that the contractors establishment is limited in area and meets the intent of the OMAFRA Guidelines for an on-farm diversified use. Provided the primary use of the proposed agriculture-related operations remain the agricultural operations on-site and in the area, Regional staff are satisfied that the remainder of the proposed uses can be considered agriculture-related per the OMAFRA Guidelines. To ensure that the criteria of the Guidelines is maintained, Regional staff recommend that the wording of the amending By-law require that the uses primarily serve agricultural operations in the area.

In alignment with ROP policies, the proposed uses are small in scale in relation to the principal agricultural use on the property, and is intended to complement the agricultural use on site and in the surrounding area. The uses align with the ROP definition of a value added support use, as they provide amenities and necessary services to support agricultural operations in the area. Regional staff consider the contractors yard to be a secondary use and, provided it is limited in scale, will align with farm diversification policies in the ROP.

Based on the above analysis, and subject to the comments below, Regional staff are of the opinion that the proposed Zoning By-law Amendment is consistent with the PPS and conforms with the ROP.

## **Natural Heritage**

The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Winslow NE Provincially Significant Wetland Complex (PSW), Significant Woodland and Type 2 (Important) Fish Habitat. Regional Environmental Planning comments provided at the pre-consultation meeting on September 17, 2020 indicated that, provided a minimum 15 metre setback was demonstrated from the extent of Important (Type 2) Fish Habitat on all Site Plans, no additional requirements would be necessary. Regional Environmental Planning staff note that the proposed Zoning By-

law Amendment meets the required setbacks for the adjacent PSW and Significant Woodland based on ROP policy.

Staff have reviewed the Concept Plan (prepared by G. Douglas Vallee Limited, dated August 28, 2020) included with the proposed Amendment, which confirms that a 15 metre setback will be maintained from the extent of Fish Habitat on the subject lands. As such, Environmental Planning staff offer no objection to the proposed Zoning By-law Amendment application.

## Private Servicing

As the Township is responsible for reviewing private servicing matters, Council should refer to the comments of the Township with respect to the provision of private water and sanitary services for the proposed uses.

## Conclusion

Regional Planning and Development Services staff offers no objection to the proposed Zoning By-law Amendment to permit agriculture-related uses on the subject property as, in principle, it is consistent with the Provincial Policy Statement and conforms to Provincial and Regional plans. However, Regional staff request circulation of the draft By-law and the future site plan application to ensure that Provincial and Regional policies are sufficiently addressed with regard to primarily serving the agricultural operations on-site and in the area, and limiting the scale of the contractors establishment.

If you have any questions or wish to discuss these comments, please contact the undersigned at [aimee.alderman@niagararegion.ca](mailto:aimee.alderman@niagararegion.ca).

Please send a copy of the staff report and notice of Council's decision on this application.

Best regards,



Aimee Alderman, MCIP, RPP  
Senior Development Planner

cc: Mr. A. Boudens, Senior Environmental Planner/Ecologist, Niagara Region

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**  
**BY-LAW NO. 2022- XX**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2017- 70, AS  
AMENDED, OF THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS THE TOWNSHIP OF WEST LINCOLN COUNCIL IS EMPOWERED TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, 1990;**

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:**

1. THAT Schedule ‘A’ Map ‘D5’ to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Concession 5, Part Lot 39, formerly in the Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 7005 Concession 4 Road, shown as the subject lands on Schedule ‘A’, attached hereto and forming part of this By-law.
2. THAT Map ‘D5’ to Schedule ‘A’ to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule ‘A’, attached hereto and forming part of this By-law from an Agricultural (A) zone to an agricultural Zone with a site specific exception (A-###)
3. THAT Part 13 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:
  1. A-###

Permitted Uses:  
As per the parent zone, plus a home industry use

Regulations:  
As per the parent zone, except the contractors yard should operate out of an accessory building at a total gross floor area of no more than 250 square metres and situated to the rear of the existing main dwelling.  
  
A maximum of three persons other than the residents of the dwelling are permitted to be employed by the home industry.  
  
Outside storage of the home industry shall only be located to the rear of the building and are depicted on a site plan.  
  
In the conduct of a home industry, no machinery or processes which emit noise, vibration, glare, fumes, odor, dust, radio or television interference beyond the lot containing the home industry are permitted.  
  
A sign may be erected in accordance with the sign by-law, 2020,54, as amended from time to time.  
  
The existing business operation shall be returned to agriculture
4. THAT, Part 13 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:

A-### (H)  
  
Area of existing business put an A-###(H) on the property to trigger clean up and justify holding a security deposit.
5. THAT all other provisions of By-law 2017-70 continue to apply.
6. AND THAT this By-law shall become effective from and after the date of passing thereof.





**MAYOR DAVE BYLSMA**

**JOANNE SCIME, CLERK**

DRAFT

## **EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2021-XX**

### **Location:**

This By-law involves a parcel of land located on the north side of Concession 4 Road, legally known as Concession 5, Part Lot 39, formerly in the Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 7005 Concession 4 Road.

### **Purpose & Effect:**

The rezoning application to rezone the subject lands from an Agricultural zone to an Agricultural zone with a site specific exception (A-###) to recognize a Home industry on the subject property with a maximum ground floor area of no more than 100 square metres.

### **Public Consultation:**

The Public Meeting was held on Tuesday October 12<sup>th</sup> 2021

File: 1601-014-22

Applicants: Joe Dilluio (Owner) Eldon Darbyson (Agent)



LAND AREA TABLE	
PROPOSED AREA	6245m <sup>2</sup>

PROPOSED AREA =  
6245m<sup>2</sup>

6 TRUCK  
PARKING SPACES

14 PARKING  
SPACES AND 1  
TYPE A BARRIER  
FREE SPACE

PROPOSED  
FUTURE  
BUILDING  
APPROX  
825m<sup>2</sup>

FUTURE  
GREEN  
HOUSE

EXISTING YARD FOR  
AGRICULTURAL MATERIALS

5m SEPERATION FROM  
TREE LINE

EX. SEPTIC BED  
FOR DWELLING

EX. BERM

MULTI PURPOSE  
ROAD ACCESS  
FOR FARM & AR  
AREA

CONCESSION ROAD 4

SCALE:  
0 15 30  
Meters  
1:500



G. DOUGLAS VALLEE LIMITED  
2 TALBOT STREET NORTH  
SIMCOE, ONTARIO N3Y 3W4  
(519) 426-6270

Stamp

**PRELIMINARY**  
NOT TO BE USED  
FOR CONSTRUCTION

Project Title  
**JCT EXPANSION**  
7005 CONCESSION 4 RD  
SMITHVILLE - WEST LINCOLN

Drawing Title  
**CONCEPT SITE PLAN**

Designed by :  
Drawn By : NBN

Checked by :  
Date Started : 11/10/21

Drawing Scale : 1:500  
Drawing No.

Project No.  
**20-075**

**01**

**DATE:** June 13, 2022

**REPORT NO:** PD-56-2022

**SUBJECT:** **Recommendation Report No. 2 – Silverdale Sports Centre Ltd.  
– 4944 Concession 4 Road Zoning Bylaw Amendment and Site  
Plan Authorization (File No. 1601-019-19 & 2100-018-19)**

**CONTACT:** Gerrit Boerema, Planner II  
Brian Treble, Director of Planning & Building

**OVERVIEW:**

- An application for Zoning Bylaw Amendment and Site Plan approval was submitted in November of 2019 by IBI Group on behalf of Silverdale Sports Centre and Joan Miller which covers two properties on Concession 4, one being 4944 Concession 4 and the other directly to the east with no current municipal address.
- The applications were made following a bylaw enforcement complaint in 2017 in regards to unauthorized expansion of the gun club onto an abutting property (also owned by the gun club) that did not have appropriate zoning or site plan approval.
- Supporting studies including a Planning Justification Report, Agricultural Impact Assessment and Environmental Impact Assessment were submitted in 2019 and revised studies were re-submitted following the public meeting on February 10, 2020.
- Following additional meetings with the Township, the NPCA and Region, the applicants provided the Township with a revised Agricultural Impact Assessment in late 2021 and a Revised Environmental Impact Assessment in January 2022.
- A second public meeting was held on March 21<sup>st</sup>, 2022. No oral submissions were made but two written submissions were provided from neighbouring residents.
- Township Staff have reviewed all of the comments received to date, as well as additional information submitted by the applicants regarding range safety.
- Township staff have additionally reviewed the proposed zoning by-law amendment against the relevant Provincial, Regional and Local policy and can recommend approval of this application subject to a holding provision and completion of the site plan approval process.

**RECOMMENDATION:**

1. That, Report PD-56-2022 “Recommendation Report, Silverdale Sports Centre Ltd. – 4944 Concession 4 Road Zoning Bylaw Amendment and Site Plan Authorization. File No. 1601-019-19 & 2100-018-19” dated June 13, 2022, BE RECEIVED; and,
2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
3. That, an application for Zoning By-law Amendment 1601-019-19, submitted by Silverdale Sports Centre be approved subject to a Holding provision and modifications to the environmental zones; and,
4. That, staff be authorized to circulate the Notice of Decision for the zoning By-law Amendment with the corresponding 20-day appeal period; and,
5. That, Committee and Council authorize the Mayor and Clerk to enter into a site plan agreement with Silverdale Sports Center and Joan Miller, and any mortgagees, once all site plan details have been worked out to the satisfaction of the Director of Planning and Building and that an authorizing bylaw be presented to Council to authorize the signing of the agreement.

**ALIGNMENT TO STRATEGIC PLAN:**

**Theme #3**

- Strategic Responsible Growth
- Local Attraction
- Community Health and Safety
- Support for Business and Employment Opportunities or Residents

**BACKGROUND:**

In 2017 a bylaw enforcement matter arose concerning unauthorized expansion of the gun club on adjacent lands not zoned to permit a gun club and without site plan approval. Applications for Zoning Bylaw Amendment and Site Plan Approval were subsequently made over two years later in November of 2019. A public meeting was held in February 2020.

Two nearby residents voiced concerns about the gun club expansion and current operation and the NPCA and Region also submitted written comments raising several issues regarding impacts to the environment and agricultural lands.

Following several meetings with Township, Regional and NPCA staff, further revisions to the Environmental Impact Assessment (EIS) and Agricultural Impact Assessment (AIA) were required. The revised AIA was provided in late 2021 and the revised EIS was provided in late January, 2022. These have been circulated to agencies and departments for their review. The revised studies have not been attached to this report due to their size, but they can be found on the Township’s website using the following url:

<https://www.westlincoln.ca/en/news/notice-of-public-meeting-march-21-2022.aspx>

A second public meeting was held in March of 2022 where two written comments were submitted to the Township from the same two residents who commented at the first public



meeting. The concerns remained the same regarding mainly noise and range safety. Additional discussions have occurred with the Region of Niagara and the NPCA regarding environmental features. The Region of Niagara and the NPCA no longer have any concerns regarding the zoning amendment but wish to see a re-circulation of the revised site plan once the zoning amendment has been completed.

The Township Staff have also reached out to the applicant, the Chief Firearms Office, the Federal government, and the City of Hamilton to find more information regarding range safety. At the time of writing this report, Township staff have received more information from the applicant, found in Attachment 3, and have heard back from the City of Hamilton relating to their experience with outdoor gun ranges.

Planning Staff are now in a position to recommend support of the zoning bylaw amendment which would rezone a portion of the gun club's lands from Agricultural 'A' to Agricultural 'A-5' to permit a gun club, and Environmental Protection 'EP' to protect wetlands that have been identified on the property through the completion of an Environmental Impact Assessment. Additionally, Planning Staff are recommending that a Holding provision be added to ensure that the lands (4944 owned by Joan E Miller Trustee, and the abutting parcel to the east owned by Silverdale Sports Centre) are merged on title prior to the use being established.

## **CURRENT SITUATION:**

### **Provincial Policy Statement, 2020**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The PPS is issued under the authority of section 3 of the Planning Act and came into effect on May 1, 2020. Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with the PPS.

Section 2.1 of the PPS, provides policy regarding the wise use and management of natural heritage features. Natural Heritage features and areas are to be protected for the long term and therefore there are limitations on development and site alteration within natural features, such as significant wetlands. In certain natural features, development and site alteration is permitted provided that it can be demonstrated that there will be no negative impacts on the natural features or their ecological functions.

An Environmental Impact Study was required as the proposed development and site alteration, some of which had already occurred, were within mapped natural heritage features. The EIS found that there were a number of additional lands that should be mapped and protected as Provincially Significant Wetlands (PSW) which require a minimum 30 metre buffer. The 30 metre buffer is a Provincial requirement in the 'A Place to Grow' plan and will be discussed in more detail later in this report. A revised EIS was submitted to justify the reduction to the minimum 30 metre PSW buffer and the introduction of restoration areas. The revised EIS has now been submitted and has been reviewed by

both the Region of Niagara and the Niagara Peninsula Conservation Authority (NPCA). The Region and the NPCA do not have any objections to the revised EIS as it relates to the zoning amendment. They have requested that the newly identified wetlands be zoned to Environmental Protection Zones.

The PPS also provides policy direction on the protection of agriculture and the agricultural system. Section 2.3 of the PPS states that Prime Agricultural areas (in which the subject lands are located), shall be protected for long-term use for agriculture. Agricultural uses, agricultural-related uses and on-farm diversified uses are permitted in the Prime Agricultural Area. Non-agricultural uses are not encouraged but may only be permitted if they can demonstrate:

1. *The land does not comprise of specialty crop area;*
2. *The proposed use complies with the minimum distance separation formulae;*
3. *There is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to accommodate the proposed use; and*
4. *Alternative locations have been evaluated, and*
  - a. *There are no reasonable alternative locations which avoid prime agricultural areas; and*
  - b. *There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands. (Section 2.3.6)*

The applicants have submitted an agricultural impact assessment which indicates that the lands are not with a specialty crop area, complies with the minimum distance separation formulae, there is an identified need for the additional lands and there are no reasonable alternative locations that avoid prime agricultural lands.

The PPS also requires that *'impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.'* (2.3.6.2).

Staff have reviewed the Planning Justification Report and the Agricultural Impact Assessment and believe that the proposed expansion removes the least amount of agricultural land from agricultural production and mitigates to the extent feasible impacts on surrounding agricultural operations. The area to be zoned for a gun club use is approximately 2.6 hectares, or 12% of the easterly parcel. Township Staff also recognize that an addition to the existing gun range has a lesser impact on agricultural lands than starting a new gun club at a new location.

As such, Township staff believe that the zoning bylaw amendment application meets the general policy direction set out in the PPS.

### **A Place to Grow – Provincial Growth Plan**

Applications filed after June 16, 2006 must conform to the Provincial Growth Plan (A Place to Grow). The Growth Plan directs non-agricultural uses to settlement areas where they can be serviced by municipal water and sewer (Section 2.2.1). The Growth Plan also requires that Prime Agricultural Areas be protected for long term agricultural use (Section

4.2.6). The Growth Plan recognizes, however, that there are existing and expanding non-agricultural uses within the Agricultural system. These non-agricultural uses should be compatible and adverse impacts on the agricultural system should be avoided, minimized or mitigated. Mitigation measures should be based on an Agricultural Impact Assessment. The applicants have provided a revised Agricultural Impact Assessment completed by Colville Consulting which is now supported by Regional planning staff.

The Agricultural Impact Assessment concludes that the proposed development will have some impacts on the Agricultural system including consuming some Class 3 agricultural lands predominantly used for field crops as well as possible disruptions to transportation routes used by farmers. The Impact Assessment suggests that it is unlikely that there will be any direct impacts on surrounding farming operations and that the proposed development meets the Minimum Distance Separation Formula. The Agricultural Impact Assessment has provided some mitigation measures including perimeter fencing, signage, storm water management and earthen berms and vegetation buffers (Page 27).

Township Planning Staff note that the applicants have considered this an expansion to a legal existing use, however, it is a separate property with separate ownership and the applicants at the time of the original application were unwilling to merge both the existing gun club property with the abutting land where the gun ranges were constructed. The policies of the PPS, Growth Plan and Township Official Plan only support expansions of existing non-agricultural uses and not the establishment of new non-agricultural uses. Therefore, the two properties need to be merged for this to be considered an expansion. Township planning staff are recommending the implementation of a holding zone provision over the subject property, so that the zone exception that would permit the gun club would not be in effect until such time that the lots have merged and evidence is provided to the Township. An additional application to remove the holding provision will then be required.

The Growth Plan also includes policy on the protection of the Natural Heritage System. Policy 4.2.2.3 states that new development or site alteration needs to demonstrate that there are no negative impacts on key natural heritage features or key hydrologic features or their functions. Development and Site alteration outside of settlement areas are not permitted within key natural heritage features, except for expansions to existing permitted non-agricultural uses provided that it is demonstrated that the use does not expand into the key hydrologic feature or key natural heritage feature or vegetative protection zone unless there is no other alternative (4.2.3 e.).

New development or site alteration within 120 metres of a key natural heritage feature will require a natural heritage evaluation or hydrologic evaluation that identifies a vegetative protection zone.

The Region of Niagara Planning and Development staff and the NPCA have reviewed the EIS and EIS addendum and have no further objections concerning the environmental impacts associated with the zoning amendment aspect of this development. Further submissions will be required prior to finalizing the site plan approval. A full site plan submission will be required to Township staff prior to the completion of the site plan application.

### **Greenbelt Plan**

Applications must conform to the Greenbelt Plan if they fall within the mapping provided within the Greenbelt Plan. Since the subject lands are outside the area designated in the Greenbelt Plan, the PPS and the Growth Plan are the provincial policies that apply in this situation.

### **Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (the Guidelines)**

In 2016 the Ontario Ministry of Agriculture, Food and Rural Affairs published a document entitled Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. The purpose of the document was to assist municipalities with the interpretation of the Provincial Policy Statement, 2014 on the uses that are permitted in prime agricultural areas. The guideline also deals with limited non-agricultural uses in prime agricultural areas. The gun club is not an agricultural use, nor is it an agriculturally related use nor on-farm diversified use as it has no apparent connection to agriculture.

The guidelines go into greater detail on the requirement for non-agricultural uses to demonstrate the need for additional lands within the planning horizon, evaluate reasonable alternative locations and look into impact mitigation.

To demonstrate need within the planning horizon the guidelines suggest that information and analysis within a Planning Justification Report should include the following:

- the demand for the product or service
- an inventory of current suppliers/competitors
- how much of the current and future projected demand is met within a given market or service area
- distance to markets or clients
- economic impacts of the proposed use; and
- a preliminary assessment of the potential impacts on agricultural operations in the area.

The guideline also recommends that applicants should provide an analysis of alternative locations within the entire market area and look at variables such as lower-priority areas within prime agricultural areas. The guidelines state that "Arguing that applicants own only one site or that sites in settlement areas are unaffordable for the proposed use, are insufficient reasons and should not be considered adequate justification" (Section 3.2.3).

The Planning Justification Report and the Agricultural Impact Study do not provide direct discussion on the Guidelines, but they do generally provide discussion around all of the bullet points above. The Planning Justification Report and Agricultural Impact Assessment provides some discussion that the use cannot be located within a settlement area and expanding the current facility has the least impact on surrounding agricultural operations, but do not go into an analysis of alternative locations which would have a lower impact on agriculture. They state that the proposed development is an expansion of an existing use, however, it is on a separate parcel and currently in separate ownership. As such, Township Staff are recommending the implementation of a Holding zone over the subject lands to be in place until both parcels merge on title and this can be considered an expansion.

### **Regional Official Plan (ROP)**

The Regional Official Plan designates the property as Good General Agriculture. Section 5 of the ROP provides specific policy for the Agricultural Area. While the ROP states that generally non-agricultural uses should be directed towards areas not designated Agricultural, expansions to limited non-agricultural uses can be permitted subject to a number of criteria (Policy 5.B.7). This criteria is similar to that found in the Provincial Policy Statement and includes the requirement for the applicant to demonstrate need for the non-agricultural use and to demonstrate that the use cannot be located within rural areas or in other Good General Agricultural Areas with lower priority. Policy 5.B.7 also requires that the development can be supported by private water and wastewater systems, and that the use and development complies with other policies of the ROP including Natural Heritage (Chapter 6).

The PJR and AIA have discussed alternative locations and have concluded that expanding the existing site will have less of an impact on agriculture than finding a new site in a different location. Additionally, out-door gun clubs would not be a compatible use within an urban settlement area.

The Conservation Authority has provided additional comments with regards to the latest revised proposal, requesting to have more information, however, they offer no objections to the zoning amendment. Both the Region and the NPCA have no objections to the proposed zoning amendment.

### **Township of West Lincoln Official Plan (OP)**

The Township's Official Plan designates the property as Good General Agriculture and portions of the property are designated as Natural Heritage System.

#### ***Agriculture***

Section 4 of the OP states that the objectives for agricultural areas are to promote and protect the agricultural industry which allows for increased flexibility for agricultural operations. Small scale secondary uses and agriculturally-related uses should be supported and impacts from non-farm uses within the agricultural area should be minimized.

New non-agricultural uses shall not be permitted within Agricultural Areas (Section 4.2.1. g). All development within agricultural areas must be supported by private sewage disposal systems and private water supply and must comply with the Minimum Distance Separation Formula.

Further, the OP recognizes that there are a number of legally established non-agricultural uses recognized in the Township's zoning bylaw. These uses can continue to exist, however, any changes to these uses shall be in accordance with the Township's OP and may require approval through a zoning bylaw amendment, site plan and other approvals.

The original proposal was to have the gun club expand on adjacent lands with separate ownership, however, in discussions following the original public meeting in February 2020,



the applicant indicated that they would merge the two properties as to view the application as an expansion and not a new non-agricultural use. The merger has not yet happened as the applicants have proposed merging the properties once the zoning amendment is approved. Township Staff are recommending the implementation of a Holding zone to ensure that merger happens prior to the gun club use being established on the subject property.

### **Natural Heritage System**

A portion of the subject property is designated as core natural heritage system. This included Environmental Conservation Area, Environmental Protection Area, Fish Habitat, Core Natural Heritage Corridor, Areas of Natural and Scientific Interest (ANSI), Provincially Significant Wetland and Significant Woodland. Due to the proximity of the development, an Environmental Impact Study was required by policy 10.7.2 i) and l):

- i) *Where through the review of a planning application, it is found that there are important environmental features or functions that have not been adequately evaluated, the applicant shall have an evaluation prepared by a qualified professional to the satisfaction of the Township, in consultation with the Region, and where appropriate, the Ministry of Natural Resources and the Niagara Peninsula Conservation Authority. If the evaluation finds one or more natural heritage features meeting the criteria for identification as Core Natural Heritage System components the appropriate Core Natural Heritage System policies shall apply.*
- l) *Development and site alteration may be permitted without an amendment to this plan:*
  - i. *In Environmental Conservation Areas; and*
  - ii. *On adjacent lands to Environmental Protection and Environmental Conservation Areas as set out in Table 10-1 except for those lands within vegetation protection zones associated with Environmental Protection Areas in the Greenbelt Natural Heritage System.*

*If it has been demonstrated that, over the long term, there will be no significant negative impact on the Core Natural Heritage System or adjacent lands and the proposed development or site alteration is not prohibited by other policies in this plan. The proponent shall be required to prepare an Environmental Impact Study in accordance with Section 10.8 of the Plan.*

An EIS was required due to the number of different core natural heritage features on the property and the proximity of the development. The Region of Niagara provided the scoping to the applicant and Natural Resource Solutions Inc. completed the EIS.

The EIS has identified additional key natural heritage features on the property, and has states that the proposed outdoor gun range is not located within an area that would demonstrate conformance with the required vegetative protection zone.

The EIS also stated that the proposed development also encroaches into headwater features. The EIS has provided a number of mitigation measures to reduce impacts.

The Region and the NPCA have now both reviewed the EIS Addendum and have no further objections to the zoning amendment as it relates to Natural Heritage. There are still details that need to be reviewed as part of an additional round of site plan submission.

### **Land-Use Compatibility**

The Agricultural Impact Study (AIA) and the Planning Justification Report conclude that the proposed use is compatible and will not hinder the surrounding agricultural land uses. In addition to the existing agricultural land uses, there are a number of residential uses surrounding the subject lands. As part of the first public meeting, two neighbouring property owners have provided comments on the application concerning noise and safety. One of the same owners have submitted written comments with a similar concern following receipt of the notice for the second public meeting.

Policy 18.18 of the Township Official Plan requires that:

“Sensitive land uses shall be protected from the adverse impacts of noise, vibration, odors, emissions, litter, dust and other contaminants...”

The applicants have provided additional information regarding the oversight of the range design and operation by the Chief Firearms Office of Ontario (CFO). This information can be found in attachment # to this report. Prior to any gun club’s establishment and use, the CFO must conduct a detailed review of the range for compliance with the Provincial requirements. Regular inspections are completed following approval and in the case of Silverdale Gun Club inspections are carried out on an annual basis.

The submission further states that the new and existing gun ranges have been designed to follow the Range Design and Construction Guidelines, which provides specific guidelines for backstop distance, berm height and materials.

Township staff have also tried to reach out to the CFO on several occasions, but have not had any success. A number of years ago staff met with the CFO range inspector for Silverdale, who has since retired, and during that meeting there were no safety concerns raised.

Township staff believe that range safety and design fall under the responsibility of the CFO and not the Township. The Township is concerned with ensuring that the zoning on the subject lands is appropriate from a land use planning perspective, and that the site plan does not cause issues with regards to stormwater, wastewater, parking, among other things. Planning Staff are suggesting that the site plan agreement contain a clause to require that the owner meets all of the required CFO range design and construction guidelines to ensure proper safety.

Regarding the concerns around noise, planning staff have taken into consideration a number of factors.

- There is an existing gun range on the property with 7 south facing ranges and a skeet shooting area facing east.
- The expansion would introduce 4 additional south facing ranges, two east facing ranges and two north facing ranges.

- An outdoor gun club will inherently generate noise, and mitigation options may be limited.
- The distance from where the guns are fired to the concerned neighbors is approximately 1,000 metres, with an approximate 375 metre wooded area in between.
- The original gun club has operated for over 50 years.
- The gun club is in an agricultural area with limited residential uses in the vicinity.
- There is a separate gun club (Niagara Region Sportsman Club) located to the west of Silverdale with three ranges facing east.

Township Planning staff have given full consideration of noise, design and compatibility, however, it needs to be recognized that a gun club has existed on the property for over 50 years according to the Planning Justification Report. The gun club has grown over time and the most recent expansion proposal would nearly double the number of ranges. Only four of the additional proposed ranges would face south, with two proposed facing east and two proposed facing north. This design could potentially reduce the impacts of having all eight of the proposed ranges facing south towards the neighbours that raised concerns. This could also generate new concerns to the north and east, however, the closest residential neighbor to the east is approximately 1,350 metres away and to the northeast 855 metres.

Should noise completes emerge in the future, staff propose to add a clause to the site plan agreement that will give authority to the Township to require a noise study.

### **Township of West Lincoln Zoning By-Law (ZBL)**

The Township's Zoning By-law 2017-70, as amended, zones the property as Agricultural 'A' (approximately 80%) and Environmental Protection 'EP' (approximately 20%). The main gun club establishment on the parcel directly west (4944 Concession 4 Road) is zoned Agricultural 'A-7' which permits a gun club establishment in addition to the standard permitted uses, and Environmental Protection (See Attachment 1). The parcels to the south, north and west are zoned a mix of Agricultural 'A' and Environmental Protection 'EP'.

The proposed zoning bylaw amendment requests that approximately 2.8 hectares of the subject property be rezoned to Agricultural 'A-7' to permit a gun club use. The area proposed to be rezoned is rectangular in shape, with a corner notched out. It is located in the center of the property to make use of the existing driveway access from the abutting property and to capture the existing ranges that were built without Township approval.

The existing Agricultural 'A' zone permits the land to be used for Agricultural Uses, a single detached dwelling or a wayside pit or quarry and a variety of other accessory uses. The Agricultural 'A' zone does not permit a gun range use. The Agricultural 'A-7' zone is a zone already used for three existing gun club establishments in the Township and allows for:

#### *Permitted Uses:*

*As per the parent zone, plus: Private club, limited to a gun club, provided that no residential use shall be permitted except for an existing dwelling, unless the gun club ceases and all related buildings and structure are removed.*

It was determined through the pre-consultation meeting that an EIS was required due to the proximity of the development to natural heritage features on the subject land. The EIS has identified several key natural heritage features which should now be rezoned from Agricultural to Environmental Protection 'EP'.

Township Planning Staff are proposing that the natural heritage features be zoned to the appropriate Environmental zone and that the gun range expansion area be zoned to Agricultural 'A-7' (H). The Agricultural 'A-7' would permit a private gun club and the 'H', or Holding provision, would only enact the 'A-7' zone once the two properties have merged on title. The remainder of the property would remain zoned Agricultural 'A'.

Please see Attachment 6 for the draft bylaw and zoning schedule.

**FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this report.

**INTER-DEPARTMENTAL AND AGENCY COMMENTS:**

This application has been circulated to agencies and department for review including the NPCA, Region of Niagara and the Township Public Works Departments.

The Region and the NPCA have received and reviewed the revised AIA and EIS and have no objections as it relates to the zoning amendment. There are still some require material to be submitted as part of the site plan submission, mainly regarding the proposed indoor gun range on the existing property.

Please see the full comments in Attachment 4 and 5.

**PUBLIC COMMENTS:**

Two public submissions were presented as part of the first public meeting in February 2020. These two public submissions were from neighbouring resident's south of the existing gun range. There were concerns around safety, specifically stray bullets, and noise.

Staff have now received additional public comments from the same individuals. The concerns remain the same, specifically being safety and noise. Please see Planning's Staff discussion under 'Land use Compatibility'.

The original public comments and latest comments received can be found in Attachment 4.

**CONCLUSION:**

In 2019 the Township received an application to amend the zoning on a parcel of land abutting the existing Silverdale Gun Club in the ownership of Silverdale Sports Centre. In February 2020 a public meeting was held to discuss the proposed zoning amendment. A second public meeting was held in March of 2022 as it had been over 2 years since the initial public meeting.

Staff have now received more information from the applicant and further comments from agencies and members of the public regarding the zoning amendment and can recommend support of the application and the zoning bylaw amendment as detailed in the draft zoning bylaw found in Attachment 6.

Planning Staff also recommend support of an authorizing bylaw at this time to authorize the Mayor and Clerk to enter into a site plan agreement with Silverdale Sports Centre and Joan Miller Trustee, once all site plan details have been satisfactorily addressed.

**ATTACHMENTS:**

1. Draft Overall Site Plan – Silverdale Gun Club
2. Draft Detailed Site Plan – Silverdale Gun Club
3. Additional Information Submitted by Applicant
4. Public Comments
5. Agency Comments
6. Draft Zoning Bylaw Amendment
7. Draft Site Plan Authorizing Bylaw


**Prepared & Submitted by:**



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**Gerrit Boerema**  
**Planner II**

**Approved by:**



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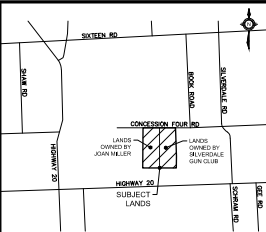
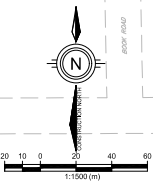
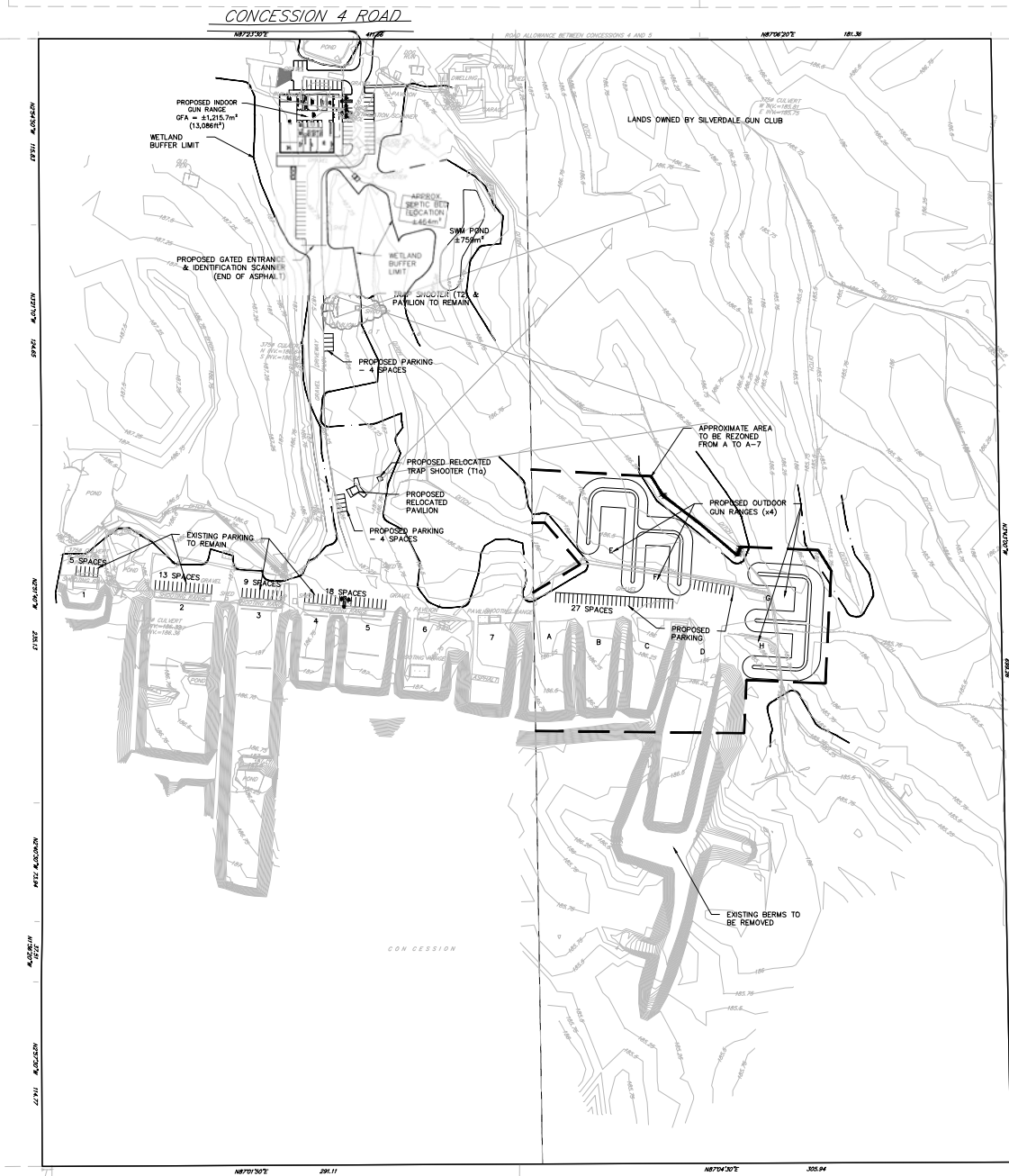
**Bev Hendry**  
**CAO**



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**Brian Treble**  
**Director of Planning & Building**





DETAILS OF DEVELOPMENT

DATA		REQUIRED	PROVIDED
ZONING	A7 - Agricultural Special Provision & A - Agricultural		
MIN. FRONT YARD DWELLING		15m	17.61m
MIN. FRONT YARD OTHER		20m	34.28m
MIN. INT. SIDE YARD DWELLING		5m	317.58m
MIN. INT. SIDE YARD OTHER		15m	409.99m
MIN. REAR YARD DWELLING		15m	670.12m
MIN. REAR YARD OTHER		20m	629.79m
MIN. LOT FRONTAGE		100m	592.89m
MIN. LOT AREA		40 hectares	41.8 hectares
MAX. LOT COVERAGE		10%	±0.4%
MAX. BUILDING HEIGHT		15m	±10.5m
MIN. LANDSCAPED OPEN SPACE		NO MINIMUM	NONE
MAX. OUTSIDE STORAGE		5% of lot area	PRODUCED
MIN. PLANTING STRIP ADJACENT TO A STREET LINE		1.5m	0m
MIN. PARKING SETBACK TO A STREET LINE		1.5m	13.29m
MIN. DRIVE ABLE WIDTH		6.0m	6.0m
MAX. DRIVE ABLE WIDTH		7.5m	9.83m
MAX. RESIDENTIAL USE DRIVEWAY WITH A PRIVATE GARAGE		7.5m	14.39m
MIN. NON-RESIDENTIAL DRIVEWAY WIDTH		7.5m	8.33m
MAX. NON-RESIDENTIAL DRIVEWAY WIDTH		9.0m	6.33m
MAX. # OF DRIVEWAYS PER LOT		3	2
PARKING CALCULATIONS			
INDOOR GUN RANGE	OFFICE - 1 SPACE/28m²	±40m² ± 28m² = 2.25 SPACES	48 SPACES
	RESTAURANT - 1 SPACE/20m²	±40m² ± 20m² = 2.0 SPACES	
	SERVICE SHOP - 1 SPACE/25m²	±125m² ± 25m² = 5.0 SPACES	
	REG. FACILITY - 1 SPACE/30m²	±765.7m² ± 30m² = 25.5 SPACES	
	SCHOOL / COMMERCIAL - 1 SPACE/30m²	±120m² ± 30m² = 4.0 SPACES	
	RETAIL - 1 SPACE/20m²	±102m² ± 20m² = 5.1 SPACES	
NEW OUTDOOR RANGES & TRAPS	PRIVATE CLUB - 1 SPACE/30m²	±389m² ± 30m² = 12.3 SPACES	89 SPACES
TOTAL PARKING		56.15 SPACES	137 SPACES
ACCESSIBLE PARKING	4% OF TOTAL PROVIDED PARKING	137 x 4% = 5.5 SPACES	9 SPACES 3 TYPE A 3 TYPE B

5.0m BUFFER TO ENVIRONMENTAL FEATURES  
AREA TO BE REZONED FROM A TO A-7

**NOTES:**  
OUTDOOR RANGES:  
1-7 = EXISTING RANGES TO REMAIN  
A - C = EXISTING RANGES TO BE LEGALIZED  
D = EXISTING RANGE AND BEING REDUCED IN SIZE  
E - H = PROPOSED NEW RANGES

TRAP SHOOTERS:  
T1 = EXISTING TO BE RELOCATED TO T1a  
T2 = EXISTING TO REMAIN

DATE	BY	REVISIONS
2021-03-29	AM	REVISED SP - ADDRESS 151 REVIEW COMMENTS
2020-04-29	BC	REVISED SP - BASED ON FIRST SUBMISSION COMMENTS
2019-10-24	BC	FOR ZONING & SITE PLAN SUBMISSION
2019-10-10	BC	REVISED SP - FOR ENVIRONMENTAL CONSIDERATION
2019-06-04	BC	REVISED SP - FOR ENVIRONMENTAL CONSIDERATION

BOUNDARY HEREON ARE GEODETIC AND WERE DERIVED FROM THE TOPNET RTK NETWORK, NAD83 CSRS, VERSION 3, EPOCH 2010.

APPROVALS

APPROVED

DATE



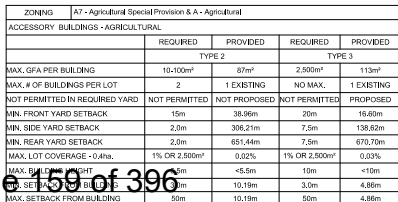
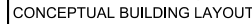
**IBI GROUP**  
200 East Wing-360 James Street North  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010 fax 905 546 1011  
ibigroup.com

PART OF LOT 16, CONCESSION 4  
GEOGRAPHIC TOWNSHIP OF GAINSBOROUGH  
TOWNSHIP OF WEST LINCOLN  
REGIONAL MUNICIPALITY OF NIAGARA

**SILVERDALE GUN CLUB**  
4948 CONCESSION 4 ROAD  
ST. ANNS, ONTARIO

OVERALL SITE PLAN

DESIGNED BY:	B.COMLEY	SCALE:	1:1500
DRAWN BY:	B.COMLEY	DRAFT PLAN#:	NA
CHECKED BY:	J.ARENS	FILE NUMBER:	117291
DATE:	2019-10-23	SHEET NUMBER:	561



PARKING CALCULATIONS			
INDOOR GUN RANGE	OFFICE - 1 SPACE/250m <sup>2</sup>	#43m <sup>2</sup> + 250m <sup>2</sup> = 2.25 SPACES	48 SPACES
	RESTAURANT - 1 SPACE/200m <sup>2</sup>	#40m <sup>2</sup> + 250m <sup>2</sup> = 2.0 SPACES	
	SERVICE SHOP - 1 SPACE/250m <sup>2</sup>	#125m <sup>2</sup> + 250m <sup>2</sup> = 5.0 SPACES	
	REC. FACILITY - 1 SPACE/300m <sup>2</sup>	#175m <sup>2</sup> + 300m <sup>2</sup> = 2.5 SPACES	
	SCHOOL COMMERCIAL - 1 SPACE/1200m <sup>2</sup>	#1200m <sup>2</sup> + 300m <sup>2</sup> = 4.0 SPACES	
	RETAIL - 1 SPACE/200m <sup>2</sup>	#1020m <sup>2</sup> + 300m <sup>2</sup> = 5.1 SPACES	
	PRIVATE CLUBB - 1 SPACE/300m <sup>2</sup>	#360m <sup>2</sup> + 300m <sup>2</sup> = 12.3 SPACES	
	NEW OUTDOOR RANGES & TRAPS		
TOTAL PARKING		96.15 SPACES	137 SPACES
ACCESSIBLE PARKING	4% OF TOTAL PROVIDED PARKING	137 x 4% = 5.5 SPACES	6 SPACES 3 TYPE A 3 TYPE B

5.0m BUFFER TO ENVIRONMENTAL FEATURES

NOTES:

OUTDOOR RANGES:  
1-7 = EXISTING RANGES TO REMAIN  
A - C = EXISTING RANGES TO BE LEGALIZED  
D = EXISTING RANGE AND BEING REDUCED IN SIZE  
E - H = PROPOSED NEW RANGES

TRAP SHOOTERS:  
T1 = EXISTING TO BE RELOCATED TO T1a  
T2 = EXISTING TO REMAIN

5	2021-03-29	M	REVISED SP - ADDRESS 1ST REVIEW COMMENTS
4	2020-04-20	BC	REVISED SP - BASED ON FIRST SUBMISSION COMMENTS
3	2019-10-24	BC	FOR ZONING & SITE PLAN SUBMISSION
2	2019-10-10	BC	REVISED SP - FOR ENVIRONMENTAL CONSIDERATION
1	2019-06-04	BC	REVISED SP - FOR ENVIRONMENTAL CONSIDERATION
#	DATE	BY	DESCRIPTION

**BENCHMARK**  
ELEVATIONS HEREON ARE GEODETIC AND WERE DERIVED FROM THE  
TOPNET RTK NETWORK, NAD83 CSRS, VERSION 3, EPOCH 2010.

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APPROVALS	

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APPROVED	DATE
 <b>IBI GROUP</b> 200 East Wing-360 James Street North	

**IBI**  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010 fax 905 546 1011  
ibi@ibigroup.com

PART OF LOT 16, CONCESSION 4  
GEOGRAPHIC TOWNSHIP OF GAINSBOROUGH

GEORGIAN TOWNSHIP OF GAINSBOROUGH  
TOWNSHIP OF WEST LINCOLN  
REGIONAL MUNICIPALITY OF NIAGARA

**SILVERDALE GUN CLUB**  
4948 CONCESSION 4 ROAD

4646 CONCESSION 4 ROAD  
ST. ANN'S, ONTARIO

### DETAILED SITE PLAN

DESIGNED BY:	B.COMLEY	SCALE:	1:300
DRAWN BY:	B.COMLEY	DRAFT PLAN #:	NA
CHECKED BY:	J.ARIENS	FILE NUMBER:	117591
DATE:	2019-01-03	SHEET NUMBER:	SP2



**IBI GROUP**  
200 East Wing – 360 James Street North  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010  
[ibigroup.com](http://ibigroup.com)

May 24, 2022

Mr. Brian Treble, MCIP, RPP  
Planning Director  
Township of West Lincoln  
318 Canborough St.  
Smithville, ON L0R 2A0

Dear Mr. Treble:

#### **4948 & 4944 CONCESSION 4 ROAD - SAFETY COMPLIANCE MEMO**

On behalf of our client, Joan Miller Trustee & Silverdale Gun Club, we are pleased to submit the following information in response to safety comments received at the last Public Meeting held on March 21, 2022. The below will outline the requirements that have been put into place by Provincial Ministries for shooting ranges to ensure the safety of the operations is the first and foremost important aspect of operating such facility.

#### **REQUIREMENTS OF OWNING AND OPERATING A SHOOTING RANGE**

The Shooting Club & Shooting Ranges Regulations; also known as the *Firearms Act*, set out extremely restrictive and rigorous regulations and rules in order to operate a shooting range and to maintain a place of safe discharge for the purpose of target practice or target shooting competitions.

When a person or business wants to establish or expand a shooting range operation, a request for approval must be submitted to the provincial minister with a detailed background list describing the operator, location, operation hours, proof of liability insurance and list of employees. The application includes a detailed site plan showing the location of all ranges and required berming and other safety measures. Along with the required application the range owner must provide safety rules that are to be posted in highly visible locations throughout the range for the guests to comply to.

Upon receipt of the application the Chief Firearms Office conducts a detailed review and upon compliance with all Provincial requirements an approval is issued. Once in operation, the Chief Firearms Officer (CFO) conducts regular inspections, in the case of Silverdale the inspections are completed on an annual basis.

Safety standards on a shooting range must ensure that the discharge of firearms on the property does not endanger the safety of a person at the shooting range or in the surrounding area/properties of the range. In doing so a variety of measure are required to be taken to ensure safety is top priority; these include the following:

- The design and operation of the shooting range;
- Adequate warning system to warn people that they are entering a shooting range;
- Appropriate safety rules for the range are applied;
- Safety rules are posted in a conspicuous place on the shooting range; and,
- Properly trained range officers are on duty throughout the facility while in operation.

Mr. Brian Treble, MCIP, RPP – May 24, 2022

Continued compliance with these regulations is mandatory; therefore, regular site inspections are completed by a CFO.

There are specific regulations that apply to an operator that is looking to make changes to their previously approved range. Advanced notice should be provided to the CFO of the proposed changes in order to provide enough time to evaluate the proposal. Silverdale has provided such advanced notice to the CFO and upon receiving zoning approval further liaison, review and approval will follow.

### **SILVERDALE GUN CLUB**

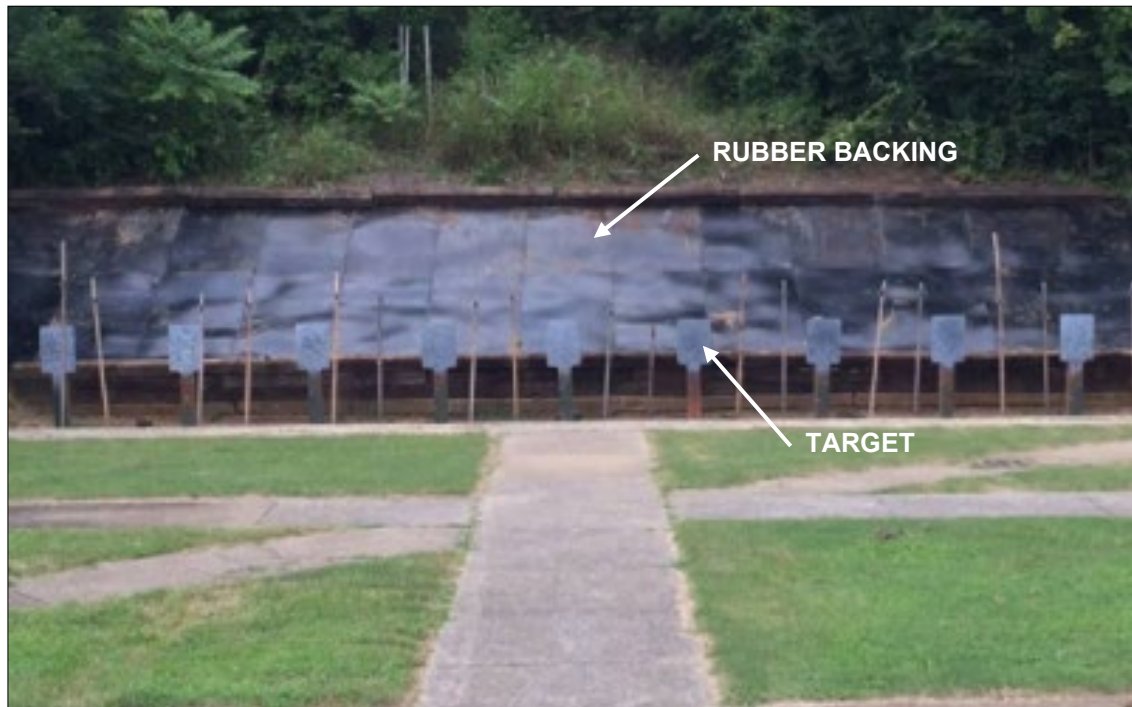
Based on the requirements set out in the above Section and further detailed in the Shooting Club & Shooting Ranges Regulations; Silverdale Gun Club is an active operator under full compliance with the range *Guidelines*.

The design and operation of not only the new ranges but the existing ones have been created to follow the Range Design and Construction Guidelines for gun ranges. Specific details in regard to backstop distance and height, berm height and materials, range and safety area signs along with safety area configurations have been contemplated when designing the new proposed ranges and existing as well. The CFO will review the proposal once Zoning Approvals have been granted to ensure that all design and operation standards are being met.

Silverdale has a list of Range Rules (see provided document for further details) that have been provided both on their website and located throughout their Range. These rules specifically outline what is expected on the property in order to maintain the safety of everyone on the property and adjacent properties. A flag system is used to identify the operation of each range when the location is open. Specific Rules and Regulations along with a breakdown of each range and how it is used are also highlighted within the list. Silverdale Gun Club takes safety very seriously and has applied a Zero Tolerance policy on the range; breach of any of the outlined Range Rules will result in immediate removal from the property with possible further action. The concern regarding stray bullets is addressed below and would apply to the outdoor ranges only. The proposed handgun indoor range will be fully contained within a building and does not raise any concerns regarding stray bullets.

In the 50+ years that Silverdale Gun Club has been in operation there have been only five alleged claims of stray bullets which have all been report to both the Niagara Regional Police and the CFO. Each incident resulted in the immediate closure of Silverdale to investigate the claims. The most recent alleged stray bullet issue was determined not to have been released from Silverdale. As further measures to prevent stray bullets Silverdale is converting the ranges over to rubber ranges with rubber backing in each range to help stop any possible ricochets of bullets (see below photo image for an example of the rubber backing). On the existing and proposed longer ranges, baffles will prevent a gun muzzle from seeing and shooting over the berm, ultimately keeping all shots on target.

Mr. Brian Treble, MCIP, RPP – May 24, 2022



Typically, compliance inspections from the CFO take place at a facility every five years; Silverdale has opted for inspections every year to ensure continued compliance. The last inspection took place in October 2021; no deficiencies in the operation of the gun ranges were found and the CFO reported the range is in full compliance.

Silverdale is an accredited firearms facility used by almost every police force in Southern Ontario for continued firearms training and certification. Special tactical teams also use Silverdale for emergency response and tactical (SWAT) training purposes. This further demonstrates the high level of safety carried out at Silverdale and the importance of this facility to the local police community.

Once Zoning Approvals have been passed for the new proposed ranges, the CFO application review and inspections to ensure the new ranges comply with the Rules and Regulations will follow. Once approval is provided Silverdale Gun Club will be required to maintain the ranges to the regulations. Yearly inspections will continue to take place even after the new ranges are implemented and range safety officers will be on duty at all hours that the range is open to ensure that safety of the utmost is being upheld.

### **SUPPORTING DOCUMENTATION**

Ultimately, Silverdale is meeting regulatory standards, ensures safety compliance review from the CFO is preformed yearly and is considered a safe gun club. Introducing additional ranges will not change the way of operation or the importance of safety but has; in turn, increased the awareness and precautions being taken on the ranges. In support of the above information please see attached to this memo the following documents:

- Shooting Clubs and Shooting Ranges Regulations – “*Firearms Act*”; published by the Minister of Justice;
- Range Design and Construction Guidelines; prepared by the RCMP;



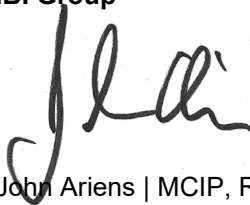
Mr. Brian Treble, MCIP, RPP – May 24, 2022

- Silverdale Range Inspection Report; prepared by the Chief Firearms Office; and,
- Silverdale Gun Club – Range Rules; prepared by Silverdale Gun Club.

With the submission of the above noted information we are confident that any remaining concerns have been addressed and that a formal recommendation report can be prepared. If you have any questions or require further information, please do not hesitate to contact the undersigned.

Regards,

IBI Group



John Ariens | MCIP, RPP

Associate Director | Practice Lead, Planning



Brianne McIntosh | CPT

Planning Coordinator

Cc: Mr. Gerrit Boerema, Planner

Ms. Joan Miller, Owner (Silverdale Sports Centre c/o Joan Miller, Owner)



CANADA

CONSOLIDATION

CODIFICATION

## Shooting Clubs and Shooting Ranges Regulations

## Règlement sur les clubs de tir et les champs de tir

SOR/98-212

DORS/98-212

Current to August 19, 2018

À jour au 19 août 2018

Published by the Minister of Justice at the following address:  
<http://laws-lois.justice.gc.ca>

Publié par le ministre de la Justice à l'adresse suivante :  
<http://lois-laws.justice.gc.ca>

## OFFICIAL STATUS OF CONSOLIDATIONS

Subsections 31(1) and (3) of the *Legislation Revision and Consolidation Act*, in force on June 1, 2009, provide as follows:

### Published consolidation is evidence

**31 (1)** Every copy of a consolidated statute or consolidated regulation published by the Minister under this Act in either print or electronic form is evidence of that statute or regulation and of its contents and every copy purporting to be published by the Minister is deemed to be so published, unless the contrary is shown.

...

### Inconsistencies in regulations

**(3)** In the event of an inconsistency between a consolidated regulation published by the Minister under this Act and the original regulation or a subsequent amendment as registered by the Clerk of the Privy Council under the *Statutory Instruments Act*, the original regulation or amendment prevails to the extent of the inconsistency.

## NOTE

This consolidation is current to August 19, 2018. Any amendments that were not in force as of August 19, 2018 are set out at the end of this document under the heading "Amendments Not in Force".

## CARACTÈRE OFFICIEL DES CODIFICATIONS

Les paragraphes 31(1) et (3) de la *Loi sur la révision et la codification des textes législatifs*, en vigueur le 1<sup>er</sup> juin 2009, prévoient ce qui suit :

### Codifications comme élément de preuve

**31 (1)** Tout exemplaire d'une loi codifiée ou d'un règlement codifié, publié par le ministre en vertu de la présente loi sur support papier ou sur support électronique, fait foi de cette loi ou de ce règlement et de son contenu. Tout exemplaire donné comme publié par le ministre est réputé avoir été ainsi publié, sauf preuve contraire.

[...]

### Incompatibilité — règlements

**(3)** Les dispositions du règlement d'origine avec ses modifications subséquentes enregistrées par le greffier du Conseil privé en vertu de la *Loi sur les textes réglementaires* l'emportent sur les dispositions incompatibles du règlement codifié publié par le ministre en vertu de la présente loi.

## NOTE

Cette codification est à jour au 19 août 2018. Toutes modifications qui n'étaient pas en vigueur au 19 août 2018 sont énoncées à la fin de ce document sous le titre « Modifications non en vigueur ».

**TABLE OF PROVISIONS****Shooting Clubs and Shooting Ranges Regulations**

<b>1</b>	<b>Interpretation</b>
<b>2</b>	<b>Application</b>
<b>3</b>	<b>General</b>
<b>3</b>	Request for Approval of Shooting Range
<b>4</b>	Request for Approval of Shooting Club
<b>5</b>	<b>Operations</b>
<b>5</b>	Compliance with Safety Standards and Other Obligations
<b>6</b>	Requirements for Users
<b>7</b>	Safety Training
<b>8</b>	<b>Continuing Compliance</b>
<b>8</b>	Insurance
<b>9</b>	Evidence
<b>11</b>	<b>Reports and Records</b>
<b>11</b>	Personal Injury Report
<b>12</b>	Change Report
<b>14</b>	Records
<b>15</b>	Participation of Officers, Members and their Guests
<b>16</b>	<b>Notice of Refusal or Revocation</b>
<b>17</b>	<b>Coming into Force</b>

**TABLE ANALYTIQUE****Règlement sur les clubs de tir et les champs de tir**

<b>1</b>	<b>Définitions</b>
<b>2</b>	<b>Application</b>
<b>3</b>	<b>Dispositions générales</b>
<b>3</b>	Demande d'agrément de champ de tir
<b>4</b>	Demande d'agrément de club de tir
<b>5</b>	<b>Exploitation</b>
<b>5</b>	Respect des normes de sécurité et autres obligations
<b>6</b>	Exigences relatives aux utilisateurs
<b>7</b>	Formation sur la sécurité
<b>8</b>	<b>Respect continu de la loi</b>
<b>8</b>	Assurances
<b>9</b>	Preuve
<b>11</b>	<b>Rapports et dossiers</b>
<b>11</b>	Rapport de blessure corporelle
<b>12</b>	Rapport de modification
<b>14</b>	Fichiers
<b>15</b>	Participation des dirigeants, des membres et de leurs invités
<b>16</b>	<b>Notification du refus ou de la révocation de l'agrément</b>
<b>17</b>	<b>Entrée en vigueur</b>

Registration  
SOR/98-212 March 24, 1998

**FIREARMS ACT**

**Shooting Clubs and Shooting Ranges Regulations**

P.C. 1998-487 March 24, 1998

Whereas, pursuant to section 118 of the *Firearms Act*<sup>a</sup>, the Minister of Justice had a copy of the proposed *Shooting Clubs and Shooting Ranges Regulations*, substantially in the annexed form, laid before each House of Parliament on October 30, 1997, which date is at least 30 sitting days before the date of this Order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to section 29 and paragraphs 117(d) and (e) of the *Firearms Act*<sup>a</sup>, hereby makes the annexed *Shooting Clubs and Shooting Ranges Regulations*.

Enregistrement  
DORS/98-212 Le 24 mars 1998

**LOI SUR LES ARMES À FEU**

**Règlement sur les clubs de tir et les champs de tir**

C.P 1998-487 Le 24 mars 1998

Attendu que, conformément à l'article 118 de la *Loi sur les armes à feu*<sup>a</sup>, la ministre de la Justice a fait déposer le projet de règlement intitulé *Règlement sur les clubs de tir et les champs de tir*, conforme en substance au texte ci-après, devant chaque chambre du Parlement le 30 octobre 1997, laquelle date est antérieure d'au moins 30 jours de séance à la date du présent décret,

À ces causes, sur recommandation de la ministre de la Justice et en vertu de l'article 29 et des alinéas 117d) et e) de la *Loi sur les armes à feu*<sup>a</sup>, Son Excellence le Gouverneur général en conseil prend le *Règlement sur les clubs de tir et les champs de tir*, ci-après.

<sup>a</sup> S.C. 1995, c. 39

<sup>a</sup> L.C. 1995, ch. 39



## Shooting Clubs and Shooting Ranges Regulations

### Interpretation

**1** The definitions in this section apply in these Regulations.

**Act** means the *Firearms Act*. (*Loi*)

**approved** means approved under section 29 of the Act. (*agréé*)

**operator** means a person approved under subsection 29(1) of the Act to operate either a shooting club or a shooting range. (*exploitant*)

**prohibited handgun** means a handgun under paragraph (a) of the definition “prohibited firearm” in subsection 84(1) of the *Criminal Code*. (*arme de poing prohibée*)

**public service agency** has the same meaning as in the *Public Agents Firearms Regulations*. (*agence de services publics*)

**range officer** means an individual who oversees the shooting activities at the firing line of a shooting range. (*officiel de tir*)

**shooting club** means a non-profit organization whose activities include target practice or target shooting competitions using restricted firearms or prohibited handguns at an identified approved shooting range. (*club de tir*)

**shooting range** means a place that is designed or intended for the safe discharge, on a regular and structured basis, of firearms for the purpose of target practice or target shooting competitions. (*champ de tir*)

SOR/2004-268, s. 1.

### Application

**2 (1)** These Regulations apply to

- (a) shooting clubs; and
- (b) subject to subsections (2) and (3), shooting ranges.

## Règlement sur les clubs de tir et les champs de tir

### Définitions

**1** Les définitions qui suivent s'appliquent au présent règlement.

**agence de services publics** S'entend au sens du *Règlement sur les armes à feu des agents publics*. (*public service agency*)

**agréé** Agréé conformément à l'article 29 de la Loi. (*approved*)

**arme de poing prohibée** Arme de poing visée à l'alinéa a) de la définition de **arme à feu prohibée**, au paragraphe 84(1) du *Code criminel*. (*prohibited handgun*)

**champ de tir** Lieux conçus ou aménagés pour le tir sécuritaire, sur une base régulière et structurée, d'armes à feu pour le tir à la cible ou les compétitions de tir. (*shooting range*)

**club de tir** Organisme à but non lucratif dont les activités comprennent le tir à la cible ou les compétitions de tir à l'aide d'armes à feu à autorisation restreinte ou d'armes de poing prohibées à un champ de tir agréé spécifié. (*shooting club*)

**exploitant** Toute personne agréée en vertu du paragraphe 29(1) de la Loi pour exploiter soit un club de tir, soit un champ de tir. (*operator*)

**Loi** La Loi sur les armes à feu. (*Act*)

**officiel de tir** Particulier qui supervise les activités de tir à la ligne de tir d'un champ de tir. (*range officer*)

DORS/2004-268, art. 1.

### Application

**2 (1)** Le présent règlement s'applique :

- a) aux clubs de tir;
- b) sous réserve des paragraphes (2) et (3), aux champs de tir.

**(2)** A shooting range that is part of the premises of a licensed business is exempt from the application of these Regulations on the condition that it be used only by

- (a)** the owners, partners, directors and officers of the business who hold a licence authorizing the possession of the firearms that they use on the range; and
- (b)** the employees of the business who hold a licence authorizing the possession of the firearms that they use on the range or, in the case of prohibited firearms, authorizing the acquisition of restricted firearms.

**(3)** A shooting range that is used only by public officers within the meaning of subsection 117.07(2) of the *Criminal Code* is exempt from the application of these Regulations on condition that each public officer uses the shooting range only in connection with his or her lawful duties or employment.

SOR/2004-268, s. 2.

## General

### Request for Approval of Shooting Range

**3 (1)** A person who wishes to establish and operate a shooting range shall submit a request for approval to the provincial minister and provide the following information in the request:

- (a)** the applicant's name, address, phone number and, if applicable, facsimile number and electronic mail address;
- (b)** the location of the shooting range, including road directions to reach it;
- (c)** the proposed hours of operation of the shooting range; and
- (d)** with respect to each operator, each owner of the shooting range, and each employee of the shooting range who handles firearms
  - (i)** his or her name, address and phone number, and
  - (ii)** the number of his or her licence to possess firearms or, if one does not exist, his or her date of birth.

**(2)** Les champs de tir qui font partie des locaux d'une entreprise titulaire d'un permis sont exemptés de l'application du présent règlement à condition qu'ils ne soient utilisés que par les personnes suivantes :

- a)** les propriétaires, associés, administrateurs et dirigeants de l'entreprise qui sont titulaires d'un permis autorisant la possession des armes à feu qu'ils utilisent sur les champs de tir;
- b)** les employés de l'entreprise qui sont titulaires d'un permis autorisant la possession des armes à feu qu'ils utilisent sur les champs de tir ou, s'agissant d'armes à feu prohibées, autorisant l'acquisition d'armes à feu à autorisation restreinte.

**(3)** Les champs de tir utilisés exclusivement par des fonctionnaires publics au sens du paragraphe 117.07(2) du *Code criminel* sont exemptés de l'application du présent règlement à condition que chacun de ces fonctionnaires utilise les champs de tir seulement dans le cadre de ses fonctions.

DORS/2004-268, art. 2.

## Dispositions générales

### Demande d'agrément de champ de tir

**3 (1)** La personne qui désire constituer et exploiter un champ de tir doit présenter une demande d'agrément au ministre provincial, laquelle comprend les renseignements suivants :

- a)** ses noms, adresse et numéro de téléphone ainsi que, le cas échéant, son numéro de télécopieur et son adresse de courrier électronique;
- b)** l'emplacement du champ de tir et les directions pour s'y rendre par route;
- c)** les heures d'ouverture prévues du champ de tir;
- d)** relativement à chaque exploitant, à chaque propriétaire du champ de tir, et à chaque employé du champ de tir qui manie des armes à feu :
  - (i)** ses nom, adresse et numéro de téléphone,
  - (ii)** son numéro de permis de possession d'armes à feu ou, à défaut, sa date de naissance.

**(2)** The request for approval of a shooting range must be accompanied by the following documentation:

- (a)** a survey report, location certificate or other similar documents that show the geographical location and layout of the shooting range and the portion of the surrounding area that could be affected by shooting on the shooting range, as well as the land use of that portion;
- (b)** a copy of the proposed safety rules;
- (c)** subject to subsection (3), evidence of at least \$2,000,000 of commercial general liability insurance with coverage on an occurrence basis;
- (d)** evidence of compliance with applicable zoning laws;
- (e)** copies of, and evidence of compliance with, any operating licences required by federal, provincial or municipal laws;
- (f)** evidence that the design and operation of the shooting range meets at least the requirements set out in section 5; and
- (g)** evidence that the shooting range complies with any federal, provincial or municipal legislation that applies to the establishment and operation of such a facility in regard to environmental protection.

**(3)** In the case of a shooting range operated by a public service agency, the agency shall provide evidence of liability indemnification with respect to the shooting range, of at least \$2,000,000, from a federal, provincial or municipal government.

## Request for Approval of Shooting Club

**4 (1)** A person who wishes to establish and operate a shooting club shall submit a request for approval to the provincial minister and provide the following information in the request:

- (a)** the applicant's name, address, phone number and, if applicable, facsimile number and electronic mail address;
- (b)** with respect to each member or officer of the club
  - (i)** his or her name, address and phone number, and

**(2)** La demande d'agrément d'un champ de tir doit être accompagnée des documents suivants :

- a)** un rapport d'arpentage, un certificat de localisation ou d'autres documents semblables qui indiquent l'emplacement géographique du champ de tir et son tracé et qui identifient la partie des lieux environnants qui pourrait être touchée par le tir ainsi que l'utilisation qui est faite de cette partie;
- b)** une copie des règles de sécurité prévues;
- c)** sous réserve du paragraphe (3) une preuve d'assurance de responsabilité civile des entreprises d'au moins 2 000 000 \$ sur une base de survenance des dommages;
- d)** une preuve de l'observation des règlements de zonage applicables;
- e)** une copie de tout permis d'exploitation du champ de tir exigé par les lois fédérales, provinciales ou municipales, et une preuve de l'observation d'un tel permis;
- f)** la preuve que la conception et l'exploitation du champ de tir respectent au moins les exigences de l'article 5;
- g)** la preuve que le champ de tir est conforme à la législation fédérale, provinciale ou municipale qui s'applique à sa constitution et à son exploitation relativement à la protection de l'environnement.

**(3)** Dans le cas d'un champ de tir exploité par une agence de services publics, l'agence doit présenter la preuve d'une garantie de responsabilité civile d'au moins 2 000 000 \$ relative à ce champ de tir, fournie par un gouvernement fédéral, provincial ou municipal.

## Demande d'agrément de club de tir

**4 (1)** La personne qui désire constituer et exploiter un club de tir doit présenter une demande d'agrément au ministre provincial, laquelle comprend les renseignements suivants :

- a)** ses noms, adresse et numéro de téléphone ainsi que, le cas échéant, son numéro de télécopieur et son adresse de courrier électronique;
- b)** relativement à chaque membre ou dirigeant du club :
  - (i)** ses nom, adresse et numéro de téléphone,

(ii) the number of his or her licence to possess firearms or, if one does not exist, his or her date of birth; and

(c) the name and address of each approved shooting range that the shooting club uses for target practice or target shooting competitions.

(2) The request for an approval of a shooting club must be accompanied by the following documentation:

(a) the articles of incorporation of the shooting club or other documentation sufficient to demonstrate that it is a non-profit organization;

(b) evidence of at least \$2,000,000 of commercial general liability insurance with coverage on an occurrence basis; and

(c) evidence confirming that the shooting club has permission to use at least one shooting range referred to in paragraph (1)(c) or a shooting range maintained by the Minister of National Defence under the *National Defence Act*.

## Operations

### Compliance with Safety Standards and Other Obligations

5 The operator of an approved shooting range shall ensure that the discharge of firearms on the shooting range does not endanger the safety of persons at the shooting range or in the portion of the surrounding area described in paragraph 3(2)(a), by taking appropriate measures, including ensuring that

(a) the design and operation of the shooting range

(i) is such that projectiles discharged from firearms will not leave the shooting range if they are discharged there in accordance with the safety rules, and

(ii) promotes the safety of all persons on the shooting range, including by accommodating any adaptation that may be appropriate given the nature of the shooting activities that may take place and the type and calibre of firearms that may be used there;

(b) the shooting range has an adequate warning system to warn persons that they are entering a shooting range and to inform them, when such is the case, that shooting activities are taking place at that time;

(ii) son numéro de permis de possession d'armes à feu ou, à défaut, sa date de naissance;

c) les nom et adresse de chaque champ de tir agréé que le club utilise pour le tir à la cible ou les compétitions de tir.

(2) La demande d'agrément d'un club de tir doit être accompagnée des documents suivants :

a) l'acte constitutif du club ou tout autre document établissant qu'il est à but non lucratif;

b) une preuve d'assurance de responsabilité civile des entreprises d'au moins 2 000 000 \$ sur une base de survenance des dommages;

c) une preuve établissant que le club a la permission d'utiliser au moins un des champs de tir visés à l'alinéa (1)c) ou un champ de tir entretenu par le ministre de la Défense nationale en vertu de la *Loi sur la défense nationale*.

## Exploitation

### Respect des normes de sécurité et autres obligations

5 L'exploitant d'un champ de tir agréé doit veiller à ce que le tir d'armes à feu qui s'y déroule ne menace pas la sécurité des personnes s'y trouvant ou se trouvant sur la partie des lieux environnants visée à l'alinéa 3(2)a), en prenant les mesures voulues pour que, notamment :

a) le champ de tir soit conçu et exploité :

(i) d'une part, de sorte que les projectiles tirés d'armes à feu ne sortent pas du champ lorsqu'ils y sont tirés conformément aux règles de sécurité,

(ii) d'autre part, pour promouvoir la sécurité des personnes s'y trouvant, notamment en y effectuant toute adaptation qui peut être appropriée compte tenu du genre de tir qui peut s'y dérouler et des types et calibres des armes à feu qui peuvent y être utilisés;

b) un système d'avertissement adéquat soit en place pour avertir les personnes qu'elles entrent dans un champ de tir et, le cas échéant, que des activités de tir y sont en cours;

**(c)** appropriate safety rules for the shooting range are applied that are consistent with the nature of the shooting activities that may take place and the type and calibre of firearms that may be used there;

**(d)** the safety rules are posted in a conspicuous place on the shooting range; and

**(e)** if more than one person is simultaneously engaged in shooting activities on the shooting range, a person acts as the range officer.

## Requirements for Users

**6** No person may use a restricted firearm or prohibited handgun at a shooting range unless the person is

**(a)** a member or an officer of an approved shooting club;

**(b)** a guest of a person referred to in paragraph (a); or

**(c)** an individual who ordinarily resides outside of Canada who is either a member of a recognized shooting organization or a guest described in paragraph (b).

## Safety Training

**7 (1)** The operator of a shooting range shall ensure that every person who indicates an intention to use the shooting range for the first time is informed of the safety rules used at that shooting range.

**(2)** No person may use a shooting range for the first time without having received the information referred to in subsection (1).

## Continuing Compliance

### Insurance

**8** The operator of a shooting club or a shooting range shall at all times maintain the insurance coverage referred to in paragraphs 3(2)(c) and 4(2)(b).

### Evidence

**9** Every five years after the date on which the approval of a shooting range was granted, the operator shall submit current copies of the documents set out in paragraphs 3(2)(a) to (c), as well as evidence of continuing compliance with the requirements referred to in paragraphs 3(2)(d) to (g) and sections 5 and 8, to the chief firearms officer.

**c)** des règles de sécurité appropriées soient mises en vigueur au champ de tir, lesquelles conviennent au genre de tir qui peut s'y dérouler et aux types et calibres des armes à feu qui peuvent y être utilisés;

**d)** les règles de sécurité soient affichées à un endroit bien en vue au champ de tir;

**e)** lorsque plus d'une personne y pratique simultanément le tir, une personne agisse comme officiel de tir.

## Exigences relatives aux utilisateurs

**6** Nul ne peut utiliser une arme à feu à autorisation restreinte ou une arme de poing prohibée dans un champ de tir, sauf :

**a)** le membre ou le dirigeant d'un club de tir agréé;

**b)** l'invité d'une personne visée à l'alinéa a);

**c)** le particulier qui réside habituellement à l'étranger et qui est soit membre d'une association de tir reconnue, soit un invité visé à l'alinéa b).

## Formation sur la sécurité

**7 (1)** L'exploitant d'un champ de tir doit veiller à ce que toute personne qui manifeste l'intention d'utiliser pour la première fois le champ de tir soit informée des règles de sécurité de ce champ.

**(2)** Nul ne peut utiliser pour la première fois un champ de tir sans avoir reçu l'information visée au paragraphe (1).

## Respect continu de la loi

### Assurances

**8** L'exploitant d'un champ de tir ou d'un club de tir doit maintenir la couverture visée aux alinéas 3(2)c) et 4(2)b).

### Preuve

**9** Tous les cinq ans après la date d'agrément du champ de tir, l'exploitant doit soumettre au contrôleur des armes à feu des copies à jour des documents visés aux alinéas 3(2)a) à c) et la preuve que les exigences visées aux alinéas 3(2)d) à g) et aux articles 5 et 8 continuent à être respectées.

**10 (1)** The chief firearms officer may request an operator of a shooting range to provide evidence as described in section 9 no more than once in a calendar year.

**(2)** Despite subsection (1), the chief firearms officer may make a request more frequently if he or she

**(a)** has received, in the preceding 12 months

**(i)** a personal injury report in accordance with section 11, or

**(ii)** a change report in accordance with section 12; or

**(b)** has reasonable grounds to believe that the continued operation of the shooting range may endanger the safety of any person.

## Reports and Records

### Personal Injury Report

**11 (1)** The operator of an approved shooting club or shooting range shall report any personal injury occurring on a shooting range that is caused by the discharge of a firearm

**(a)** as soon as possible to the local police; and

**(b)** within 30 days after the personal injury, to the chief firearms officer.

**(2)** The report referred to in subsection (1) must include the following information relating to the personal injury:

**(a)** its date, time and location;

**(b)** the names of the individuals involved;

**(c)** the name of any range officer who was on duty at the time;

**(d)** whether or not medical attention was sought; and

**(e)** a general description of the incident, including the circumstances in which the personal injury occurred, if known.

### Change Report

**12** The operator of an approved shooting range who proposes to make a change that affects the matters set out in

**10 (1)** Le contrôleur des armes à feu peut demander au plus une fois par année civile à l'exploitant d'un champ de tir de fournir la preuve visée à l'article 9.

**(2)** Malgré le paragraphe (1), le contrôleur des armes à feu peut demander la preuve plus souvent, dans les cas suivants :

**a)** il a reçu au cours des 12 mois précédents :

**(i)** soit un rapport de blessure corporelle visé à l'article 11,

**(ii)** soit un rapport de modification visé à l'article 12;

**b)** il a des motifs raisonnables de croire que l'exploitation continue du champ de tir peut menacer la sécurité d'une personne.

## Rapports et dossiers

### Rapport de blessure corporelle

**11 (1)** L'exploitant d'un club de tir ou d'un champ de tir agréés doit faire rapport de toute blessure corporelle subie à un champ de tir et résultant du tir d'une arme à feu :

**a)** le plus tôt possible à la police locale;

**b)** dans les 30 jours suivant la blessure, au contrôleur des armes à feu.

**(2)** Le rapport visé au paragraphe (1) doit comprendre les renseignements suivants :

**a)** les date, heure et lieu où la blessure corporelle a été subie;

**b)** le nom des personnes en cause;

**c)** le nom de tout officiel de tir qui était alors en service;

**d)** la mention du fait que des soins médicaux ont ou non été demandés;

**e)** une description générale de l'incident indiquant, si elles sont connues, les circonstances dans lesquelles la blessure corporelle a été subie.

### Rapport de modification

**12** L'exploitant d'un champ de tir agréé qui se propose d'effectuer une modification qui a un effet sur les



the documentation submitted under subsection 3(2) shall give advance notice of the proposed change to the chief firearms officer within sufficient time, given the nature and complexity of the proposed change, to allow the chief firearms officer to evaluate it.

**13** The operator of an approved shooting range shall report immediately to the chief firearms officer any change, other than one referred to in section 12,

(a) to the shooting range or the portion of the surrounding area described in paragraph 3(2)(a) that could endanger the safety of any person; and

(b) in operating permits or licences issued under provincial or municipal laws that may be relevant to the approval of the shooting range or its activities.

## Records

**14 (1)** The operator of an approved shooting club shall keep records, with respect to the following users of restricted firearms or prohibited firearms, that include

(a) with respect to a member or officer of the club

(i) his or her name, address and phone number,

(ii) his or her membership card number, and

(iii) the number of his or her licence to possess firearms or, if one does not exist, his or her date of birth; and

(b) with respect to a guest of a member or officer of the club

(i) the information required in subparagraph (a)(i), and

(ii) the number of his or her licence to possess firearms, if one exists.

**(2)** Every record made under subsection (1) must be maintained for at least six years.

**(3)** At the chief firearms officer's request, the operator of the approved shooting club shall submit to the chief firearms officer a report containing all or any requested part of the information described in subsection (1).

## Participation of Officers, Members and their Guests

**15 (1)** The operator of an approved shooting club shall, on the request of a chief firearms officer, supply a written

questions abordées dans les documents présentés conformément au paragraphe 3(2) doit donner au contrôleur des armes à feu un préavis qui, compte tenu de la nature et de la complexité de la modification, soit assez long pour lui permettre d'évaluer la modification.

**13** L'exploitant d'un champ de tir agréé doit sans délai faire rapport au contrôleur des armes à feu de toute modification autre que les modifications visées à l'article 12 :

a) au champ de tir ou à la partie des lieux environnants visée à l'alinéa 3(2)a) et qui pourrait menacer la sécurité d'une personne;

b) aux permis ou licences d'exploitation délivrés en vertu des lois provinciales ou municipales et qui peut influencer sur l'agrément du champ de tir ou ses activités.

## Fichiers

**14 (1)** L'exploitant d'un club de tir agréé doit tenir, à l'égard des utilisateurs suivants d'armes à feu à autorisation restreinte ou d'armes de poing prohibées, un fichier contenant :

a) relativement à un membre ou dirigeant du club :

(i) ses nom, adresse et numéro de téléphone,

(ii) son numéro de carte de membre,

(iii) son numéro de permis de possession d'armes à feu ou, à défaut, sa date de naissance;

b) relativement à un invité d'un membre ou dirigeant du club de tir :

(i) les renseignements prévus au sous-alinéa a)(i),

(ii) son numéro de permis de possession d'arme à feu, le cas échéant.

**(2)** Chaque fichier prévu au paragraphe (1) doit être conservé pendant au moins six ans.

**(3)** À la demande du contrôleur des armes à feu, l'exploitant du club de tir agréé doit lui remettre un rapport portant sur la totalité ou la partie demandée des renseignements visés au paragraphe (1).

## Participation des dirigeants, des membres et de leurs invités

**15 (1)** L'exploitant d'un club de tir agréé doit, à la demande du contrôleur des armes à feu, fournir par écrit

description of the participation, if any, of a current or past member or officer of the shooting club or his or her guest, in target practice or target shooting competitions within the previous five years, where subsection 67(2) of the Act applies to the member, officer or guest.

**(2)** The operator of an approved shooting club shall, on the request of a current or past member or officer of the shooting club or his or her guest, supply to the requestor the description referred to in subsection (1) that concerns the requestor.

## Notice of Refusal or Revocation

**16 (1)** A notice of a decision by a provincial minister to refuse to approve a shooting club or shooting range or to revoke an approval pursuant to subsection 29(3) of the Act is sufficiently given if the notice is addressed to the applicant for or operator of a shooting club or shooting range at the address of that person that is set out in the request for approval, or, if the person has advised the provincial minister of a change of address, at the new address, and the notice is

**(a)** delivered personally

**(i)** if the applicant or operator is an individual, at any time that is reasonable in the circumstances, and

**(ii)** if the applicant or operator is a business, during normal business hours;

**(b)** sent by registered mail or by courier; or

**(c)** transmitted by electronic means that can produce a paper record.

**(2)** The notice is deemed to be received

**(a)** on the day of delivery, if it is delivered personally;

**(b)** on the fifth working day, excluding Saturdays and holidays, after

**(i)** the postmark date, if it is sent by mail, and

**(ii)** the date of shipment on the waybill, if it is sent by courier; and

**(c)** if it is sent by electronic means,

**(i)** if the applicant or operator is an individual, on the day of the transmission, and

un relevé de toute activité de tir à la cible ou de toute compétition de tir à laquelle a pris part, au cours des cinq dernières années, un membre ou dirigeant du club — ancien ou actuel — ou son invité, si celui-ci est visé par le paragraphe 67(2) de la Loi.

**(2)** L'exploitant d'un club de tir agréé doit, à la demande d'un membre ou dirigeant — ancien ou actuel — du club ou de son invité, lui fournir copie du relevé visé au paragraphe (1) qui le concerne.

## Notification du refus ou de la révocation de l'agrément

**16 (1)** La notification de la décision du ministre provincial de refuser l'agrément d'un club de tir ou d'un champ de tir ou de le révoquer en vertu du paragraphe 29(3) de la Loi est dûment transmise si elle est adressée à l'intéressé à l'adresse indiquée dans la demande d'agrément ou, dans le cas où le ministre provincial a reçu avis d'un changement de cette adresse, à la nouvelle adresse, et si elle est :

**a)** soit remise en mains propres :

**(i)** à toute heure convenable, dans le cas d'un particulier,

**(ii)** pendant les heures normales d'ouverture, dans le cas d'une entreprise;

**b)** soit envoyée par courrier recommandé ou par messenger;

**c)** soit expédiée par un moyen électronique pouvant produire une transcription sur papier.

**(2)** La notification est réputée reçue :

**a)** le jour de sa livraison, si elle est remise en mains propres;

**b)** le cinquième jour ouvrable, à l'exclusion du samedi et des jours fériés, suivant :

**(i)** la date du cachet postal, si elle est envoyée par la poste,

**(ii)** la date d'envoi indiquée sur le bordereau d'expédition, si elle est envoyée par messenger;

**c)** si elle est expédiée par un moyen électronique :

**(ii)** if the applicant or operator is a business, on the day of the transmission, if that day is a working day, or, if that day is not a working day, on the first working day after the day of transmission.

SOR/2004-268, s. 3.

**(i)** le jour de sa transmission, dans le cas d'un particulier,

**(ii)** le jour de sa transmission, s'il s'agit d'un jour ouvrable, sinon le jour ouvrable suivant, dans le cas d'une entreprise.

DORS/2004-268, art. 3.

## Coming into Force

**17 These Regulations come into force on December 1, 1998.**

SOR/98-471, s. 21.

## Entrée en vigueur

**17 Le présent règlement entre en vigueur le 1<sup>er</sup> décembre 1998.**

DORS/98-471, art. 21.

**Pages 1 to / à 4  
are not relevant  
sont non pertinentes**



# **Range Design and Construction Guidelines**



## Attachment 3 to PD-56-2022

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ABOUT THIS DOCUMENT

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*ABOUT THIS DOCUMENT*

These guidelines were written in September 1999 for the Canadian Firearms Centre, to assist in the administration of the firearms program in those provinces and territories where this responsibility has been delegated to the federal government (Alberta, Saskatchewan, Manitoba, Newfoundland, Yukon Territory, Northwest Territories and Nunavut).

"Range Design and Construction Guidelines" was edited by:

Technical Documentation and Graphics Section  
 Information Management Branch  
 IM/IT Business Solutions  
 CIO Sector  
 RCMP Headquarters  
 3000 Merivale Road, M-8  
 Ottawa, Ontario, Canada  
 K1A 0R2

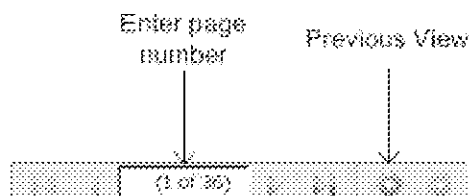
**Fax:** (613) 825-9617

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ACKNOWLEDGEMENTS

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*ACKNOWLEDGEMENTS*

These guidelines are the product of input from a variety of sources and individuals. It is not possible to list every individual and organization that has contributed to them; however, a partial list is provided below:

- Chief Firearms Officers and their staff in various provinces and territories;
- Department of Justice staff in the Canadian Firearms Centre;
- Department of National Defence (DND) Staff, CWO C. Ainsworth, Mr. D. Gladstone and MGnr W. Williams;
- MoD Defence Land Ranges Safety Committee (UK), LCol McNaught and staff;
- Royal Military College of Science;
- Small Arms School Corps (UK), LCol Venning and staff;
- System Design Evaluation Ltd. (UK), Mr. R. B. Pepper and staff;
- US Army ARDEC Safety Systems Officer, Mr. S. Hoxha and staff;
- Ventura County Crime Lab, Mr. J. Robertson; and,
- Numerous individuals and organizations within the shooting community.

## Attachment 3 to PD-56-2022

OUTDOOR RANGE CONSTRUCTION (GENERAL)

---

## 1 OUTDOOR RANGE CONSTRUCTION (GENERAL)

This section contains information to be used during the design, construction, upgrading and operation of outdoor shooting ranges, or when assessing the suitability of existing outdoor ranges. This information is intended to be used in conjunction with information contained in other applicable sections of these guidelines.

### 1.1 OUTDOOR RANGE TYPES

There are a number of different range designs, the most commonly encountered of which are listed below and described in more detail in future sections of this document.

Outdoor range types are primarily differentiated based on:

- Intended use (e.g. shooting activity, firearm type, maximum calibre, etc.);
- Backstop construction;
- Amount of land available for a downrange safety area; and,
- Presence of significant associated features (e.g. topography, baffles or berms).

For range types not listed below, or for hybrid range designs, contact the Chief Firearms Officer (CFO) for more information.

#### Standard Range

A rifle or handgun range that has a suitable backstop and an adequate safety area, but which does not have a downrange shelter for target systems and/or target marking personnel.

#### Gallery Range

A rifle range, built to Standard Range specifications, with a downrange shelter for target systems and/or target marking personnel.

#### Baffled Range

A handgun or rifle range whose design has incorporated a series of overhead and/or ground baffles, or similar construction features, that serve to contain all fired bullets and ricochets to the active range area. This type of range may have a downrange shelter (gallery) for target systems and/or target marking personnel.

#### No Safety Area Range

A handgun or rifle range built with its direction of fire into an imposing natural (or man-made) feature that prevents overshoots and ricochets from escaping the immediate range area.

#### Skeet and Trapshooting Ranges

Shotgun ranges designed for shot to be discharged at moving frangible targets thrown on fixed flight paths or within prescribed arcs.

#### Sporting Clay Range

A shotgun range designed for shot to be discharged at moving frangible targets thrown on fixed flight paths or within prescribed arcs. However, the range setting is one that is designed to simulate hunting or field situations.



## Attachment 3 to PD-56-2022

OUTDOOR RANGE CONSTRUCTION (GENERAL)

---

**Field Firing Range**

A rifle or handgun range that does not have any backstops (or has a backstop that is not adequate); however, the range has an adequate safety area.

An adequate downrange safety area is one that has the necessary depth and width to accommodate the appropriate safety template(s) needed for the range's intended use.

**1.2 RANGE SAFETY AREAS**

All safety issues raised in these guidelines are based on the underlying premise that the range users are competent shots, operating within normal human and equipment limits. **There are no provisions in these guidelines to account for unacceptable random or wild firing.**

Dependent on the range design and the intended range use, a downrange safety area may (or may not) be required. The decision about whether or not a safety area is required, or how big the safety area needs to be, will be based on an assessment of the intended range operations and range construction. If the range design and intended operations are such that:

- Fired projectiles or subsequent ricochets are able to leave the active range area (under normal operating conditions), then a downrange safety area is required; or,
- Fired projectiles and subsequent ricochets will be contained within the active range area (under normal operating conditions), then a downrange safety area is not required.

**1.2.1 SAFETY AREA DEFINITION**

The safety area for an outdoor range is defined as the downrange area (forward of the firing point) that is designed to contain bullets that pass over, or beyond, the backstop under specified conditions. These bullets can be the result of high angle shots (overshoots) or bullets that ricochet off targets, the backstop and other range surfaces (e.g. the range floor).

Safety areas are very important considerations in outdoor range design; however, they are concerned strictly with ballistic issues and do not address the issue of noise pollution.

**1.2.2 OVERSHOOT AND RICOCHET PROJECTILES**

An overshoot is defined as a bullet (or projectile) that carries over, or beyond, a backstop that was intended to stop it. By definition, an overshoot projectile will not have struck any downrange object before travelling beyond the backstop. Overshoots are distinctly different from ricochets.

Ricochets are bullets (or projectiles) that have struck a surface or object and had their trajectory altered as a result. Ricochets may *or may not* clear the backstop; however, due to their unpredictability, a worst case scenario will be applied.

**1.2.3 SAFETY AREA DESIGN CRITERIA**

The dimensions and shape of the safety area(s), when required, are produced using computer-based ballistic modelling software and test data. Safety area design is dependent on a number of factors, including the external ballistic characteristics of the ammunition, bullet design, range construction (site and design) and the planned shooting activities. Converging adjoining ranges can maximize the land required for the safety area; refer to *Figure 1: Safety Area Orientation for Adjoining Ranges*.

## Attachment 3 to PD-56-2022

## OUTDOOR RANGE CONSTRUCTION (GENERAL)

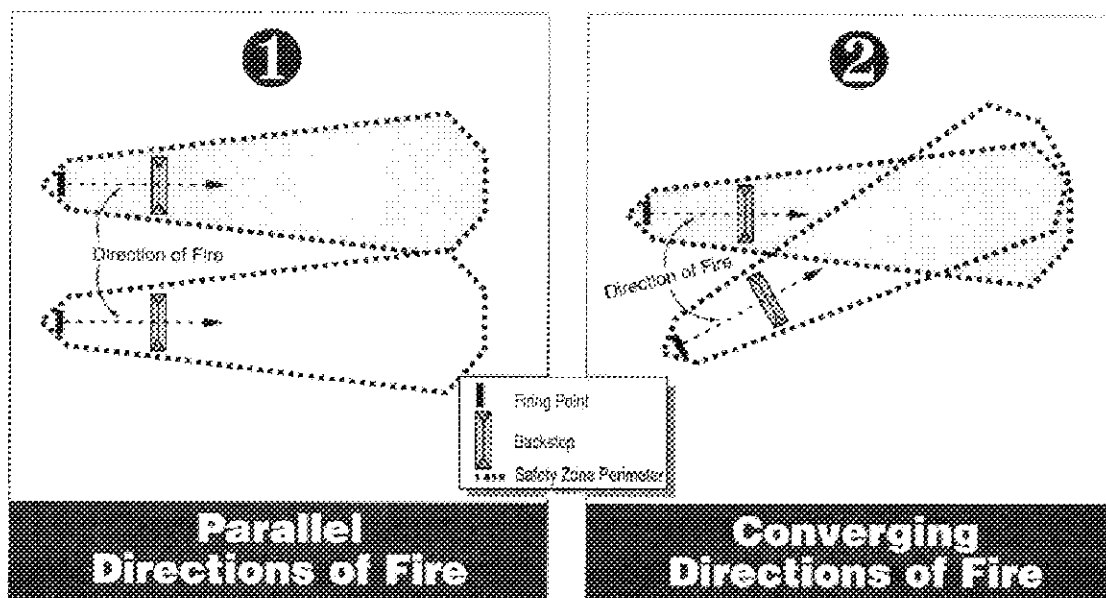


Figure 1: Safety Area Orientation for Adjoining Ranges

Unless otherwise specified, these guidelines will use lead core, copper alloy Full Metal Jacket (FMJ) bulletted ammunition as the given design premise for centre-fire rifle and handgun ranges. If armour piercing or *steel jacketed* ammunition use is anticipated, different safety area templates will likely need to be utilized. In those cases, contact the CFO for additional information.

Unless otherwise specified, these guidelines will use lead alloy bulletted ammunition as the given design premise for rim-fire rifle and rim-fire handgun ranges. If the use of bullets constructed with materials other than lead alloy is anticipated, then different safety area templates may need to be utilized. In those cases contact the CFO for additional information.

Unless otherwise specified, these guidelines will use #7½ size lead alloy pellets being fired at 396 m/sec (1,300 ft/sec) as the given design premise for trapshooting, skeet and sporting clay ranges. If the use of other ammunition that is more or less external ballistics capable (e.g. No. 4 shot) is anticipated, different safety area templates may need to be utilized. If the required template or information is not provided in **Appendix D: Safety Area Templates**, contact the CFO for more information.

The assessment of planned shooting activities is based on the Cone of Fire (CofF) concept. Each major type of shooting activity has a CofF assigned to it, based on testing and experience. The resulting safety requirements (e.g. safety area template) are produced by modelling the interaction of projectiles fired within the CofF with the range design. Refer to **Appendix B: Cone of Fire Design Parameters** for specific CofF parameters.

#### 1.2.4 BAFFLED RANGE SAFETY AREA EXEMPTION

Properly designed, constructed and operated baffled ranges do not require significant downrange safety areas.

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OUTDOOR RANGE CONSTRUCTION (GENERAL)

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## 1.2.5 HUMAN ACTIVITY INSIDE A RANGE SAFETY AREA

The purpose of a safety area is to provide a buffer zone between the ranges's shooting activities and local human activity. It provides an area in which overshoots and ricochets can land without causing harm. In general, human activity in any safety zone should be avoided; however, circumstances arise on certain occasions which do not make this total exclusion practical.

Safety areas cannot overlap onto areas of human habitation or regular human activity. Human habitation and regular activity are defined as the presence of dwellings, buildings, businesses or human activity sites (e.g. public camp ground) that are used on a regular basis when the range is in use.

If the assessed risk to humans participating in an activity within a safety zone is no higher than the risk to the general population outside of the range safety area, the CFO may authorize the operation of the range while this activity occurs. Human activity that has a limited duration and relatively few people involved may be permitted in the safety area because these factors mitigate the risk.

If approval is not granted by the CFO, then the range must cease operations while the human activity occurs in the safety area; or conversely, efforts must be made to ensure that no human activity occurs within the safety zone when the range is in operation.

The amount of human activity permitted in the safety area *while the range is operating* is determined by a number of factors, which include the following:

- Likelihood of overshoots and ricochets for the range design and intended use;
- Average frequency of range use and the nominal quantity of ammunition fired during range use;
- Planned duration of the human activity within the safety area;
- Location of the planned human activity within the safety area; and,
- Topography, forest cover and other related features of the safety area.

The CFO may apply the following decision criteria for these risk assessments:

- If the potential risk is determined to be no higher than the risk present outside of the safety area, then occasional human activity may occur in the safety area; or,
- If the potential risk is determined to be higher than the risk present outside of the safety area, then reasonable efforts must be made to keep the safety area free of human activity when the range is in use.

These risk assessments must be made on a case-by-case basis.

The underlying premise in this determination is the acknowledgement of the potential hazards that ranges pose within the context of the risks that they actually present to humans in the immediate area. If a situation exists where projectiles are likely to escape from the active range area (e.g. a standard outdoor rifle/handgun range), then a hazard exists, but not necessarily a significant risk to human health. If such a hazard exists, but the likelihood of hitting and injuring a human with a projectile is low, then the overall *risk* to humans is considered low.

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## 1.2.6 SITE SIZE

The size of the range site is defined as the total land area controlled (e.g. owned or leased) by the Range Operator, as well as any other adjoining lands where a "land use" agreement is held. The site is considered to be the aggregate of these two types of land "holdings."

The range site must be large enough to completely contain the active range area(s) and the safety area(s), if required.

## 1.2.7 OWNERSHIP / CONTROL OF THE RANGE AND SAFETY AREA

In accordance with the *Shooting Clubs and Shooting Ranges Regulations (SOR/98-212)*, s. 4(a)(i), the entire range facility and associated range safety area(s) must be under the control (formal or informal) of the Range Operator. If the range and safety area(s) are not formally controlled by the Range Operator, then informal control can be achieved through a "land use" agreement between the land owner(s), or their agent(s), and the Range Operator. The agreement must specifically provide for the "use" of the land as a range or range safety area.

A range will not receive its approval if the required land and the associated safety area(s) are not formally or informally under the control of the Range Operator.

It is to the Range Operator's benefit to outright own, lease or otherwise formally control the required land for the range and the associated safety area(s). This is based on the realization that, if the required land area is controlled outright by the Range Operator, then the issues of future encroachment and possible change in land use will not affect range operations.

If range encroachment and change in land use become issues in future years, arguments based on right-of-prior-use will not outweigh safety considerations and the requirements under Law.

## 1.2.8 EFFECT OF HILLS, TOPOGRAPHY AND HIGH BACKSTOPS ON RANGE SAFETY AREAS

The presence of hills, local topography and high backstops can significantly influence range design, specifically the size of the required safety area. Many ranges have been built with their direction of fire into an imposing hill, mountain or other topographic feature, or into an unusually high man-made backstop. In many cases, the sheer size and positioning of these topographic features (including man-made backstops) can eliminate or reduce the size and extent of the safety area needed.

Assessment of the value of the topographic feature and of how it alters the safety area requirements is based on an examination of where bullet trajectories (either overshoots or ricochets) will impact the downrange topographic feature. The safety area will extend out to the furthest point of impact for overshoots or ricochets.

If the ground in the safety area slopes significantly upwards, the safety area can be reduced. However, if the topography slopes downwards, the safety area has to be extended; refer to *Figure 2: Effect of Topography*.

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## OUTDOOR RANGE CONSTRUCTION (GENERAL)

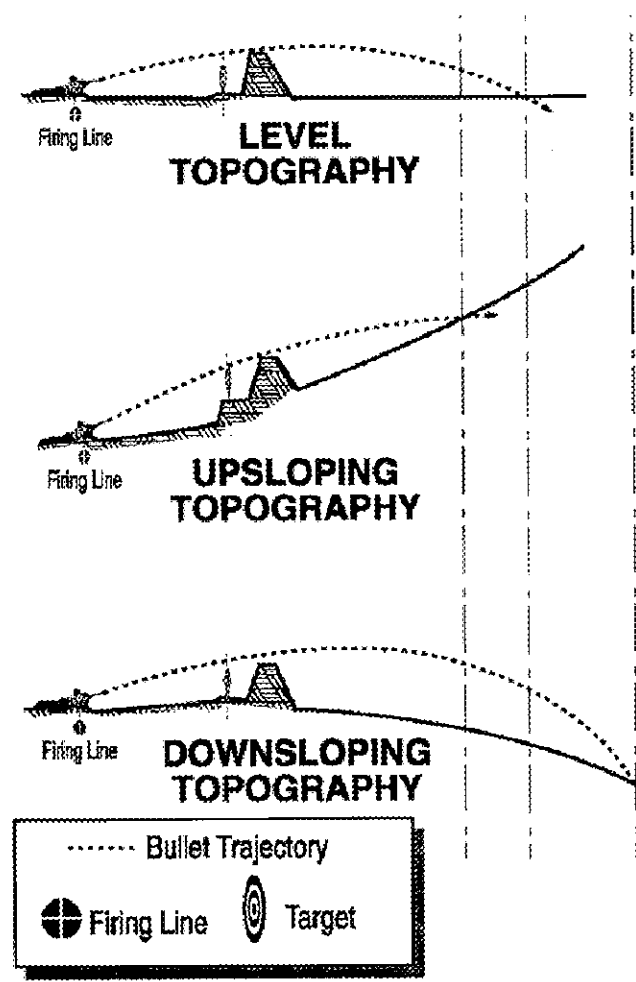
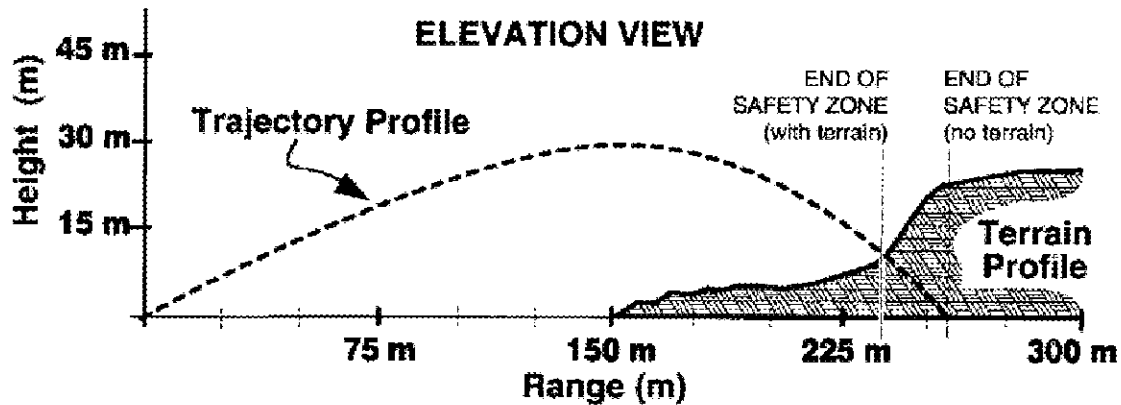


Figure 2: Effect of Topography

The need for a significant safety area can be eliminated entirely if there is a steep hill, an imposing topographic feature or an imposing man-made backstop behind the targets. However, in order for this reduction to be warranted, the backstop must be of sufficient height, slope and length such that overshoots and ricochets generated in the course of normal range operations will not pass beyond it; refer to [section 4 No Safety Area Ranges](#) for information.

Ranges are assessed individually, if the downrange topographic feature is large enough to warrant some reduction in the safety area, but not large enough to qualify the range for an NSA exemption. The size of the safety area will be determined by the intersection of the ricochet/overshoot envelope with the ground (topographic) profile; refer to figures 2: *Effect of Topography*, 3: *Effect of Topography on a Safety Zone* and 4: *Effective Backstop Height* for graphical representations of the effects of topography and shooting uphill when firing in a range.

## OUTDOOR RANGE CONSTRUCTION (GENERAL)



NOTE: Trajectory profile is for a Skeet Range (#7 $\frac{1}{2}$  shot, MV 396 m/sec)

Figure 3: Effect of Topography on a Safety Zone

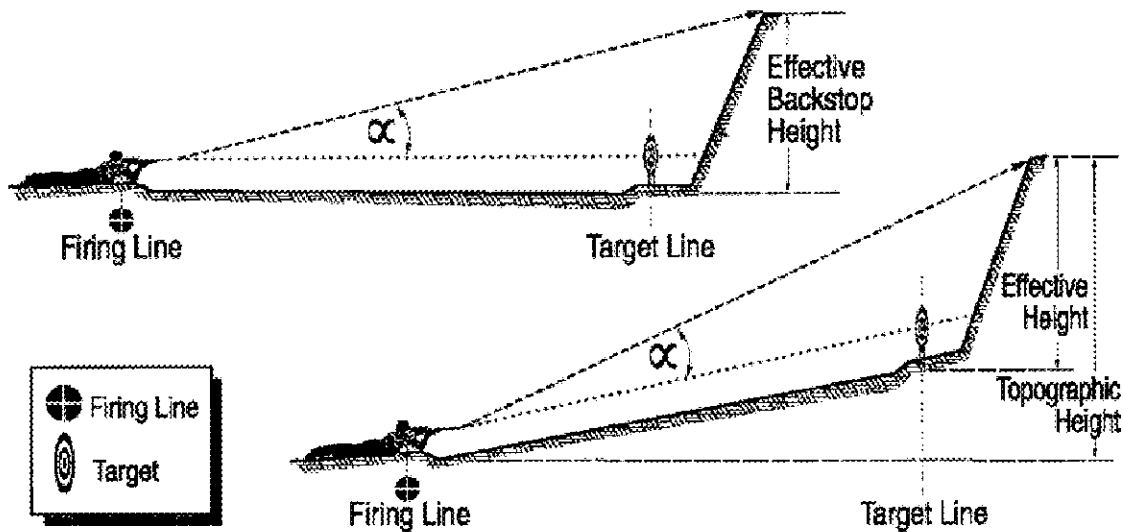


Figure 4: Effective Backstop Height

### 1.2.9 EFFECT OF TREES IN THE RANGE SAFETY AREAS

Heavy tree cover in a range safety area or atop a backstop is a desirable feature for any outdoor range. Trees add a great deal to the aesthetics of the facility and can serve to diminish noise signatures. However, trees are essentially transient features that can change with the seasons or they can be removed by cutting or burning, etc. As a result, trees do not influence safety area considerations and do not augment the height of a backstop.



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## OUTDOOR RANGE CONSTRUCTION (GENERAL)

## 1.3 SAFETY AREA TEMPLATES AND SAFETY AREA TRACES

Safety area templates are used to determine the necessary safety area(s) for range designs that require one. Safety area templates (refer to **Appendix D: Safety Area Templates**) are drawings that represent the ground area designed to contain overshoot bullets and ricochets generated from a *single shooter's firing point*, under conditions which are considered to be representative of normal range use. Each template will show the parameters (e.g. calibre and bullet design, environmental conditions, etc.) for which it was designed.

Safety area templates are not applicable to properly designed and constructed baffled ranges.

Under certain target-specific conditions (e.g. steel targets) limited size safety area template(s) are applicable to **No Safety Area (NSA) ranges**.

## 1.3.1 ENVIRONMENTAL CONDITIONS

Environmental conditions, such as wind speed and direction, affect bullet and ricochet flight. The safety area templates in **Appendix D: Safety Area Templates** have been developed using specific wind, barometric pressure and air temperature factors. These factors have been derived from a multi-year analysis of Canadian weather patterns and are representative of the extreme conditions (from an external ballistics perspective) of the climate with a high degree of confidence.

Refer to **Appendix G: Safety Area Template Design Factors** for applicable environmental conditions.

## 1.3.2 APPLYING SAFETY AREA TEMPLATES

A design plan, drawn-to-scale, is first prepared for the range being developed or assessed. Ensure that all proposed firing points, firing areas, backstop(s), buildings and property boundaries are shown on the map, plot or drawing being used.

**Safety area templates** are used to produce safety area traces on maps, plots or overlay. The selected template is first redrawn on Plexiglas, thick acetate or similar transparent media at the working scale (e.g. 1:10,000) of the plan drawing. Plexiglas and similar materials are used because they will not stretch or deform under normal use or with changes in humidity or temperature. Paper is not a suitable media for this task.

The transparent overlay can then be applied to the design plan, map or survey plot of the range. It is applied to all the firing point(s), parallel to the direction of fire. Outside boundary lines are traced from the template onto the map or plot. The resulting safety area "trace" defines the boundary of the range safety area.

If an arc of fire is planned (e.g. engaging divergent multiple targets from a single firing point), then the safety area template is applied to all possible firing point-to-target combinations. The entire area that encloses the resulting safety area traces is the required range safety area; refer to *Figure 5: Single Target vs. Multiple Arcs of Fire*.

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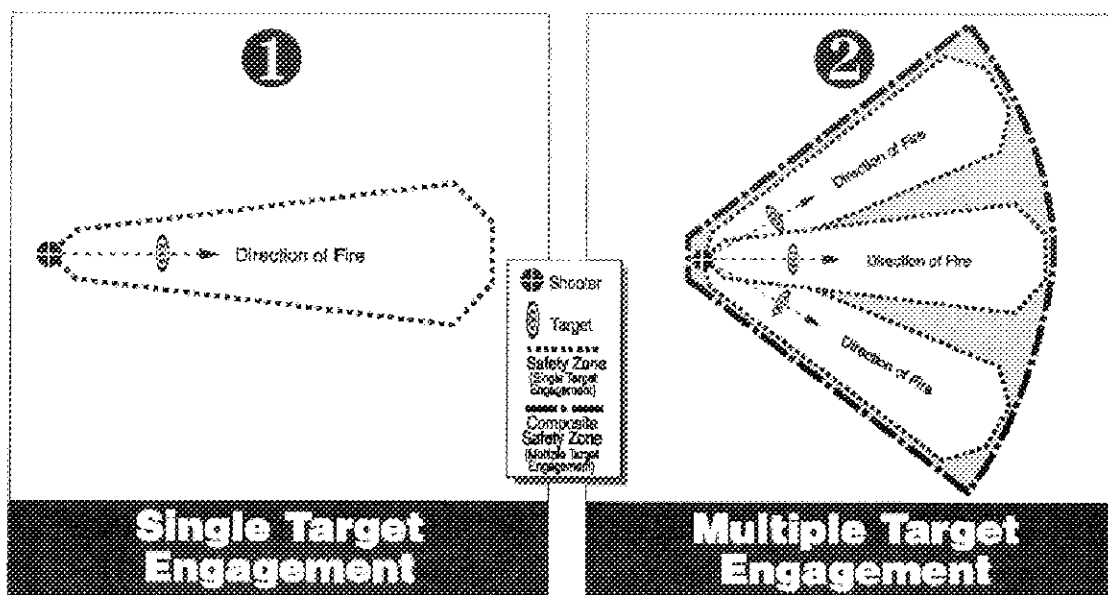


Figure 5: Single Target vs. Multiple Arcs of Fire

If a firing area is being assessed, as in the case where a shooter moves forward or laterally a significant distance, the safety area template is applied to the outside edges of the firing area in the direction(s) of fire. In some cases, a large percentage of the active range area will be the firing area. The resulting safety area traces mark the boundaries of the range safety area.

**It is essential that the correct template be utilized in range design and range assessment activities.** The correct template to be used is the one that matches *or exceeds* the range conditions being assessed. Therefore, the template must match or exceed the most ballistically significant cartridge to be used on the particular range being assessed. Refer to **Table 19: Templates Table of Equivalencies** in **Appendix E: Templates Table of Equivalencies** which matches specific calibres to the template calibre groups.

Within the context of safety area templates, ballistic significance is determined by the maximum range of a specific bullet design, muzzle velocity and cartridge combination.

#### 1.4 RICOCHET AIR DANGER HEIGHTS

Associated with standard outdoor rifle and handgun ranges are safety considerations related to the height that ricochets will fly above the range. These ricochet Air Danger Heights (ADH) can be very significant and are related to the external ballistic capability of the cartridge and the bullet construction. Refer to **Appendix F: Ricochet Air Danger Heights** for the applicable Air Danger Heights.

The issue of ADHs becomes relevant when ranges are located in proximity to federally-controlled airports. Refer to **section 2.1 Backstop Design and Construction** for more information.

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## OUTDOOR RANGE CONSTRUCTION (GENERAL)

## 1.5 RANGE AND SAFETY AREA SIGNS

Range and safety area signage, similar to that described in this section, is required for all outdoor ranges. In all instances, the signs shall be of durable construction so that they can resist weathering. **Recognizing the uniqueness of each range site**, the specific locations for these signs is flexible as long as they serve to warn people approaching the site about the presence of a shooting range and the associated dangers of approaching it.

Main Facility Sign

The range facility shall have a large, clearly visible, main sign. This sign shall be located at a commonly used access point (e.g. main gate area) and shall clearly identify the site as a shooting range. It shall also contain *at least* the following information:

- Range facility name; and,
- Range Operator contact information (e.g. phone number or P.O. Box, etc.)

Range Facility Status Sign

The range facility shall have a large, clearly visible sign indicating the operating status of the range facility (e.g. "CAUTION RANGE IN USE" or "RANGE CLOSED"); refer to *Figure 6: Range Facility Status Sign*, for a sample sign.

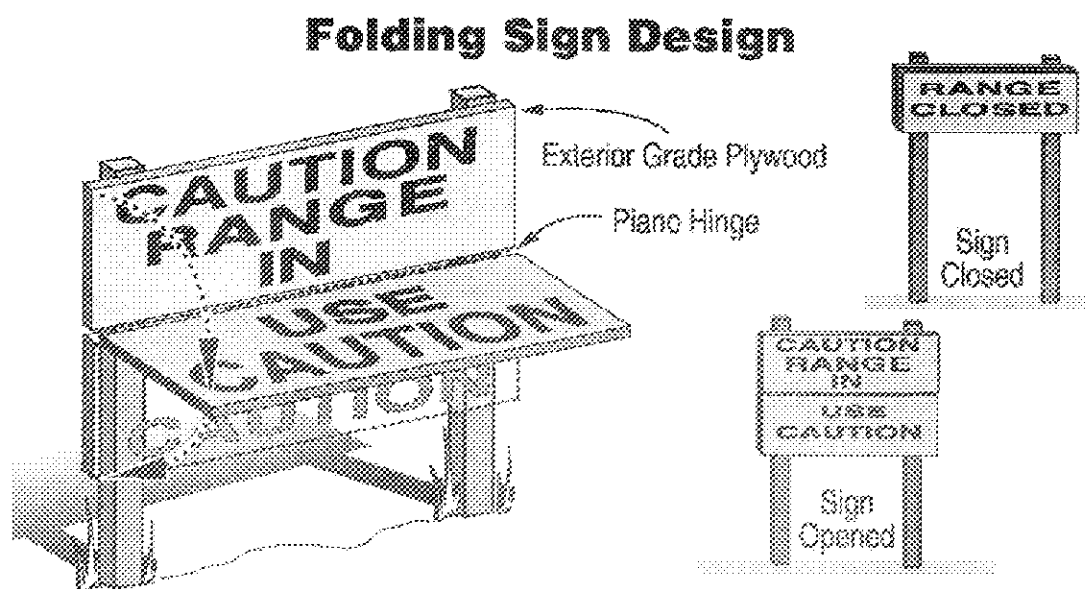


Figure 6: Range Facility Status Sign

It is recommended that this "Range Facility Status" sign be located alongside the primary range facility access road, both for convenience of use and for maximum informational value.

Perimeter Signs (General)

The perimeter of the range is defined as the boundary that encloses all active range areas and all associated safety areas.

The perimeter of all outdoor ranges shall be identified with appropriate warning signs. These signs are intended to alert members of the public as to the presence of an outdoor range and to help identify the range boundaries.

The perimeter warning signs shall instruct unauthorized persons not to enter the area.

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## OUTDOOR RANGE CONSTRUCTION (GENERAL)

It is recommended that the Range Operator cruise the perimeter at least once every two years to ensure that all perimeter warning signs are in good order.

Land-Based Perimeter Signs

Warning signs are to be placed at regular intervals along the entire perimeter of the range and wherever there exists likely access to the range or safety area (e.g. woods trails). They shall be located approximately 1.5 m to 2.0 m above ground level, or above the level of prevailing snow pack (whichever is greater). They shall be securely affixed to posts, trees or other similar permanent objects.

In wooded or brush areas, the warning signs shall be spaced at approximately 50 m intervals or less along the entire perimeter. If signs placed at 50 m intervals are not visible from one sign to the next, due to local brush conditions, then the sign spacing interval shall be reduced. In open areas (e.g. large clearings or prairie), the signs shall be spaced at approximately 75 m intervals or less along the perimeter.

The posted signs shall face outwards, away from the range(s).

The perimeter signs shall not be obscured by brush or tree growth. Growth that obscures the signs shall be cleared away as required. The signs shall always be visible and be replaced or repaired as required.

The warning signs can be placed along any convenient feature (e.g. existing survey line, property boundary, fence line or shore line) that defines *or exceeds* the range perimeter.

The signs shall be:

- Approximately 40 cm x 30 cm (16 in. x 12 in.) in size, or larger;
- Worded in English and/or French and/or other language (e.g. Inuktitut), as dictated by local linguistic profile(s) or provincial/territorial signage requirements;
- Worded similarly to the example in *Figure 7: Sample Perimeter Warning Sign (Land)*, or utilize wording that conveys the same information;
- Permanent in construction to resist weathering and exposure to the elements (e.g. rain, snow, wind, sun/UV rays, etc.); and,
- Of a readily visible colour combination.

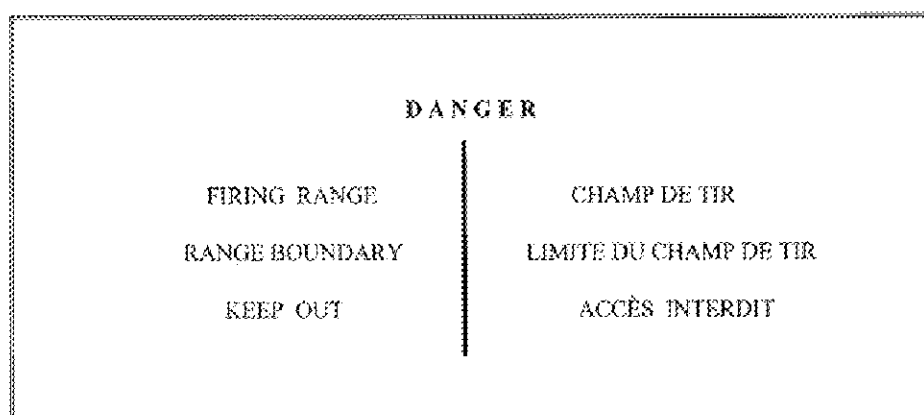


Figure 7: Sample Perimeter Warning Sign (Land)

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## OUTDOOR RANGE CONSTRUCTION (GENERAL)

Water-Based Perimeter Signs

In the event that a range safety area extends over oceans, lakes, swamps or marshes, and where adequate support for sign posts is not practical, a bottom-anchored buoy system is required. Water-based perimeter buoys serve the same purpose as their land-based equivalents.

The buoys shall be:

- Approximately 30 cm (12 in.) in size, or larger;
- In English and/or French and/or other language (e.g. Inuktitut), as dictated by local linguistic profile(s) or provincial/territorial signage requirements;
- Worded similarly to the example in *Figure 8: Sample Perimeter Warning Sign (Water)*, or utilize wording that conveys the same information;
- Permanent in construction to resist weathering and exposure to the elements; and,
- Of a readily visible colour combination.



Figure 8: Sample Perimeter Warning Sign (Water)

The buoys are to be spaced at approximately 75 m intervals, or less. In the case where multiple languages are required for a buoy system and the buoys are too small to accommodate the lettering, alternating language specific buoys is acceptable (e.g. English – French – English).

Where the buoy line reaches shore, there is to be a large warning sign. These signs are to be approximately 1 m x 1 m in size and lettered in accordance with the perimeter warning signs. These larger signs are to face out (towards the water), and are to be as visible as is practical (e.g. in location and colour combination).

Buoys placed in fresh water where freezing will occur can be removed just prior to freeze up. If the range is to be used during the winter, then temporary sign posts shall be erected along the line of buoy anchor points, spaced at practical intervals, after the ice has formed. These sign posts should be in accordance with the water-based sign requirements described above. Upon the return to open-water conditions in the spring, the buoys can be returned to their original positions.

Range Safety Rules Sign

In accordance with the *Shooting Clubs and Shooting Ranges Regulations (SOR/98-212)*, s. 4(1)(d), each individual range within a facility shall have a sign on which the key operating and safety rules are listed.

These signs shall be affixed to a building, post, frame or other permanent object. They shall be located behind the firing line, in a location clearly visible to all users as they approach the range and contain *at least* the following information:

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## OUTDOOR RANGE CONSTRUCTION (GENERAL)

- Maximum calibre of firearms to be used on the range;
- Prohibited bullet natures (e.g. tracer or armour piercing);
- Types of targets permitted (e.g. paper) and those prohibited (e.g. glass );
- Permitted shooting activities (e.g. firing positions, distances, etc.);
- Brief explanation of the warning flag or beacon system; and,
- Emergency contact phone numbers (e.g. police, EMT, hospital, etc.).

These signs are intended to be a simple method of quickly reminding all users of the basic safe range operating procedures. They do not remove the requirement for the range facility to have a more detailed set of Range Operating Instructions. For more information, refer to **section 11 Range Operating Instructions**.

## 1.6 PERIMETER IDENTIFICATION

The boundaries (perimeter) of the range shall be identified as clearly as is practical. The purpose of this is to draw the warning signs (refer to **section 1.5 Range and Safety Area Signs**) to the attention of people in the area of the range (e.g. hunters) who might *unknowingly* cross onto the range and into a range safety area.

The perimeter identification shall occur in conjunction with the location of the warning signs.

The perimeter identification and warning signs can be located along any convenient feature (e.g. existing survey line, property boundary, fence line or shore line) that defines *or exceeds* the limits of the range and the required range safety area(s).

## 1.6.1 LAND

On land areas covered with trees and brush, local flexibility is permitted with regard to perimeter identification. The resulting perimeter identification shall be equivalent in visual impact to a fence line or survey line.

In wide open terrain (e.g. prairie areas), no additional perimeter identification beyond signage is required.

Fencing of the perimeter *is not* required.

In the case of boundaries defined by water courses, regularly spaced warning signs placed above the high water mark will suffice.

## 1.6.2 WATER

The buoy requirements listed in **Water-Based Perimeter Signs** will suffice.

## 1.7 WARNING FLAGS AND BEACONS

Separate ranges within a facility shall have their own system of warning flags or beacons. The purpose of this is to inform and control range users and others in the immediate vicinity of the range(s).

The colours of the flag or beacon systems are **RED** and **GREEN**.

## 1.7.1 FLAG SYSTEM

Under this system, the flag colours have the following meaning:

- Red = Danger – Range in use, firing underway;
- Green = Safe – Range not in use, all firearms cleared.



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OUTDOOR RANGE CONSTRUCTION (GENERAL)

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Range Flags – All Outdoor Rifle and Handgun Ranges

Each range on a facility shall use a large **RED** range warning flag flown from a flagstaff at least 6 m tall (approximately) when the range is in use. The flag shall have minimum measurements of approximately 2 m x 1 m.

This flagstaff shall be located in a conspicuous position, clearly visible to those approaching the range. The location of this flagstaff is dependent on the facility design and construction. It can be located atop the backstop, on a side berm or behind the most distant firing line.

The flagstaff shall not be placed in a location that poses a hazard to anyone operating the flags. As an example, the flagstaff shall not be located atop a backstop in a situation where, due to the presence of an adjacent range, the person operating the flags would be exposed to rifle/handgun fire from the adjacent range. The flagstaff shall not be located on a steep slope or in any other hazardous location.

When the range is not in use, either a **GREEN** flag or no flag at all shall be flown from this flagstaff.

**Note:** This range flag is meant to be changed when the range is opened or closed, not throughout the course of normal shooting activities.

Firing Line Flag – Standard Rifle and Handgun Ranges (Optional)

As an optional feature (at the Range Operator's discretion) for standard rifle and handgun ranges, **RED** and **GREEN** control flags can be flown from either a portable pole or a flagstaff located at the firing line. The **RED** flag is to be flown when there is firing underway; the **GREEN** flag is to be flown when firing has ceased and the firing line is safe.

If used, these firing line flags shall have minimum measurements of approximately 1 m x 0.75 m.

Gallery Rifle Range Flags

If a target markers gallery is present, then 1 m x 0.75 m (approx.) **RED** and **GREEN** control flags shall be flown from either a portable pole or from a fixed flagstaff located at one end of the target gallery. The **RED** flag is to be flown when the target markers are undercover and protected, while the **GREEN** flag is to be flown when shooting has ceased and it is safe for the target markers to leave the protection of the gallery.

**Note:** If the target markers gallery is unmanned (e.g. electronically marked targetry is in use) or if the markers can enter and leave the gallery without ever being exposed to fire from the range, there is no requirement for the gallery flags as described above.

When a range has multiple firing lines spaced over a considerable distance, as with a gallery rifle range, **RED** and **GREEN** control flags shall be flown from either a portable pole or a fixed flagstaff located at the firing line in use. The **RED** flag is to be flown when there is firing underway and the **GREEN** flag is to be flown when firing has ceased and the firing line is safe. No flag needs be flown when the firing line is inactive. These firing line flags shall have minimum measurements of approximately 1 m x 0.75 m.

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OUTDOOR RANGE CONSTRUCTION (GENERAL)

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Skeet and Trapshooting Ranges

These types of ranges can employ one of the two flag arrangements listed below.

1. If multiple fields are located adjacent to one another, then a single **RED** range warning flag can be flown from a flagstaff at least 6 m tall (approximately) when one or more of the ranges are in use. The flag shall have a minimum measurement of approximately 2 m x 1 m.
2. This flagstaff shall be located in a conspicuous position, clearly visible to those approaching the ranges. The location of this flagstaff is dependent on the facility design and construction. The flagstaff shall not be placed in a location that poses a hazard to anyone operating the flags. Or,
3. A 1 m x 0.75 m **RED** control flag shall be flown from either a portable pole or a fixed flagstaff located to the rear of each range (e.g. behind firing station No. 4) when there is firing underway on the range.

In each of the flag arrangements described above, when no ranges are operating, either a **GREEN** flag can be flown from the flagstaff or no flag needs to be flown at all.

Sporting Clay Ranges

A 1 m x 0.75 m **RED** control flag shall be flown from either a portable pole or a fixed flagstaff located at the start of the sporting clay course. The **RED** flag shall be flown when there is firing underway on the course. When the range is not operating, either a **GREEN** flag can be flown or no flag needs to be flown at all.

If the sporting clay ranges are laid out as individual firing stations instead of as an integrated course, each firing station shall have its own **RED** control flag in accordance with the preceding paragraph.

Field Firing Ranges

If the field firing ranges are laid out as part of an integrated course, a 1 m x 0.75 m **RED** control flag shall be flown from either a portable pole or a fixed flagstaff located at the start of the course. The **RED** flag shall be flown when there is firing underway on the course. When the range is not operating, a **GREEN** flag can be flown or no flag needs to be flown at all.

If the field firing ranges are laid out as individual ranges instead of as an integrated course, each range shall have its own **RED** control flag in accordance with the preceding paragraph.

## 1.7.2 BEACON SYSTEM

Under this system the beacon colour(s) has the following meaning:

- Red = Danger – Firing is in progress;
- Green = Safe – Range not in use, all firearms cleared.

The beacons can be of rotating or flashing design, they can also be a simple coloured light. The beacons shall be located in the immediate area of the firing line and clearly visible to all personnel on the range.

When the **RED** beacon is illuminated, it is an indication to the range users (subject to the Range Officer's control) that firing is underway.

When the **GREEN** beacon is illuminated, it is an indication to the range users (subject to the Range Officer's control) that firing has ceased and the firearms on the firing line have been cleared.

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## OUTDOOR RANGE CONSTRUCTION (GENERAL)

## 1.8 WIND FLAGS

Wind-indicating flags, streamers or similar devices are commonly used on outdoor ranges. There are numerous wind flag systems and designs, some of which are closely regulated by sports governing bodies. Any wind indicator system can be implemented as long as the general safety provisions of this section are met.

Wind indicators shall be of *different shapes and colours* than all warning or range control flags in use on the range. This requirement is intended to minimize the potential for range user confusion over their meaning.

Range wind flags are located to ensure that they do not interfere with shooters or obscure their view of the active range area, nor shall they obscure the Range Officer's view of the active range area.

## 1.9 BACKSPLASH

Backsplash is defined as fragmented bullet or target materials, or ground debris, thrown back towards the shooter as a result of bullet (or projectile) impact.

To protect shooters from hazardous backsplash, it is recommended that the minimum firing distance not be less than the distances shown in *Table 1: Recommended Minimum Engagement Distances (Backsplash)*.

Table 1: Recommended Minimum Engagement Distances (Backsplash)

Calibre Class	Hard Target	Ground Impact
Rim-fire Handgun/Rifle	10 m	10 m
Centre-fire Handgun	10 m	10 m
Centre-fire Rifle	50 m	25 m

It is generally considered good practice for shooters and range staff to wear impact-resistant eye protection (e.g. shooting/safety glasses) at all times. Anytime that target backsplash is likely, it is strongly recommended that shooters and range staff wear impact resistant eye protection.

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STANDARD OUTDOOR RIFLE RANGES

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## 2 STANDARD OUTDOOR RIFLE RANGES

The standard outdoor rifle range can have different configurations, dependent on the intended shooting activities. These ranges have a firing line(s), a target area, a suitable backstop and a downrange safety area. They may also have other features, such as covered firing points, target mechanisms, etc.; refer to *Figure 9: Standard Rifle Range*.

Standard outdoor rifle ranges can be configured to have traditional firing lines, such as those used for ISU-style shooting; or they can be configured to have the active range area used as a more extensive firing area, such as is used for IPSC-style rifle shooting. In many cases, standard outdoor rifle ranges are used for both purposes. Except where noted, all the requirements of this section apply to both range configurations. If the rifle range is used *solely for action shooting* (e.g. IPSC rifle), then **section 2.2 Firing Points / Firing Lines / Firing Lane Marking** does not apply; in this case, **section 2.4 Firing Areas and Target Areas** does apply however. If the range is used for both fixed firing line activities and for action shooting, then all requirements of this section apply.

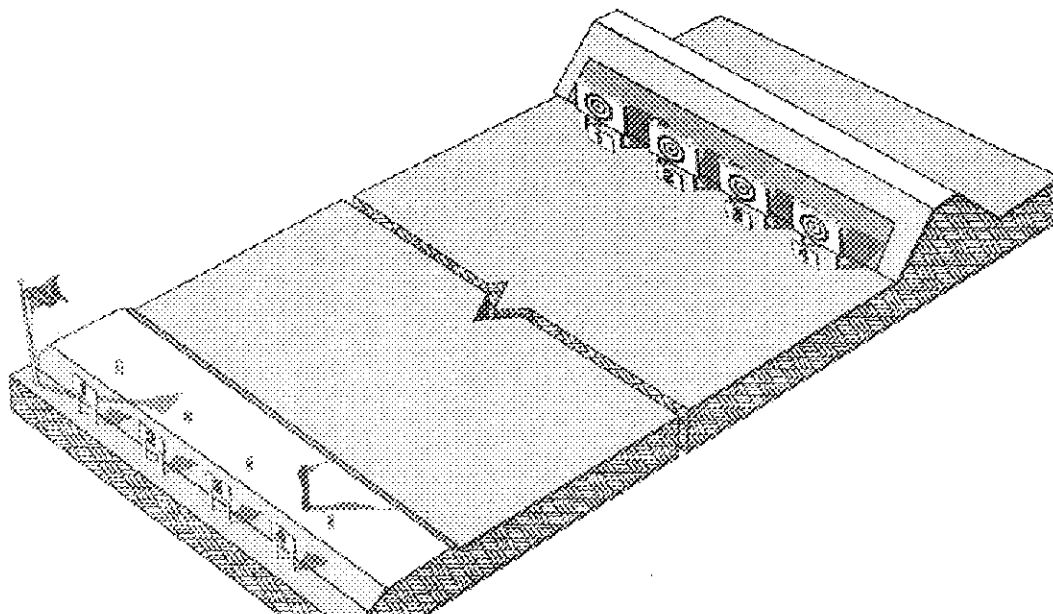


Figure 9: Standard Rifle Range

### 2.1 BACKSTOP DESIGN AND CONSTRUCTION

Backstops are designed to capture as many fired bullets and low flight ricochets as possible. Those bullets that pass beyond the backstop (overshoots and ricochets) shall be contained within the downrange safety area, within the design limits of the range.

A backstop consists of a raised mound of earth, or a suitable natural feature, behind the target(s). The design and construction of the backstop must meet criteria, which have been established to promote bullet capture. The dimensions, construction and location of the backstop are of critical safety concern to the design of this type of outdoor range.

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## STANDARD OUTDOOR RIFLE RANGES

## 2.1.1 BACKSTOP HEIGHT

The required minimum height of the backstop is related to the CoF and the intended firing distance(s).

The top of the backstop is referred to as the "crest." The backstop height is measured from the crest to where the range floor meets the backstop base. *Table 2: Minimum Rifle Range Backstop Heights* outlines the minimum backstop heights versus the intended firing distances.

Table 2: Minimum Rifle Range Backstop Heights

Firing Distance	Minimum Backstop Height
25 m or less	3.0 m
50 m	4.0 m
75 m	5.0 m
100 m or more	6.0 m

In cases where a planned firing distance falls between two distances in *Table 2: Minimum Rifle Range Backstop Heights*, then the requirements for the next longest firing distance applies. For example, if the planned firing distance for a particular range is 40 m, then the requirement for a 50 m firing distance applies.

The crest of the backstop shall meet or exceed the required minimum height over its entire length.

If the Line of Sight (LoS) from the firing points to the targets slopes significantly uphill, or if the base of the backstop is significantly distant from the target line (e.g. greater than 20 m), then the minimum height of the backstop *may* have to be adjusted upwards to accommodate these differences. In these cases, the LoS from the lowest intended firing position (e.g. prone) at any firing line is projected through the top of the target to the backstop. This projected line shall meet the backstop at least 2 m below its crest; refer to *Figure 10: Projected Line of Sight for Significant Uphill Slopes and Distant Backstops*.

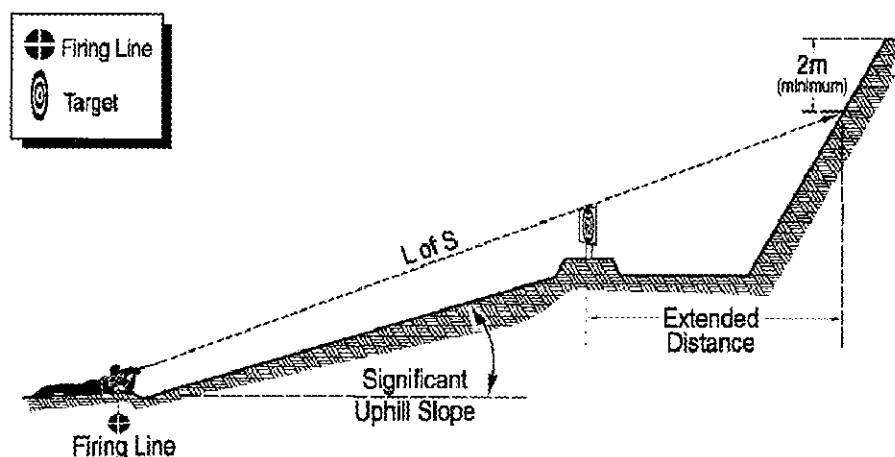


Figure 10: Projected Line of Sight for Significant Uphill Slopes and Distant Backstops

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## STANDARD OUTDOOR RIFLE RANGES

Grass, shrubs and trees do not augment the height of a backstop. All measurements are based on ground levels, not vegetation levels.

The crest of the backstop shall be as level as is practical. If a significant cross-fall (elevation change) exists along the target line, then the backstop shall be stepped up or down as required in accordance with the following provisions:

- The minimum height requirement at any particular target is maintained; and,
- The higher backstop crest is to be extended past the cross-fall by at least the flank extension distance, as listed in *Table 3: Rifle Range Crest Flank Extensions*.

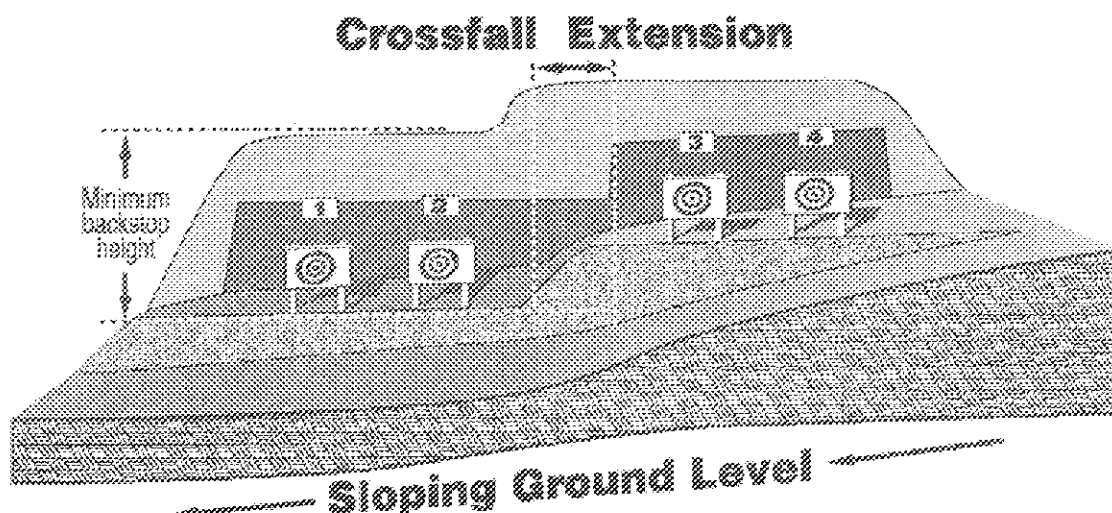


Figure 11: Target Line Cross-fall

### 2.1.2 BACKSTOP CREST LENGTH

The length of the backstop crest must exceed the *outside edge* of left and right flank (outside) target lanes, or in the case of action shooting only ranges - the active range area. The amount that it must exceed the outside edge of the flank target lanes is dependent on the distance to the backstop (from the firing line) and the CofF. Refer to *Table 3: Rifle Range Crest Flank Extensions* for flank extension distances. *Figure 12: Backstop Crest* presents a visual layout of the backstop crest.

Table 3: Rifle Range Crest Flank Extensions

Firing Distance	Maximum Distance to Backstop	Minimum Flank Extension
25 m or less	28 m or less	1.0 m
50 m	53 m	2.0 m
75 m	78 m	3.0 m
100 m or more	103 m or more	4.0 m



## STANDARD OUTDOOR RIFLE RANGES

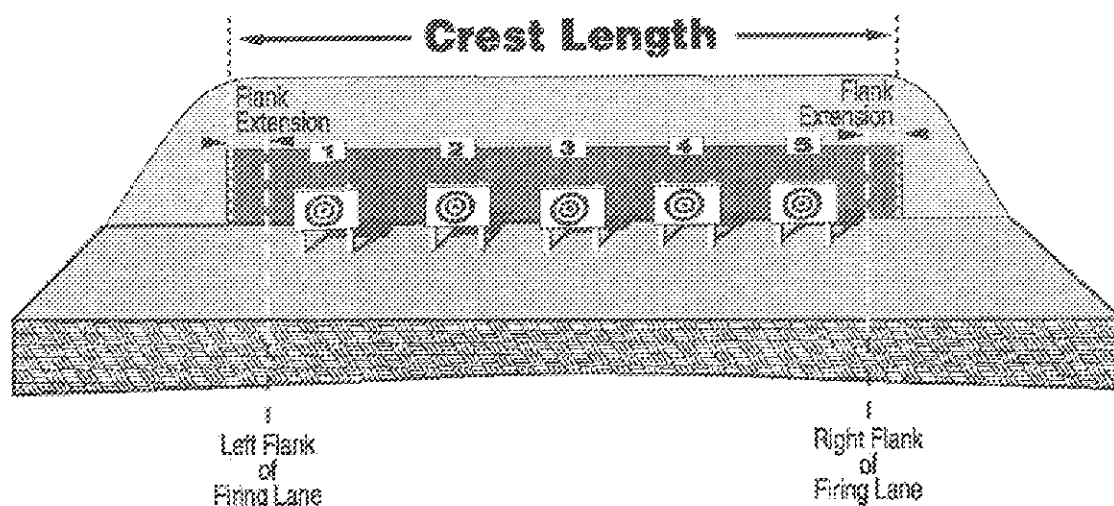


Figure 12: Backstop Crest

## 2.1.3 BACKSTOP CREST THICKNESS

The thickness of the backstop at the required minimum height shall be at least 1.5 m.

## 2.1.4 BACKSTOP SURFACE SLOPE

For new construction, the forward (impact) face of the backstop should be built with an incline, relative to the horizontal, of at least 34° (refer to *Figure 13: Backstop Slopes*). Through erosion and time, this backstop slope will subside slightly.

**Note:** A slope of 34° can be expressed as a vertical rise of 2 m in a horizontal run of 3 m, as a slope of 2 in 3, or as 2:3.

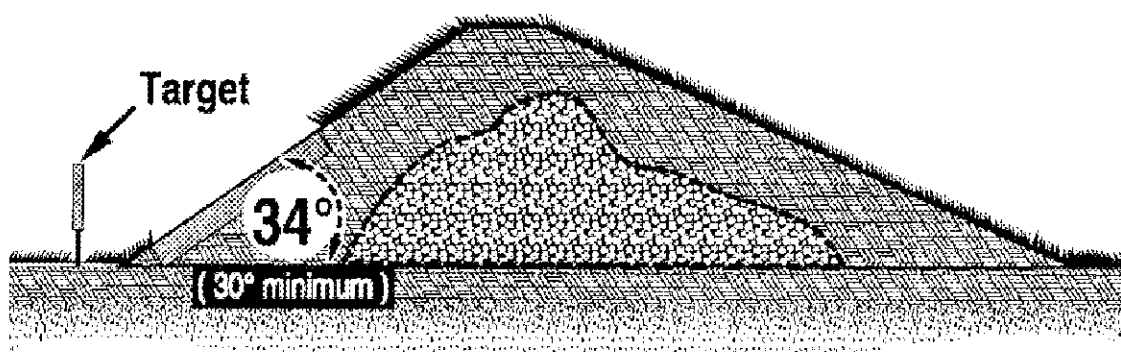


Figure 13: Backstop Slopes

**All backstop face slopes must be maintained at an angle of at least 30° to minimize the probability of ricochets.**

The backstop sides and rear surfaces can taper to the ground from the crest at the natural angle for the prevailing soil conditions.

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## STANDARD OUTDOOR RIFLE RANGES

## 2.1.5 BACKSTOP CONSTRUCTION

The core of the backstop can be constructed from any solid material, including soils, roots, rock or asphalt. However, if the backstop core is composed of hard materials (e.g. rock rubble), then the forward face of the backstop shall have at least a 1 m thick layer of soil covering it.

Tires, when used as a backstop core, are to be treated in accordance with hard materials due to their construction and composition. The use of large quantities of tires in backstop construction is strongly discouraged because of the potentially negative environmental impact they can have (e.g. pollution generated by a tire fire).

The face of the backstop can be terraced to accommodate local soil conditions or site features. If terraced, the horizontal step surfaces must slope toward the rear (into the backstop) at an angle of approximately 5° (1:12) or more. This will aid in drainage and prevent ricochets off of these surfaces. Although optional, the use of at least one terrace on a large backstop is recommended; refer to *Figure 14: Terraced Backstops*.

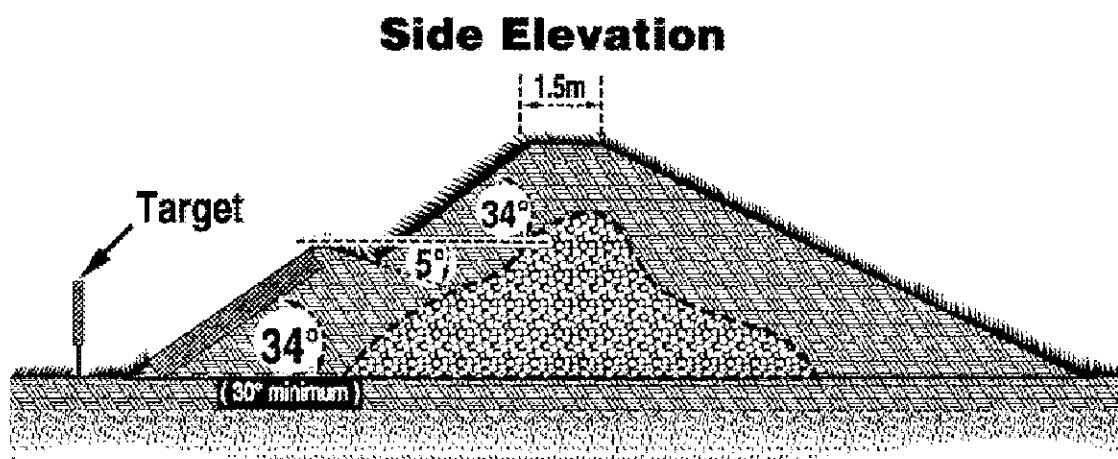


Figure 14: Terraced Backstops

Fascines (e.g. wooden timbers) can be used to stabilize the backstop; however, they should not be exposed to a large number of direct bullet impacts. Therefore, the fascines should not be used immediately behind the target area due to the bullet damage they will sustain, which will result in their subsequent structural weakening.

The forward face of the backstop must be free of major outcroppings of rock or other hard materials.

The growth of ground cover (e.g. grass, clover or similar vegetation) should be encouraged on backstops to reduce erosion effects. Due to the absence of ground water, backstops tend to be very dry. Therefore, the vegetation that is used as ground cover should be hardy enough to survive the dry conditions it will encounter.

## 2.1.6 BULLET CATCHERS

The use of inclined bullet catchers, which are similar to large inclined sand boxes, on the forward face of the backstop is optional; however, it is recommended. If used, bullet catchers are to be filled with coarse, loose sand. They will serve as the primary bullet impact areas.

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Bullet catchers are intended to minimize degradation (e.g. loss of slope) of the backstop due to bullet impacts and to ease the backstop maintenance (e.g. reshaping of the backstop face when bullet tunnelling starts to occur) that is required periodically. They also ease the de-mining of lead and copper alloys from the backstop.

The bullet catchers shall be at least 2.5 m in height, or exceed the maximum target height by at least 0.5 m, whichever is greater; refer to *Figure 15: Bullet Catchers*.

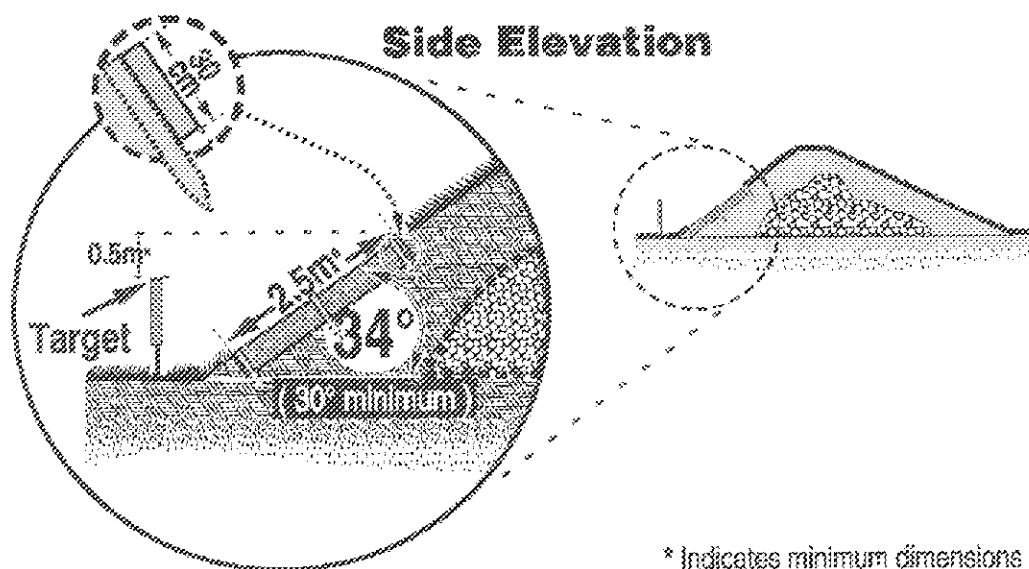


Figure 15: Bullet Catchers

Bullet catchers can either run continuously along the length of the backstop or be built for each target position. In either case, they shall exceed the target edges by at least 0.5 m.

If employed on a backstop, bullet catchers:

- Can be made from timber planking or logs;
- Cannot be made of steel, concrete or similar hard materials; and,
- Should be at least 30 cm deep and filled with loose sand.

For ranges used in the winter time, mixing saw dust and/or road salt into the bullet catcher sand is recommended to reduce the number of ricochets caused by bullet impact with frozen sand or soil. A 1:1 mixture ratio (by volume) of sand to saw dust is recommended.

#### 2.1.7 DISTANCE BETWEEN TARGET LINE AND BASE OF THE BACKSTOP

Targets should be placed as close as is practical to the base of the backstop. However, this does not preclude placing targets forward of the backstop if the shooter's fire is directed into the backstop and **not into the range floor or over the top of the backstop**.

#### 2.2 FIRING POINTS / FIRING LINES / FIRING LANE MARKING

Firing points are the specific locations from which individual shooters engage their targets. They are intended to control the location from which shooters fire and help to direct their firing.

A firing line is a group of individual firing points with a common attribute (e.g. distance to the targets).

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## 2.2.1 FIRING LINE DISTANCES

Firing lines can be located at any distance from the targets, as dictated by the shooting discipline that the range was designed to accommodate.

Shooting can occur from distances other than specifically defined firing lines, unless prohibited by the Range Operating Instructions or the Range Approval.

## 2.2.2 FIRING LINE MARKING

Each major firing line must be clearly marked with a distance marker, which indicates the distance to the targets (e.g. 100 m). The marker must be clearly visible to shooters using the firing line.

## 2.2.3 FIRING POINTS AND TARGET NUMBERS

All firing points and target positions shall be numbered. The numbering is intended to:

- Assist shooters in locating their correct target and firing point;
- Reduce the possibility of unintentional cross-firing between lanes; and,
- Reduce the possibility of firing outside of the approved horizontal firing arc.

The firing point and target “numbers” can be either composed of numbers or letters, as long as each firing point is uniquely identified. When the range is organized into multiple banks of similar numbered targets, then each bank must also have a unique identifier (e.g. target “A5” – target bank A, target 5).

Each firing lane shall be marked with clearly visible numbers located at the target line and at least one firing line, usually the most distant one. These numbers must be large enough to be readily visible with the unaided eye (e.g. not requiring the use of a spotting scope) from the distance at which they will normally be viewed from. Therefore, the firing point numbers can be relatively small, as they will be viewed from a close distance by the shooters. However, the target line numbers must be larger to allow them to be viewed at the distance for which the range was designed (e.g. 100 m).

Although optional, the use of different coloured numbers to assist target identification is recommended for situations where the numbers will be viewed from long distances (e.g. a 900 m rifle range).

Target numbers cannot be situated on a backstop such that any part of them is above the backstop crest. It is recommended that they be placed in front of the targets or immediately above them.

## 2.2.4 FIRING POINT SPACING

The spacing of firing points along the firing line must be large enough so that:

- Shooters do not interfere with each other during firing; and,
- The Range Officers can conduct their duties (e.g. supervise shooters, clear firearms or to otherwise assist shooters as needed).

However, the firing point spacing must not be so large that the Range Officer cannot maintain adequate control of the firing line.

Having the correct firing point spacing for the intended range use will minimize shooter errors (e.g. cross-firing) while promoting the optimum use of range facilities.

Firing point spacing is the measured *centre-to-centre* distance between adjacent firing points.

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## STANDARD OUTDOOR RIFLE RANGES

There are competition regulations from various shooting organizations that have minimum spacing requirements that specify the minimum allowable distance between adjacent firing points. Those requirements may be different from the spacing recommendations provided in *Table 4: Recommended Minimum Firing Point Spacing (Rifle Range)*.

Table 4: Recommended Minimum Firing Point Spacing (Rifle Range)

Firing Point Use	Recommended Minimum Spacing
Bench Rest	1.50 m
Rim-fire Rifle	1.25 m
Centre-fire Rifle	1.60 m

## 2.2.5 FIRING LINE HEIGHT (ELEVATION)

When practical, given the overall range design and intended range use, the firing lines can be elevated above the range floor. This elevation serves to keep the individual firing points dry and improve visibility of the target area.

If the firing lines are elevated, they shall be constructed in such a way as to provide for the safe movement of shooters onto and off of them.

## 2.2.6 FIRING LINE LENGTH

The firing line shall extend at least 1 m beyond the flank edges of the outside left and right firing points.

## 2.2.7 FIRING LINE DEPTH

Each firing line shall be deep enough to accommodate the shooters, their equipment and provide space for the Range Officer (or Range Officials) to function behind them without any impediments.

Firing line depth is the distance measured from the front edge of the firing line to the rear edge of the firing line.

There are competition regulations from various shooting organizations that have minimum firing line depth requirements. Those requirements may be different from the spacing recommendations provided in *Table 5: Recommended Firing Line Depths (Rifle Range)*.

Table 5: Recommended Firing Line Depths (Rifle Range)

Firing Point Use	Recommended Minimum Firing Point Depth	Recommended Minimum Range Officer Area	Recommended Minimum Total Depth
Bench Rest	2.0 m	1.0 m	3.0 m
Rim-fire Rifle	2.5 m	1.0 m	3.5 m
Centre-fire Rifle	2.5 m	1.0 m	3.5 m

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STANDARD OUTDOOR RIFLE RANGES

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## 2.2.8 FIRING LINE ALIGNMENT WITH THE BACKSTOP

The firing line shall not be more than 10° out of parallel alignment with the backstop.

## 2.2.9 FIRING LINE SURFACE

The firing line surfaces shall provide the shooters with as firm footing under adverse weather conditions as is practical. The use of asphalt, concrete or gravel is recommended.

## 2.2.10 COVERED FIRING LINE

The firing line can be covered with a weather shelter, if so desired. However, if one is provided it shall be of such height and construction that it will not interfere with the shooters or the Range Officer during any part of their activities on the firing line (e.g. preparation, firing, supervision, etc.).

The firing point cover shall not obscure the shooter's or the Range Officer's view of the active range area.

## 2.3 RANGE FLOOR

The floor of a range is defined as the space between the firing line(s) and the most distant target line.

The range floor (between firing line and target line) shall:

- Be as level as is practical;
- Not contain any large obstructions (excluding backstops);
- Not contain any large exposed rock outcroppings; and,
- Not contain unsheltered standing bodies of water or rivers/streams.

If the range floor contains a body of water that cannot be drained or diverted from the active range area, then a berm or shelter shall be constructed to protect the water from being struck by a shot fired from any intended firing location.

The range floor may slope downwards towards the target line. This serves to move the CofF intersection point with the range floor further downrange, which will help direct ricochets into the backstop and not over the top of it.

## 2.4 FIRING AREAS AND TARGET AREAS

If the range is configured solely for action shooting (e.g. IPSC rifle events), this section applies and supersedes **section 2.2 Firing Points / Firing Lines / Firing Lane Marking**. In this case, the range is configured to have all, or a portion, of the active area used for a firing area and a target area instead of specific firing lines and target lines.

In this configuration, the active range area does not have defined firing lines or target lines; however, there are requirements that must be met to ensure that the range limits are not unintentionally exceeded by range users.

The perimeter of the active range area shall be marked to the rear, at the backstop and on both sides. The side markers shall be at intervals no greater than 1/5 the maximum firing distance (e.g. for a 100 m range, the maximum marking interval is 20 m). They shall indicate the distance from the backstop. The rear and backstop markers shall be at no more than 5 m intervals and shall indicate the distance from one (reference) side of the range.



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These markers are to assist shooters and Range Officers in ensuring that all shooting occurs within the acceptable arc(s) of fire for the range.

The Coff of all shooting shall be directed into a backstop, not beyond the flanks of the backstop, nor over the top of the backstop. The Range Operating Instructions reflect these horizontal and vertical restrictions. These restrictions shall be reduced to simple angle or distance operating rules that can be applied by shooters using the range (e.g. +/- 2 targets at 50 m and +/- 1 target at 10 m).

Targets shall be placed as close to the backstop as is practical.

The intended firing area(s) shall provide the shooters with secure footing.

For the purposes of determining backstop flank extensions, the left and right edge of the active range area are equivalent to the outside edges of the flank firing lanes.

## 2.5 BERMS

### 2.5.1 EARTHEN BERMS

For the purposes of these guidelines, a berm is defined as a significant raised mound of earth associated to a range. Berms are usually intended to:

- Prevent movement of people/animals onto the active range area;
- Reduce the likelihood of an errant shot escaping the active range area;
- Separate adjacent ranges and protect people in areas adjacent to the range; and,
- Protect buildings or equipment (e.g. a target shed).

**Berms do not serve as backstops.** If the planned arcs of fire are such that the Coff will cover a berm, then a properly constructed backstop is required in that location.

The core of a berm can be constructed from any solid materials, including soils, roots, rock or asphalt. However, if the berm core is composed of hard materials (e.g. rock rubble), then the face of the berm shall have at least a 1 m thick layer of soil covering these materials.

If tires are used in berm construction, then they are to be treated in accordance with hard materials and covered. Due to their construction, tires can cause ricochets and dangerous backslash. The use of large quantities of tires in berm construction is strongly discouraged because of the potential environmental impact that they can have (e.g. pollution generated by a tire fire).

The berm face can be terraced to accommodate local soil conditions or site features. If terraced, the horizontal step surfaces must slope toward the rear (into the berm) at an angle of approximately 5° (1:12) or more. This will aid in drainage and prevent ricochets off of these surfaces; refer to Figure 14: Terraced Backstops for an example of a terraced surface.

Fascine, such as wooden timbers, can be used to stabilize a berm. The berm face must be free of major outcroppings of rock or other hard materials.

The growth of ground cover (e.g. grass, clover or similar vegetation) should be encouraged on berms to reduce erosion effects.

If used to separate *adjacent* ranges, earthen berms shall:

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STANDARD OUTDOOR RIFLE RANGES

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- Have a minimum height of 2.5 m, measured from the range floor;
- Have a minimum face slope of 30°, relative to the horizontal;
- Have a minimum crest thickness of 1.5 m; and,
- Join to at least one backstop.

Side berms can also be used to shelter adjacent areas where people or equipment are likely to be. If used to protect *adjacent* areas, earthen berms shall:

- Have a minimum height of 2.5 m, measured from the range floor;
- Have a minimum face slope of 30°, relative to the horizontal;
- Have a minimum crest thickness of 1.5 m; and,
- Be of sufficient length to shelter the adjacent area.

If used to separate adjacent range areas or to shelter adjacent areas, the crest of the berm shall not have any trees, poles or other similar features positioned such that a ricochet could be directed into the adjacent area.

## 2.5.2 MAN-MADE MATERIAL BERMS

Man-made material berms are frequently used for the same reasons as earthen berms. However, they are primarily made from man-made materials, such as wood or concrete. They can also be used in conjunction with earthen berms to augment the overall height or length.

If used to separate adjacent ranges, man-made material berms shall:

- Rise vertically; and,
- Have a minimum height of 2.5 m, measured from the range floor.

Man-made material berms shall be of such construction that they will defeat the maximum calibre of cartridge for which the range was designed. There shall not be any gaps in protection along the length of a man-made material berm.

Man-made berms constructed of hard materials (e.g. concrete) shall be sheltered by Linatex™ (or similar material) or wood cladding at least 5 cm thick.

The use of *unsheltered* tires for man-made material berms is not permitted due to the hazard they pose from bullet backslash and ricochet. If such tires are used, they shall be completely sheltered by Linatex™ (or similar material) or wood cladding at least 5 cm thick.

**Note:** Linatex is the registered trademark of the Linatex Corporation of America.

If tires are used for man-made material berms, then the tires shall be:

- Arranged in columns;
- Staggered and overlapped to provide uniform, gap-free coverage;
- Filled with soil or sand;
- Securely supported and configured to prevent toppling, sagging or leaning; and,
- Clad with Linatex™, wood cladding or similar materials.

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## STANDARD OUTDOOR RIFLE RANGES

## 2.6 SAFETY AREA TEMPLATES

The safety area templates that can be applied to this type of range are located in **Appendix D: Safety Area Templates**.

## 2.7 TARGETS AND TARGET HOLDERS

For this type of range, the choice of targets and target holders rests with the Range Operator.

**Notwithstanding the above provision**, to reduce the probability of bullet ricochet and backsplash off of the target holders, it is recommended that when practical:

- Low ricochet materials, such as plastic or wood, be the primary construction materials; and,
- They not be constructed of unsheltered metal members (metal fittings can be used however).

For sample target holder designs, refer to, *Figure 16: Target Holder Designs* and *Figure 17: Target Holder Designs (Removable Frame)*.

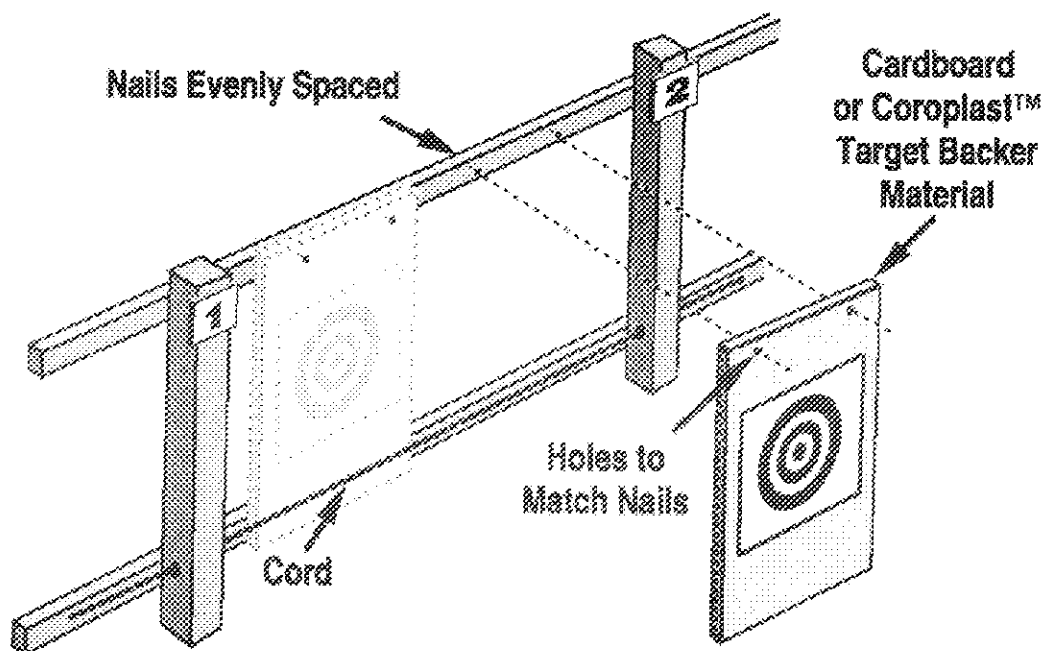


Figure 16: Target Holder Designs

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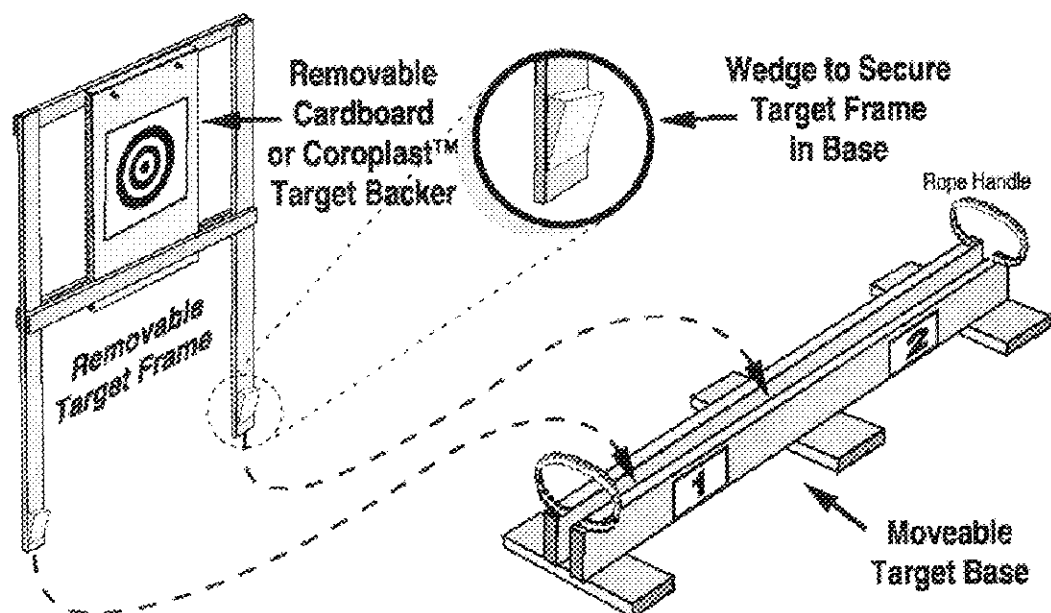


Figure 17: Target Holder Designs (Removable Frame)

When practical, it is recommended that the target backers be made of Coroplast™, plywood, heavy cardboard or similar materials.

If hard material targets (e.g. steel targets) are used:

- The range users must be aware of the minimum safe firing distance from these targets. Firing at distances less than the safe limit will expose shooters to the risk of injury from bullet backslash; refer to section 1.9 Backslash;
- The targets shall not have a design style (e.g. concave) that will direct ricochets or backslash towards the shooters; and,
- It is recommended that the targets be of a flat steel design, constructed of materials of sufficient hardness, so that they do not significantly crater from bullet impacts. Refer to section 9.6 Bullet Traps for information about steel specifications for indoor range backstops. This information can be applied to steel target specifications.

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## STANDARD OUTDOOR HANDGUN RANGES

## 3 STANDARD OUTDOOR HANDGUN RANGES

The standard outdoor handgun range can have different configurations, dependent on the intended shooting activities. These ranges have one or more firing lines, a target area, a suitable backstop and a downrange safety area. They may also have other features, such as covered firing points, target mechanisms, etc.; refer to *Figure 18: Standard Pistol Range*.

Standard outdoor handgun ranges can be configured to have traditional firing lines, such as those used for ISU-style shooting; or they can be configured to have the active range area used as a more extensive firing area, such as is used for IPSC-style handgun shooting. However, in many cases outdoor handgun ranges are used for both purposes.

Except where noted, all the requirements of this section apply to both range configurations. If the outdoor handgun range is used *solely for action shooting* (e.g. IPSC), then **section 3.2 Firing Points / Firing Lines / Firing Lane Marking** does not apply; in this case, **section 3.4 Firing Areas and Target Areas** does apply however. If the range is used for both fixed firing line activities and for action shooting, then all requirements of this section apply.

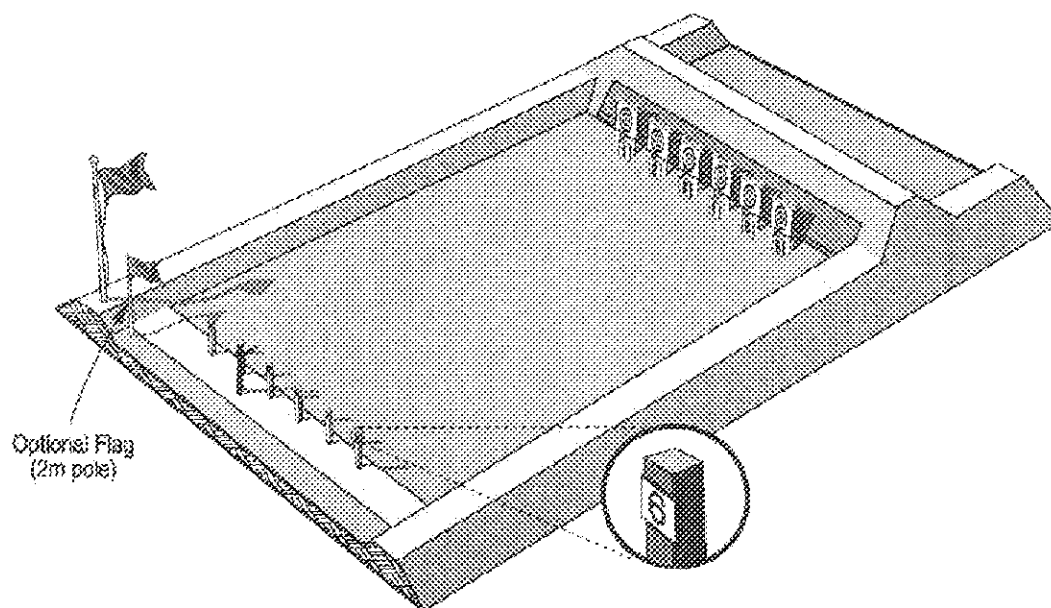


Figure 18: Standard Pistol Range

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## STANDARD OUTDOOR HANDGUN RANGES

## 3.1 BACKSTOP DESIGN AND CONSTRUCTION

Except as noted below, the requirements of this section are in accordance with **section 2.1 Backstop Design and Construction**.

## 3.1.1 BACKSTOP HEIGHT

Due to the CoF requirements for handgun shooting, it is generally not feasible to attempt to fully confine the CoF to the backstop at all distances. Minimum backstop heights are outlined in *Table 6: Outdoor Handgun Range Minimum Backstop Heights*.

Table 6: Outdoor Handgun Range Minimum Backstop Heights

Maximum Firing Distance	Minimum Backstop Heights
15 m or less	3 m
25 m	4 m
50 m or more	6 m

## 3.1.2 BACKSTOP CREST LENGTH

The length of the backstop crest must exceed the *outside edge* of both the left and right flank (outside) target lanes. The amount that it must exceed the centre of the flank target lanes is dependent on the distance to the backstop (from the firing line). Refer to *Table 7: Outdoor Handgun Range Minimum Crest Flank Extensions* for flank extension distances. Refer to **Figure 12: Backstop Crest** for a visual layout of the backstop crest.

Table 7: Outdoor Handgun Range Minimum Crest Flank Extensions

Firing Distance	Maximum Distance to Backstop	Minimum Flank Extension
15 m or less	18 m or less	1.5 m
20 m	23 m	2.0 m
25 m	28 m	2.5 m
50 m or more	53 m or more	4.5 m

## 3.1.3 BACKSTOP CREST THICKNESS

The thickness of the backstop, at the required minimum height, must be at least 1.0 m.

## 3.2 FIRING POINTS / FIRING LINES / FIRING LANE MARKING

This section is in accordance with **section 2.2 Firing Points / Firing Lines / Firing Lane Marking**, except for the associated minimum firing point dimensions specific to handgun shooting, as listed in *Table 8: Recommended Minimum Firing Point Spacing (Handgun Range)* and *Table 9: Recommended Firing Line Depth (Handgun Range)*.

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STANDARD OUTDOOR HANDGUN RANGES

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**Table 8: Recommended Minimum Firing Point Spacing (Handgun Range)**

<b>Firing Point Use</b>	<b>Recommended Minimum Spacing</b>
Standing	1.0 m
Kneeling	1.5 m
Barricade	1.5 m
Prone	2.0 m

**Table 9: Recommended Firing Line Depth (Handgun Range)**

<b>Firing Point Use</b>	<b>Recommended Minimum Firing Point Depth</b>	<b>Recommended Minimum Range Officer Area</b>	<b>Recommended Minimum Total Depth</b>
Rim-fire Handgun	1.5 m	1.0 m	2.5 m
Centre-fire Handgun	1.5 m	1.0 m	2.5 m

**3.3 RANGE FLOOR**

This section is in accordance with **section 2.3 Range Floor.**

**3.4 FIRING AREAS AND TARGET AREAS**

This section is in accordance with **section 2.4 Firing Areas and Target Areas.**

**3.5 BERMS**

This section is in accordance with **section 2.5 Berms.**

**3.6 SAFETY AREA TEMPLATES**

The safety area templates that can be applied to this type of range are located in **Appendix D: Safety Area Templates.**

**3.7 TARGETS AND TARGET HOLDERS**

This section is in accordance with **section 2.7 Targets and Target Holders.**



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## NO SAFETY AREA RANGES

## 4 NO SAFETY AREA RANGES

No Safety Area (NSA) ranges are outdoor handgun or rifle ranges that have been built with the direction of fire **into an imposing topographic feature** (e.g. a mountain). This type of range relies on the sheer size of the topographic feature to capture overshoots and ricochets; refer to *Figure 19: No Safety Area Range*.

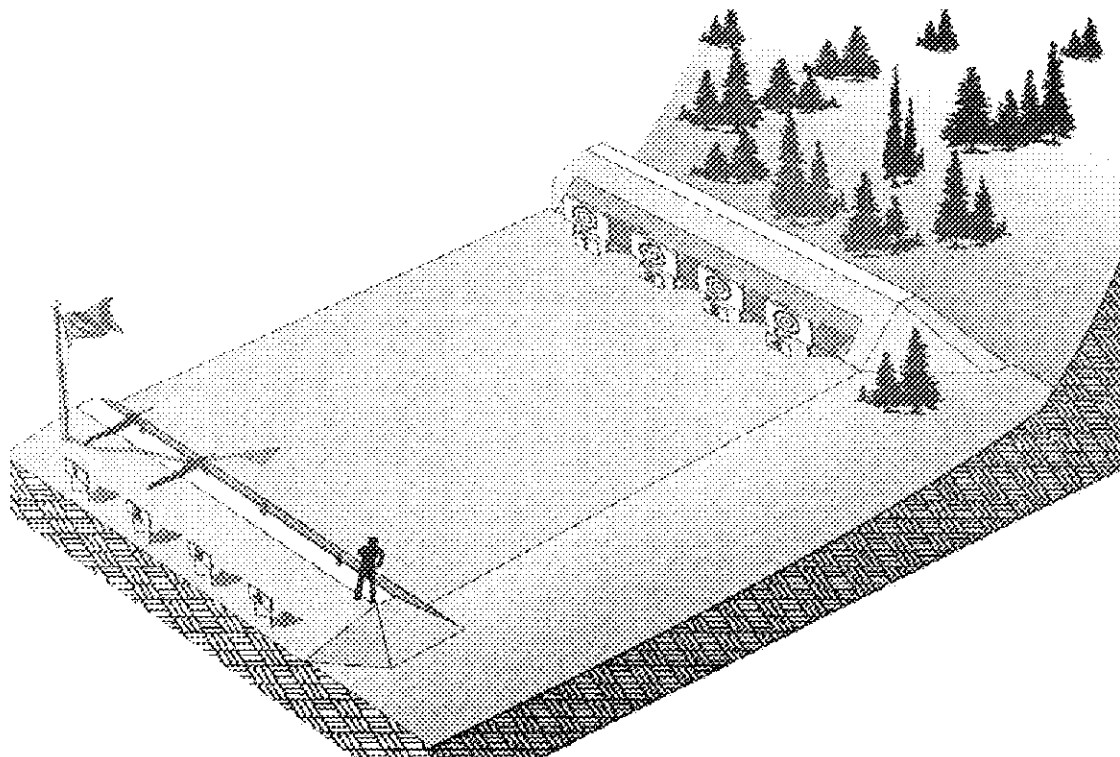


Figure 19: No Safety Area Range

The downrange safety area is generally defined as a specific elevation on the topographic feature. However, if unsheltered hard (e.g. steel) targets are used on the range, a limited downrange safety area is required.

Due to their nature, NSA ranges shall be designed and assessed on an individual basis. This section provides the tools needed to design and assess these ranges, rather than provide simple absolutes.

Though similar in purpose to baffled ranges, NSA ranges differ in their construction and design. For information on baffled ranges, refer to **section 8 Baffled Rifle and Handgun Ranges** of this document.

Figures 20: *Calculating Total Backstop Heights (Flat Range Floor)*, 21: *Calculating Total Backstop Heights (Downward Sloping Range Floor)* and 22: *Calculating Stop Butt Flank Width* provided in **section 4.1 Topographic Feature Characteristics** are used to assist in the design and assessment of NSA ranges.

No calibre-specific considerations are involved in NSA range design or assessment; however, the type of firearm to be used on the range (e.g. handgun vs. rifle) is an important factor.

## Attachment 3 to PD-56-2022

NO SAFETY AREA RANGES

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It is usually impractical, or not cost-effective, to construct NSA ranges on sites that do not have an existing imposing topographic feature (e.g. hill, ravine, mountain, etc.).

In general, NSA ranges consist of one or more firing lines, an active range area, a fixed location target line, a backstop and an imposing topographic (or man-made) feature behind the targets. They may also have a variety of equipment and structures required for the intended range use (e.g. a target shed, covered firing points, target mechanisms, etc.).

The presence of an imposing topographic (or man-made) feature does not prevent an errant shot (overshoot), generated by operating the range beyond its design limitations (e.g. a wild shot with a high firing angle), from leaving the active range area. Such a shot will certainly leave the range and will pose a hazard to people beyond the range area. **Proper range usage is an essential element to maintain safety** on any range and it is especially critical on NSA ranges.

Provisions for the use of the active range area as an extensive *target* area, as described in **section 2 Standard Outdoor Rifle Ranges** and **section 3 Standard Outdoor Handgun Ranges** are not provided in this section. If a target area is planned in lieu of a single fixed target line, contact the CFO for more information.

The active range area can be used as a firing area in lieu of traditional fixed firing lines.

#### 4.1 TOPOGRAPHIC FEATURE CHARACTERISTICS

This guideline assumes that an imposing topographic (or man-made) feature is present behind the targets. The requirements in this section are equally applicable to an imposing man-made backstop of equivalent size and location.

NSA ranges require an imposing feature (topographic or man-made) that is capable of capturing all overshoots and all ricochets generated on the range during the course of normal use. It must be of such construction (e.g. slope and composition) that it does not cause primary or secondary ricochets that can leave the range area. Therefore, the design, construction and natural attributes of the topographic feature are of primary concern to the design and assessment of NSA ranges.

The exact configuration of the backstop (if present) and the topographic feature is flexible, as long as the overall design requirements are met. As a result, NSA ranges can have different configurations, which include:

- Only a large man-made feature;
- A backstop with an imposing topographic feature immediately behind it; and,
- Only a large topographic feature.

The slope of the forward (impact) face of the topographic feature is an important design and assessment feature of NSA ranges. The lowest acceptable slope anywhere within the required height and width on the forward face of the topographic feature is 30° (slope fall ratio of 2:3). An ideal slope for this surface is 56° (slope fall ratio of 3:2).

The steeper the slope of the topographic feature's forward face the better, as it will better capture direct shots and ricochets. All things held equal, the forward face with the steeper slope will require less overall height than the one with the shallower slope, as the steeper slope intersects escaping bullet trajectories sooner in their upward flight.

The information in Figures 20: *Calculating Total Backstop Heights (Flat Range Floor)*, **21: Calculating Total Backstop Heights (Downward Sloping Range Floor)** and **22: Calculating Stop Butt Flank Width** can be used to determine the required topographic feature height and width.

# Attachment 3 to PD-56-2022

## NO SAFETY AREA RANGES

The minimum required height for the topographic feature is the lesser of the ADH (refer to **Appendix F: Ricochet Air Danger Heights**) or the height calculated in accordance with **Figures 20: Calculating Total Backstop Heights (Flat Range Floor)** or **21: Calculating Total Backstop Heights (Downward Sloping Range Floor)**.

The overall required height of the topographic feature is influenced by the height of the firing position (shooting stance and any elevation of the firing point). It is also strongly influenced by any upward or downward slope of the range floor. The overall required height can be reduced by elevating the shooter, restricting the firing heights (e.g. eliminating prone shooting) or sloping the range floor away from the firing line (downward).

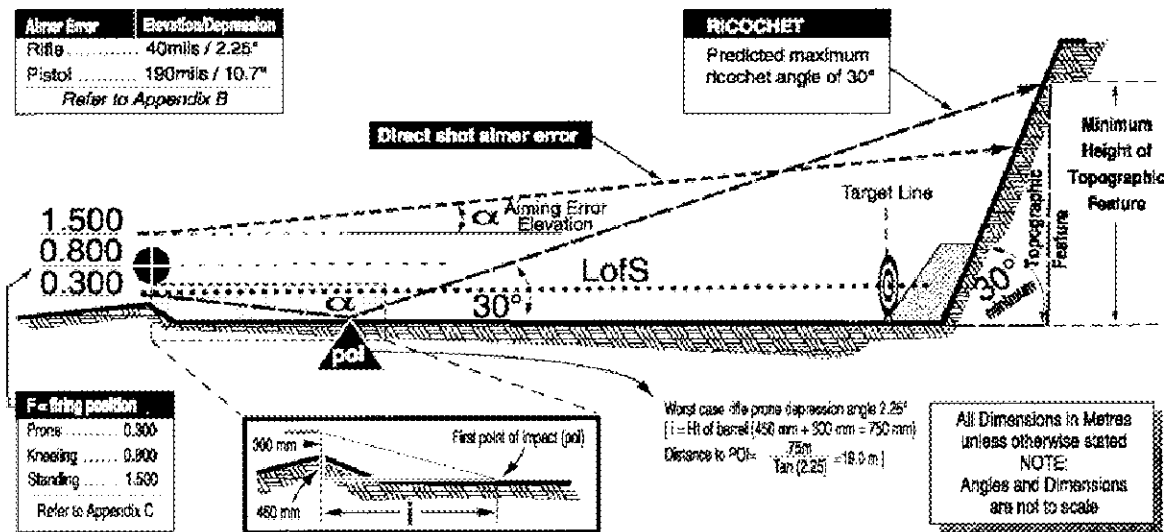


Figure 20: Calculating Total Backstop Heights (Flat Range Floor)

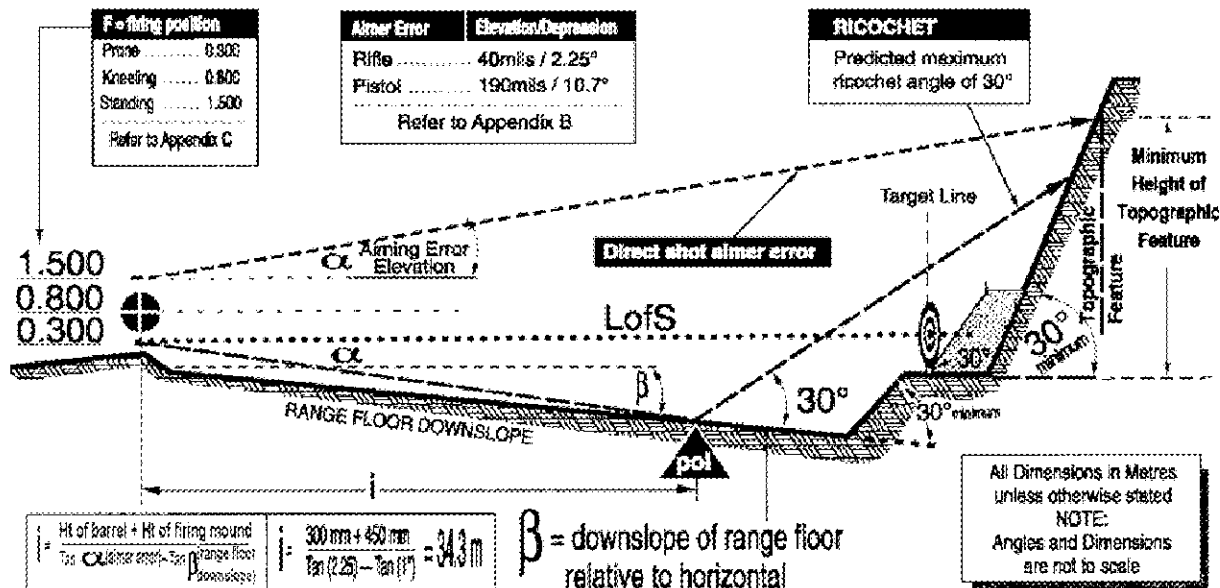


Figure 21: Calculating Total Backstop Heights (Downward Sloping Range Floor)

## NO SAFETY AREA RANGES

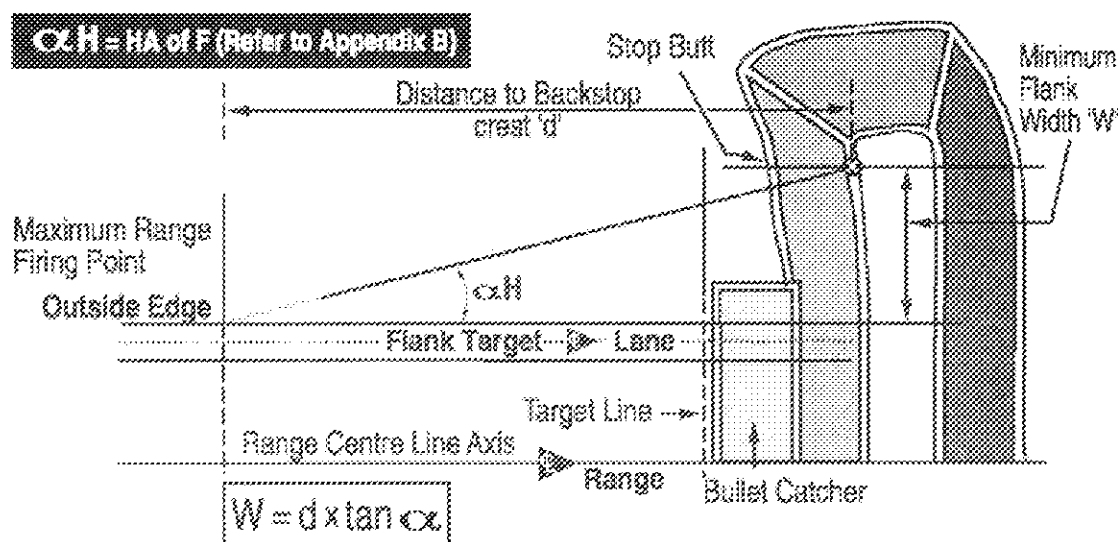


Figure 22: Calculating Stop Butt Flank Width

Topographic features (or backstops) can be augmented by constructed features that serve to raise their overall height. In those cases where the augmentation is of earthen construction, the normal backstop construction provisions apply. In those cases where the augmentation is not of earthen construction (e.g. a barrier wall of concrete or timber), the following provisions apply.

The barrier wall must:

- Rise vertically to the required height;
- Be of sufficient construction and thickness to prevent bullets from passing through them; and,
- Be of a design and construction that can contain ricochets.

It must be remembered that grass, shrubs and trees do not augment the height of the topographic feature. All measurements are based on ground levels, not vegetation levels.

The thickness of the topographic feature at the required minimum height must exceed 1.0 m for handgun or 1.5 m for rifle.

The forward face of the topographic feature shall be free of major exposed rock outcroppings or other hard ricochet-producing surfaces, within the required width and height.

Generally, a reduction in the safety area is *not* justified if the imposing topographic feature or backstop does not meet the above criteria. The effectiveness of the topographic feature (as a natural backstop) is sometimes overestimated because:

1. It is regarded as a natural backstop for bullets fired accidentally with undue elevation, and not in relation to the trajectory of projectiles ricocheting off the hill's face, targets or other range features, which also constitute a significant hazard.
2. Its height is usually measured from the target level; however, the actual *effective* height is the perpendicular distance from its crest to the *line of sight* (between the firing point and the targets). If the range slopes uphill, the effective height will be reduced. Refer to **Figure 4: Effective Backstop Height**. Or,
3. The slope of the forward face of the topographic feature is not steep enough to warrant the reduced safety area, due to the increased risk of ricochets off of it.

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NO SAFETY AREA RANGES

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When a range appears to justify some reduction in its safety area, and does not fall within one of the above categories, the case will be examined on an individual basis by the CFO.

## 4.2 BACKSTOP DESIGN AND CONSTRUCTION

Although optional, it is recommended that NSA ranges have at least a small purpose built backstop area. This feature will aid with range maintenance activities, such as the removal of lead and bullet jacket material accumulations (de-mining) and slope maintenance.

If present, backstops will satisfy the requirements of **section 2.1 Backstop Design and Construction**, except as noted below.

## 4.2.1 BACKSTOP HEIGHT

The minimum backstop height shall be 2.5 m, measured from the range floor.

## 4.2.2 BACKSTOP CREST LENGTH

The length of the backstop crest shall exceed the outside edges of the active range area.

## 4.2.3 BACKSTOP CREST THICKNESS

The thickness of the backstop, at its crest, shall be at least 1.5 m for rifle and 1.0 m for handgun.

## 4.2.4 BULLET CATCHERS

Although bullet catchers are optional, they are recommended; refer to **section 2.1.6 Bullet Catchers**.

## 4.3 FIRING POINTS / FIRING LINES / FIRING LANE MARKING

This section is in accordance with **section 2.2 Firing Points / Firing Lines / Firing Lane Marking** or **section 3.2 Firing Points / Firing Lines / Firing Lane Marking**, except as noted below.

## 4.3.1 FIRING LINE HEIGHT (ELEVATION)

It is recommended, when practical and when appropriate for the intended range use, that the firing line be elevated above the range floor. This elevation serves to keep the firing line dry and improve visibility of the target area. It also serves to move the CofF point of impact with the range floor towards the topographic feature. This will help to reduce the required height of the topographic feature.

## 4.4 FIRING AREAS AND TARGET AREAS

This section is in accordance with **section 2.4 Firing Areas and Target Areas**.

## 4.5 FIRING ARCS

All firing arcs shall be controlled so that the CofF is directed into the backstop (or topographic feature) area and does not exceed the outside edges of the range floor (e.g. the active range area).

## Attachment 3 to PD-56-2022

NO SAFETY AREA RANGES

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## 4.6 RANGE FLOOR

This section is in accordance with section 2.3 Range Floor, except as noted below.

When practical, it is recommended that the range floor slope downward towards the targets. This serves to move the intersection point between the CofF and the range floor further downrange and helps direct ricochets into the backstop or topographic feature at a lower height.

## 4.7 BERMS

This section is in accordance with section 2.5 Berms.

## 4.8 TARGET LINE

In general, NSA ranges have one fixed target line, which is located close to the front of the backstop or large topographic feature.

If a target area is planned in lieu of a single fixed target line, contact the CFO for more information.

## 4.9 TARGET HOLDERS

This section is in accordance with section 2.7 Targets and Target Holders, except as noted below.

To reduce the probability of bullet ricochet off of the target holders, it is recommended that targets not be constructed of *unsheltered* metal structural components; however, metal fittings can be used. Sheltering of the metal target holders can be provided by wood cladding or similar materials.

If unsheltered metal *structural* components are used in the target holder's construction, the downrange safety area provisions for hard targets, provided in **section 4.10 Targets**, apply.

## 4.10 TARGETS

NSA ranges can accommodate the use of hard targets (e.g. steel targets) if a limited downrange safety area is present. The safety area template is illustrated by **Figure 77: Safety Area Template T1** in **Appendix D: Safety Area Templates**. This template shall be applied to all hard target locations on the NSA range.

If a suitable downrange safety area is not available, *unsheltered* hard targets shall not be used on NSA ranges. However, hard targets can be used if they are placed within target shelters designed to capture ricochets from them. For an example of a target shelter, refer to **Figure 47: Steel Target Revetments**. Target shelters of alternate designs are acceptable, as long as they serve to capture ricochets from the hard targets.

Reactive targets made from self-sealing rubber (or equivalent designs) are commercially available. They provide the Range Operator with alternative target systems that do not require sheltering or the provision of a limited safety area.

## OUTDOOR GALLERY RIFLE RANGES

## 5 OUTDOOR GALLERY RIFLE RANGES

Gallery ranges are often used for long range (beyond 200 m) rifle or handgun shooting. They have a suitable backstop, a target markers sheltered gallery, one or more firing lines and an adequately sized downrange safety area capable of containing the safety area template(s) being applied; refer to *Figure 23: Gallery Range*.

Due to the extended distances between the shooters and their targets, outdoor gallery ranges are designed to use target marking systems in the downrange area. The target marking systems can be manual, electronic or a combination of both types.

This type of range can have different configurations, dependent on the intended shooting activities.

Gallery rifle ranges can be configured to have one or more firing areas instead of traditional firing lines. If the range is configured with firing areas, **section 5.8: Gallery Range Firing Areas** is applicable in lieu of **section 5.4 Firing Points / Firing Lines / Firing Lane Marking**.

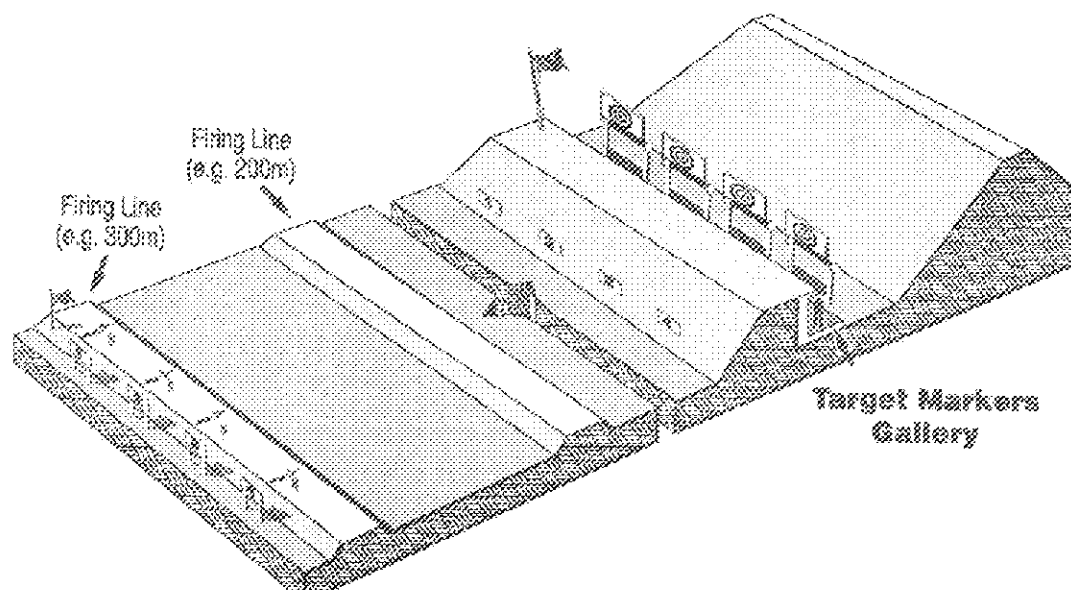


Figure 23: Gallery Range

### 5.1 SAFETY CONSIDERATIONS

The protection of any personnel (e.g. markers) in the downrange sheltered gallery is one of the key safety considerations for this type of range. The markers must be protected from hazards posed by direct bullet impact, bullet ricochets off of targets or other surfaces, and bullet backsplash from the backstop.

The Range Operator shall maintain all construction aspects of the gallery as required to ensure the safety of personnel who work in the gallery.

### 5.2 BACKSTOP DESIGN AND CONSIDERATION

This section is in accordance with **section 2.1 Backstop Design and Construction**.



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## OUTDOOR GALLERY RIFLE RANGES

## 5.3 TARGET MARKERS GALLERY

If electronic target marking equipment is used exclusively on this type of range, then this section is not applicable (refer to **section 5.7 Electronic Target Marking Equipment Gallery**). However, if personnel are present in the target markers gallery when firing is underway, then the requirements of this section are applicable.

The use of manual target marking on this type of range requires that the target markers be in close proximity to the targets to fulfil their job. The purpose of the target markers gallery (hereafter referred to as the gallery) is to shelter these target markers from the firing being conducted on the range. Therefore, the design and construction of the gallery shall be such that the target markers can mark their targets and conduct their other duties in the gallery without being exposed to hazardous fire or ricochets.

The target markers gallery is composed of the following elements:

- Mantlet;
- Gallery;
- Target carriers; and,
- Protective wall (if required).

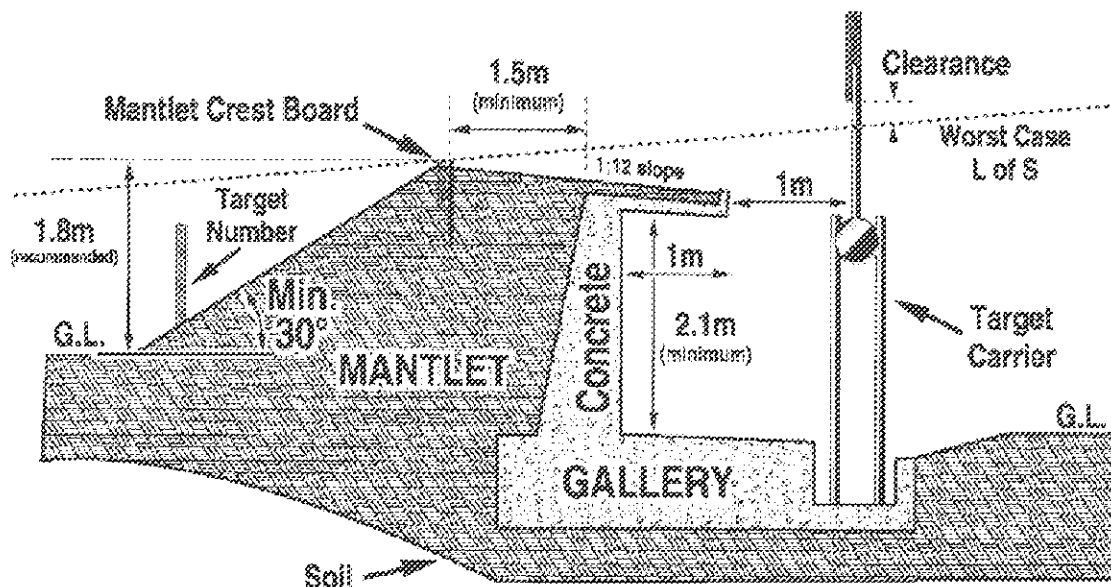


Figure 24: Target Markers Gallery

## 5.3.1 MANTLET

The mantlet is an earthen berm banked up against the gallery itself. The mantlet is designed to capture low shots and low ricochets, and to provide additional protection to the gallery by sheltering it from repeated bullet strikes.

The core of the mantlet can be constructed from any solid material, including soil, roots, rock or asphalt. However, if the mantlet core is composed of hard materials (e.g. rock rubble), then its forward face shall have at least a 1.5 m thick layer of soil covering the hard materials.

The forward face of the mantlet must be free of major rock outcroppings or other hard materials. The minimum thickness of the mantlet over the gallery construction shall be at least 1.5 m.

## Attachment 3 to PD-56-2022

## OUTDOOR GALLERY RIFLE RANGES

The forward face of the mantlet shall have a slope not less than 30° (relative to the horizontal). This slope angle shall be maintained as required. The mantlet at either end of the gallery can taper to ground level at the natural angle for the prevailing soil conditions.

The growth of ground cover (e.g. grass) on the mantlet shall be encouraged to reduce erosion effects.

The mantlet crest shall exceed the outside edges of the extreme left and extreme right target positions by at least 2 m.

The mantlet crest shall have embedded timbers running the full length of the gallery. The purpose of these timbers is to define the crest and prevent tunnelling of the mantlet from repeated low grazing shots. These mantlet crest timbers shall be at least 50 mm x 250 mm (2 in. x 10 in.), buried into the crest of the gallery mantlet, and supported by pickets; refer to Figures 25: *Mantlet Crest Board* and 26: *Mantlet Crest Tunnelling*.

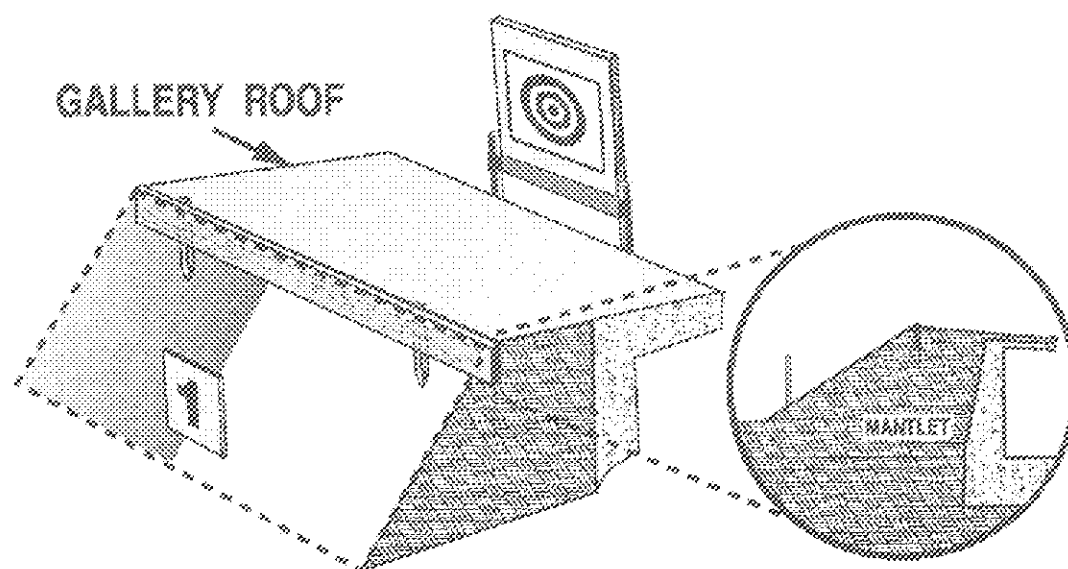


Figure 25: Mantlet Crest Board

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## OUTDOOR GALLERY RIFLE RANGES

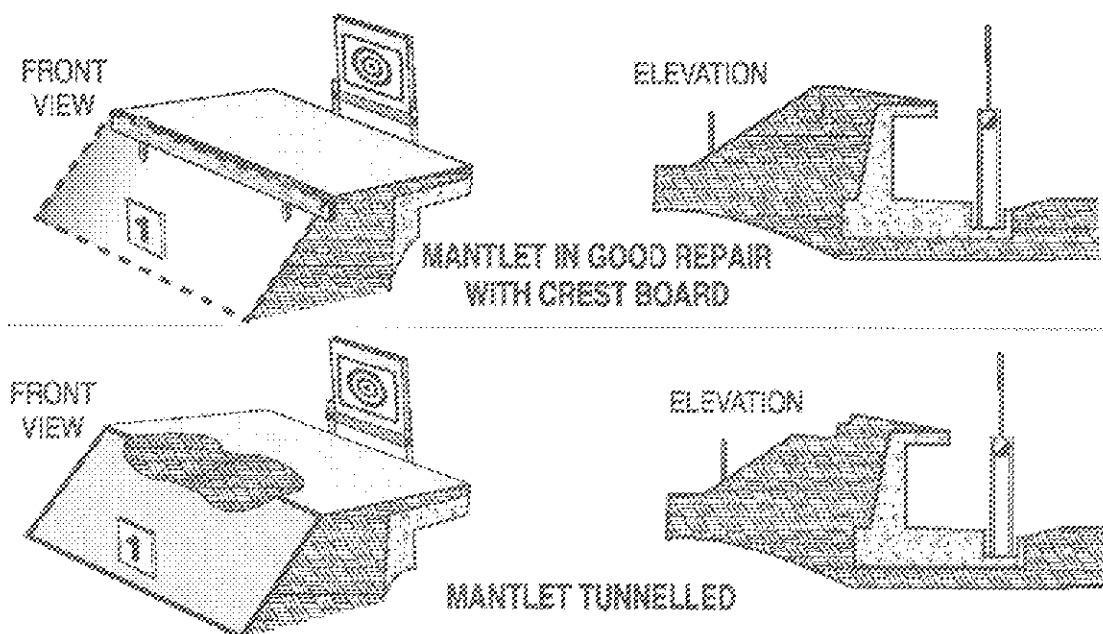


Figure 26: Mantlet Crest Tunnelling

The mantlet crest shall be constructed to ensure that the targets are completely visible from all planned firing heights at all planned firing distances. This requirement is promoted by ensuring that a small gap (10 cm approximately) is visible beneath the targets from all firing distances.

When practical, it is recommended the target numbers be placed on the forward face of the mantlet. From the shooter's perspective, they will appear immediately beneath their respective target. Refer to the information on target numbering in [section 2.2 Firing Points / Firing Lines / Firing Lane Marking](#).

When practical, it is recommended that the gallery be constructed with the mantlet crest approximately 1.8 m above ground level. By raising the gallery above ground level, low shots and low ricochets can be readily captured.

The top of the mantlet (and the gallery roof) shall be constructed to reduce the likelihood of bullet strikes and to be adequately drained. This can be accomplished by:

- Sloping the mantlet top and gallery roof downward from the crest; or,
- Forming the mantlet crest above the mantlet top and providing drainage.

If the mantlet top and gallery roof are sloped downward, the required slope angle is at least 5° (1:12), relative to the horizontal; refer to [Figure 24: Target Markers Gallery](#).

If the mantlet crest is raised, it shall be constructed to extend upwards approximately 16 cm above the mantlet top and the gallery roof; refer to [Figure 27: Raised Mantlet Crest](#).

## OUTDOOR GALLERY RIFLE RANGES

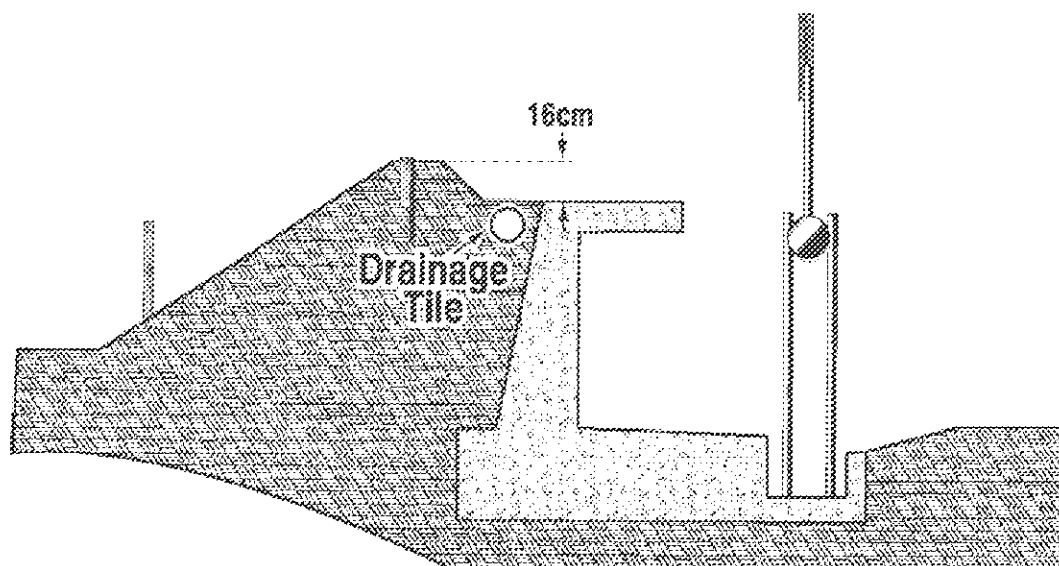


Figure 27: Raised Mantlet Crest

## 5.3.2 GALLERY CONSTRUCTION

The gallery provides the markers a sheltered area in which they can mark targets safely. It is a substantial structure designed to provide uninterrupted protection from bullets and ricochets along its length. The gallery is usually designed to house target mechanisms (target carriers), which serve to raise targets above the mantlet and to lower them into the gallery for marking.

There are a number of designs and materials which can be used in the construction of the gallery itself. Poured concrete or pre-fabricated concrete are commonly used techniques for producing durable structures capable of providing excellent security to the target markers. However, other more cost-effective techniques can be employed if they provide a comparable level of safety to the markers.

Alternate construction techniques for the gallery include the use of brick, corrugated steel or rock-filled gabions, etc. Regardless of the technique used, the gallery shall be designed to maintain its integrity against all structural loads, including those imposed by the earthen mantlet. If any doubt as to the structural suitability of the gallery construction exists, the CFO shall require the Range Operator to obtain a report from a Professional Engineer, licensed in the province or territory in which the range is located, attesting to the structural suitability of the gallery design.

The gallery design shall provide for water drainage.

The gallery requires a roof capable of protecting the markers from glancing ricochets and high impact angle projectiles. The roof can be a fully cantilevered design or it can be supported along its length as required.

If the mantlet top and gallery roof are sloped downward, the required slope angle is at least 5° (1:12), relative to the horizontal. Refer to **Figure 24: Target Markers Gallery**.

There are a number of different construction techniques that can be used in the roof design. Examples of acceptable roof construction techniques are provided below. Alternate techniques can be employed if they provide equivalent levels of security to the markers in the gallery.

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OUTDOOR GALLERY RIFLE RANGES

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Acceptable gallery roof construction techniques include:

1. Reinforced aggregate concrete of minimum 20 N/mm<sup>2</sup> (3000 psi) strength and minimum thickness 75 mm, overlaid with at least 150 mm of soil.
2. Reinforced aggregate concrete of minimum 20 N/mm<sup>2</sup> (3000 psi) strength and minimum thickness 150 mm.
3. Heavy gauge corrugated (or non-corrugated) steel panels overlaid with at least 150 mm of soil. And,
4. Timber, minimum thickness of 150 mm, overlaid with at least 150 mm of soil.

The use of corrugated steel in the gallery roof *without* an adequate overlying layer of soil is not permitted.

The design of the gallery roof shall provide at least 1 m of overhead cover for the marker's area.

The gallery should have a working area for the markers, which is at least 2 m wide.

The gallery should be approximately parallel to the firing line(s) and to the backstop; however, up to a 10° misalignment is permitted.

### 5.3.3 PROTECTIVE BARRIER

If the target markers gallery is within 25 m of the *base* of the backstop, the gallery shall be fitted with a timber, concrete, brick or steel barrier wall or an earthen berm to protect the markers from bullet backslash out of the backstop. The construction of the barrier wall is flexible if it protects the markers from bullet backslash. If wood is used in the barrier wall, it shall be of timber construction at least 5 cm thick.

There shall not be any voids or gaps in the barrier wall. However, viewing ports used to observe the backstop can be fitted into the barrier wall, if constructed of 2 panes of 6 mm thick Plexiglas (or thicker) separated by an air space or of an equivalent design.

The protective barrier design shall run the entire length of the gallery, matching the length of the mantlet crest. It shall be placed as close as is practical behind the target carrier. The height of the barrier shall be determined by the gallery and target carrier design; however, it shall rise to a height sufficient to fully shelter the markers in the gallery.

If the gallery range uses exclusively electronic targetry and if personnel are not in the gallery at any time when the range is in use, then there is no requirement for a protective barrier.

### 5.3.4 TARGET CARRIERS

Gallery ranges are often fitted with moveable target carriers, located in the gallery. They serve to raise the targets above the mantlet where they are shot at and then to lower the targets completely into the gallery where they can be marked without exposing the marker to rifle fire or ricochets.

There are a significant number of acceptable target carrier designs, including the following: Hythe, Cantilevered and "F" designs. The primary safety considerations for target carriers are that:

- The targets can be completely raised or lowered without exposing the markers; and,
- No metal components are exposed to fire from the range during normal operation.

The Range Operator shall determine which target carrier design best suits their intended application, subject to the requirements above; refer to *Figure 28: Target Carrier Designs*.

## OUTDOOR GALLERY RIFLE RANGES

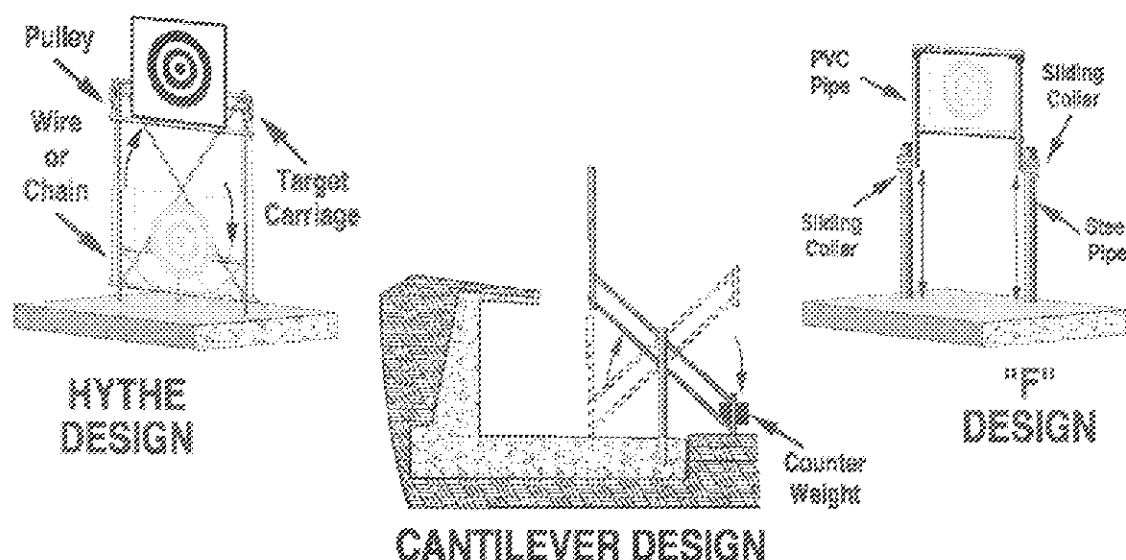


Figure 28: Target Carrier Designs

## 5.4 FIRING POINTS / FIRING LINES / FIRING LANE MARKING

This section is in accordance with section 2.2 Firing Points / Firing Lines / Firing Lane Marking, except as described below.

## 5.4.1 ELEVATED FIRING LINES

When practical, the elevation of firing lines on gallery ranges above ground level is encouraged. This is intended to improve visibility of the target gallery and to help keep the firing lines dry.

In order to reduce the possibility of ricochets from the rear surface of elevated firing lines, the minimum slope of the rear surface of the firing line shall be 30°. The slope of the forward surface of the firing line is determined by the Range Operator; however, in general terms the steepest slope practical, given the soil conditions and intended use, is encouraged; refer to *Figure 29: Gallery Range Elevated Firing Line*.

The top surface of elevated firing lines can be level or slightly sloped to the rear. A shallow slope to the rear is often preferable from the shooter's perspective and it aids in draining the firing line.

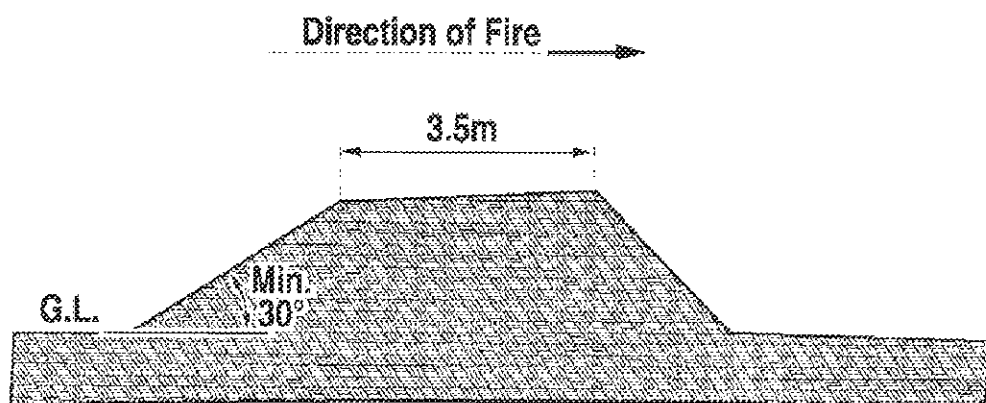


Figure 29: Gallery Range Elevated Firing Line

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OUTDOOR GALLERY RIFLE RANGES

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## 5.4.2 COVERED FIRING LINE

If the range is configured to have one or more firing lines in the active range area of a more distant firing line (e.g. a range having firing lines at 300 m, 500 m and 900 m), it is recommended that only the most distant firing line be equipped with an overhead weather shelter.

## 5.5 TARGETS

When target markers are used in the range gallery, the use of targets or target frames containing any metal is prohibited (except *small* fittings, such as nails, etc.). This is due to the close proximity of personnel to potential backsplashes, ricochets or spalling, originating from the targets or their frames. This requirement is not applicable to electronic target systems if personnel are not in the gallery when the range is in use.

It is recommended that low ricochet materials, such as wood, plastic tubing, Coroplast™, plywood, canvas, etc. be used in the construction of target frames and targets.

## 5.6 SAFETY AREA TEMPLATES

The “standard range” safety area templates located in Appendix D: Safety Area Templates are to be applied to this type of range.

## 5.7 ELECTRONIC TARGET MARKING EQUIPMENT GALLERY

Some gallery ranges are designed to include electronic target marking equipment, which completely removes the need to have personnel in the downrange area to mark targets. If a range uses this equipment exclusively, then the gallery requirements of section 5.3 Target Markers Gallery do not apply; however, the requirements of this section do apply.

## 5.7.1 MANTLET

To reduce the occurrences of ricochets, it is recommended that the electronic targetry be placed on top of a 1.8 m high mantlet when practical. The mantlet should be constructed in accordance with the applicable requirements of **5.3 Target Markers Gallery**; refer to *Figure 30: Electronic Targetry Gallery*.

If the electronic targetry is part of a mobile trailer-based system, then the mantlet shall be configured to shelter the trailer and meet the intent of the requirements of the preceding paragraph.



## OUTDOOR GALLERY RIFLE RANGES

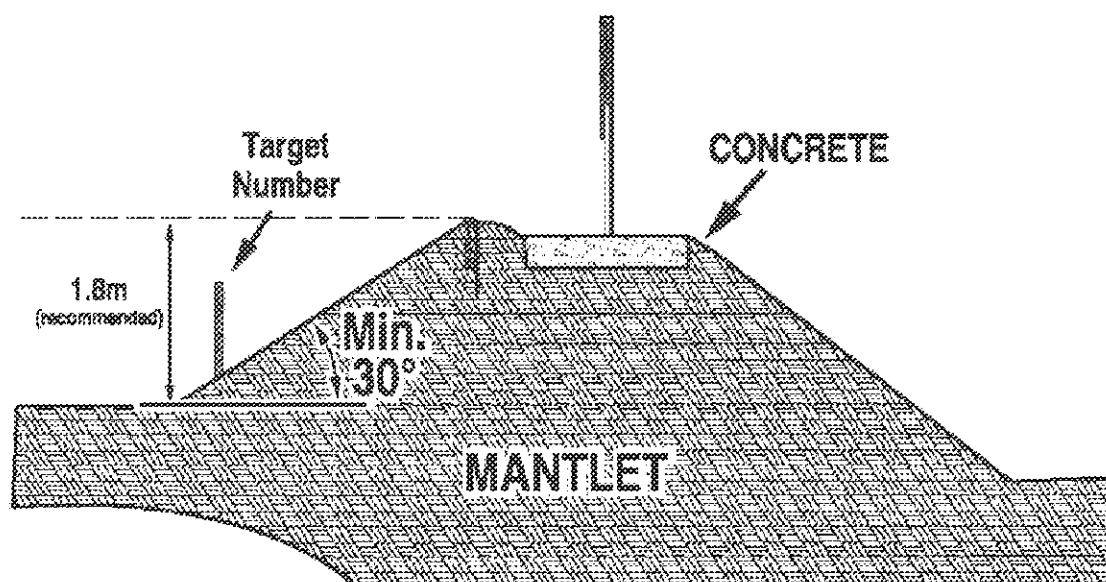


Figure 30: Electronic Targetry Gallery

## 5.8 GALLERY RANGE FIRING AREAS

Any portions of a gallery rifle range that are configured as firing areas in lieu of traditional firing lines are required to comply with this section; the requirements listed in **section 5.4 Firing Points / Firing Lines / Firing Lane Marking** are superseded.

The perimeter of the firing area shall be demarcated with pylons, posts or similar marking symbols. These markers shall be clearly visible to shooters and Range Officers. They are intended to assist range users in identifying the acceptable firing areas of the range.

The Coff of all shooting shall be directed into a backstop, not beyond the flanks of the backstop, nor over the top of the backstop. The **Range Operating Instructions** reflect these horizontal and vertical restrictions. These restrictions shall be reduced to simple angle or distance operating rules that can be applied by shooters using the range (e.g. +/- 2 targets at 300 m and +/- 1 target at 100 m).

Targets shall be placed in the gallery target carriers or otherwise held within the gallery.

## Attachment 3 to PD-56-2022

TRAPSHOOTING AND SKEET RANGES

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## 6 TRAPSHOOTING AND SKEET RANGES

This section pertains to standard Trapshooting and Skeet ranges. It does not pertain to shotgun zeroing (patterning) ranges or shotgun ranges where other activities (e.g. practical shotgun) are conducted.

Trapshooting and Skeet ranges have mechanical mechanisms (traps) to throw frangible targets (clay targets) and an arrangement of shooting stations from which shooters engage these targets. The targets are thrown on fixed flight paths or within prescribed arcs.

These ranges require a downrange safety area to contain fired shots. Refer to **Appendix D: Safety Area Templates** for the required safety area templates.

The Amateur Trapshooting Association (ATA) and National Skeet Shooting Association (NSSA) are sport governing bodies that publish rules and facility requirements (layouts) for Trapshooting and Skeet shooting. In addition, other commercial and sporting organizations have published guidelines for the construction and operation of Trapshooting and Skeet ranges, which supply more application-specific and detailed information about construction than does this section. The appropriate rules and guidelines should be consulted by Range Operators to ensure that their ranges comply with the sport rules. This section is primarily concerned with safety issues and does not address in detail the regulatory issues relevant to the sport.

In matters of safety, the requirements of this section must be met. However, in areas that pertain to regulatory sport governing rules, the requirements of the sport governing body can take precedence.

### 6.1 SAFETY CONSIDERATIONS

These types of ranges require a downrange safety area that is able to contain the fired shot produced through normal range operations. The safety area templates produced for Trapshooting and Skeet ranges are based on CoffFs, as listed in **Appendix B: Cone of Fire Design Parameters**.

#### 6.1.1 HUMAN ACTIVITY – SAFETY AREA

The general allowance of human activity within a range safety area, as provided under **section 1.2 Range of Safety Areas**, cannot be afforded to shotgun ranges. Human activity should not be approved within the safety area of a shotgun range when it is in operation.

For the purposes of this section, mechanical target throwers are deemed to be functional if they throw targets reliably on the intended flight paths or within the intended arcs. It is recognized that malfunctions in thrower operations are permitted, as long as the correct target flight is achieved when a target is thrown.

Target throwers are to be repaired as required to maintain functionality.

A range may combine Trapshooting and Skeet fields in one layout. If a range is laid out for both Trapshooting and Skeet, the range will be assessed for both disciplines.

The safety area templates provided in **Appendix D: Safety Area Templates** are for shotshell ammunition loaded with No. 9 and 7 sized lead alloy shot pellets fired at a velocity of 396 m/sec (1,300 ft/sec). These templates can also be utilized for shotshell ammunition of equivalent or less external ballistic capability (e.g. maximum range) to the ammunition specified above.

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## TRAPSHOOTING AND SKEET RANGES

If larger diameter shot (e.g. No. 4) or higher velocity ammunitions are to be fired on the range, then different safety area templates may have to be utilized. Contact the CFO for more information.

## 6.2 RANGE LAYOUT

### 6.2.1 ACTIVE RANGE AREA

The active range area for Skeet and Trapshooting fields includes the area of the shooting stations and trap houses. It also includes the area forward of the shooting stations to a depth equivalent to the flight distance of the thrown targets, which is approximately 65 m.

This area should be relatively level and free of tall brush, trees or any other major obstructions.

### 6.2.2 SKEET RANGE

#### Range Configuration

A Skeet field has two houses, a "high" and a "low" house, from which targets are thrown. These houses are located at either end of a segment on a circle having a radius of 19.2 m. Seven shooting stations are located on this circle segment. An eighth shooting station is situated in the centre of the field, midway between the *high* and *low* houses; refer to *Figure 31: Typical Skeet Range Layout*.

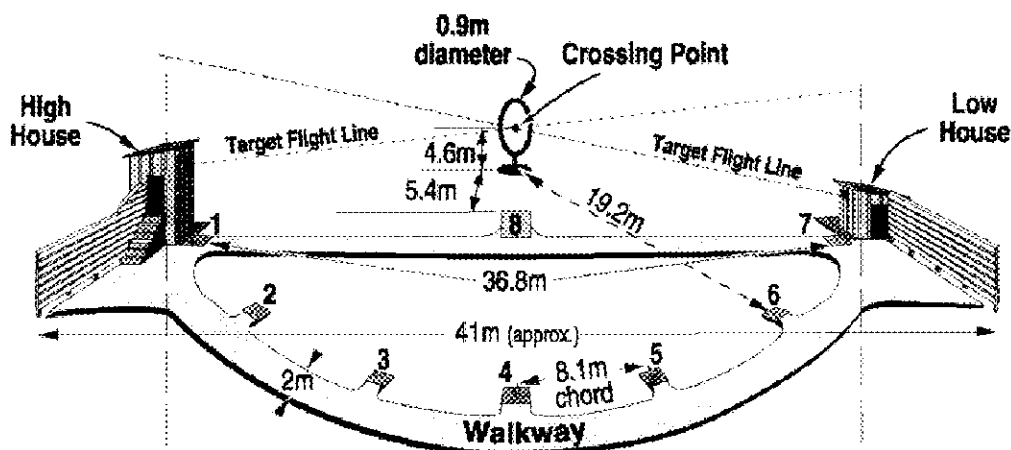


Figure 31: Typical Skeet Range Layout

#### Skeet Houses

Skeet houses are located on opposite sides of the skeet field. The *high* house is at the left end and the *low* house is at the right end of field, separated by approximately 38.8 m (refer to Figures 31: *Typical Skeet Range Layout* and 32: *Skeet Range*). These structures are used to house target throwing mechanisms and target supplies, if desired.

On range facilities with adjacent Skeet fields, the skeet houses can be configured as joint *high* and *low* houses.

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## TRAPSHOOTING AND SKEET RANGES

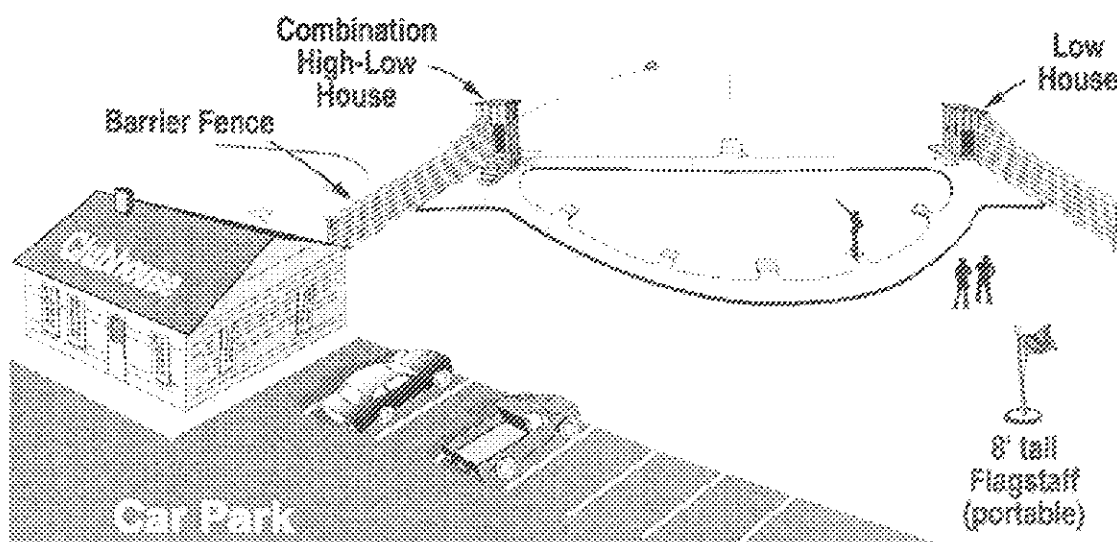


Figure 32: Skeet Range

The exterior of the skeet houses can be painted beige or an off-white colour so that the thrown targets can be more readily seen by the shooters.

Skeet houses are designed to accommodate either manual or self-loading traps. Critical dimensions (e.g. height or width) for these houses are user, or sport governing body, specified. Construction details can usually be obtained directly from the sport governing body, from trap manufacturers or ammunition manufacturers.

Unmanned skeet house construction shall be user specified.

Skeet houses with manually operated target throwers require human operators. Construction requirements for this type of skeet house are specified below and are intended to protect the operator.

1. The side and back walls, including a door if present, of the skeet house:
  - Shall be pellet-proof in the operator's work area to a height of 2.5 m above the floor;
  - If the construction is of normal wood frame, it shall be overlaid with two overlapped layers of 5 cm (nominal) thick planking or construction that meets or exceeds this requirement; and,
  - If the construction is concrete or cinder block, no additional protection is required.
2. If the trap operator is visible in their normal operating position from Stations 1, 7 or 8, there shall be a sheet metal chute affixed to the exterior of the skeet house to protect the operator from misdirected shot pellets. This chute shall be configured so that the operator, in their normal operating position, is not exposed to pellets fired into the skeet house from any shooting station.
3. Excluding the doorway and the opening through which skeet are thrown, there shall be no windows or openings into the operator's area of the skeet house.
4. There shall be a prominently displayed warning sign inside the operator's area of the skeet house instructing the operator:

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## TRAPSHOOTING AND SKEET RANGES

- Not to look out of the skeet chute when the range is operating;
- Not to reach into the skeet chute when the range is operating; and,
- Not to leave the sheltered operator's area of the skeet house until given permission by the Range Officer.

Each manually operated skeet house is to be equipped with a **YELLOW** flag (approximately 30 cm x 45 cm) mounted to a short pole. This flag is intended to be used by the skeet house operator to signal to the Range Officer and shooters when shooting must be stopped (e.g. trap breakdown or target supply exhausted).

#### Shooting Stations

The shooting stations of the skeet range must:

- Be clearly marked; and,
- Be level and provide firm footing for the shooters under adverse weather conditions. The use of gravel, asphalt or concrete pads/pathways is recommended.

It is recommended that the shooting stations be approximately 90 cm square (e.g. 90 cm x 90 cm).

The typical arrangement of shooting stations is shown in **Figure 31: Typical Skeet Range Layout**. The specific positioning of these stations shall be in accordance with sport governing rules. A field firing skeet range is shown in **Figure 33: Field Firing Skeet Range**.

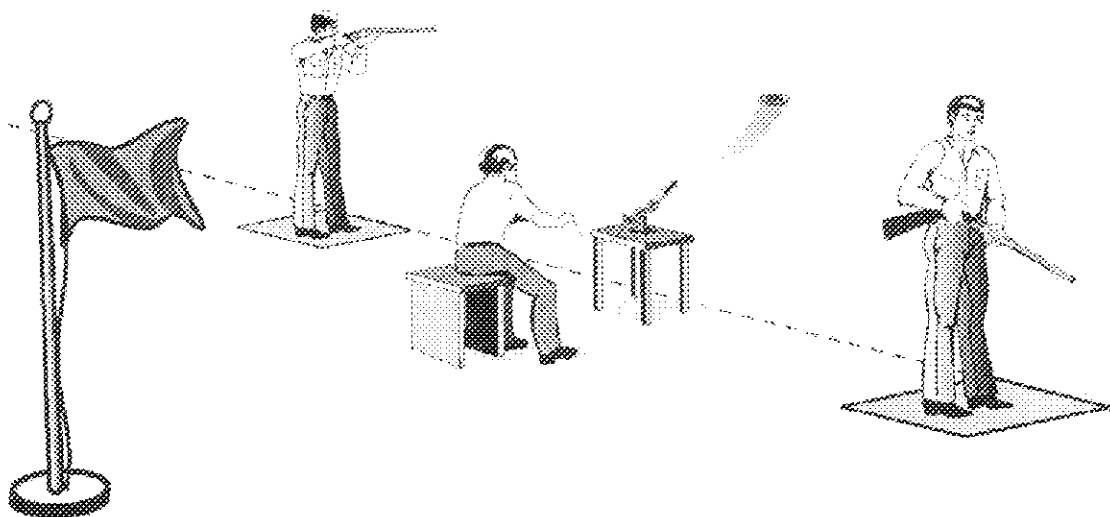


Figure 33: Field Firing Skeet Range

#### Skeet Target Mechanisms

The target-throwing mechanisms shall be functional (refer to **section 6.1 Safety Considerations**) and capable of throwing the targets reliably on the intended flight path. Maintaining consistency of target flight direction and height is an important consideration for a Skeet field. To assist in verifying target flight, a stake or post should mark the crossing point for targets thrown from the *high* and the *low* houses. This stake should be located approximately 5.5 m forward of Station No. 8.

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The shooting boundaries should also be marked with posts or stakes placed at 40.25 m from each skeet house. This distance is measured in a straight line from each skeet house through the crossing point.

The traps should be adjusted to obtain target flight paths in accordance with the sport governing body's rules.

**Note:** As an example, ATA rules require the traps to reliably throw the targets from the low and high houses through a 0.9 m (approximately) diameter hoop located 4.6 m (approximately) above the crossing point; refer to **Figure 31: Typical Skeet Range Layout**.

#### Barrier Wall - Adjacent Skeet Ranges

In situations where two or more Skeet fields are adjoining, they shall be separated by a barrier wall. This wall is intended to protect shooters on adjoining ranges from errant targets and misdirected shots. The barrier wall shall meet or exceed the construction requirements; refer to *Figure 34: Skeet Range Barrier Fence*.

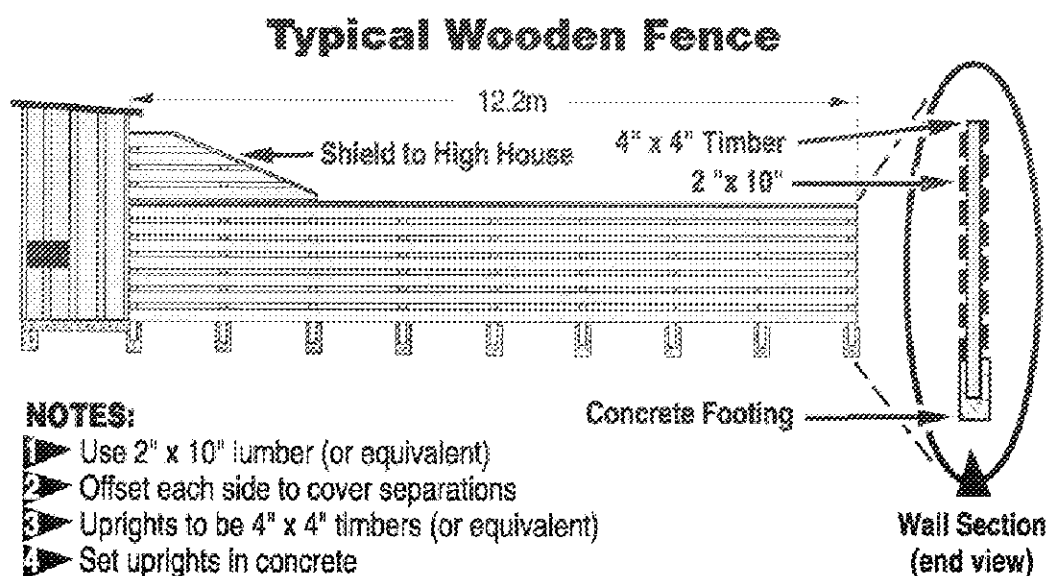


Figure 34: Skeet Range Barrier Fence

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## TRAPSHOOTING AND SKEET RANGES

## 6.2.3 TRAPSHOOTING RANGE

Range Configuration

A standard ATA Trapshooting range has a single target house, located forward of a series of shooting stations, configured in a triangular shape; refer to *Figure 35: Typical Trap Field Layout*.

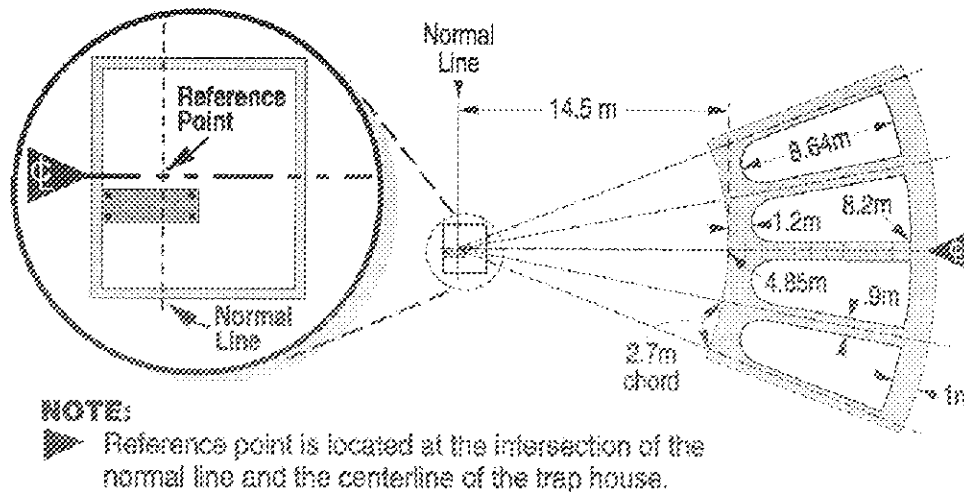


Figure 35: Typical Trap Field Layout

Trap Houses

The trap house is located in accordance with *Figure 35: Typical Trap Field Layout*. The purpose of this structure is to house target throwing traps and target supplies.

Trap houses are designed to accommodate either manually operated or self-loading traps. The floor area of a typical trap house is approximately 2.4 m square. The trap house can be built on grade, or with part or all of it below grade. The necessary dimensions for the trap houses (e.g. height and width) are user, or sport governing body, specified. Refer to *Figure 36: Sample Trap House* for an example of *one* style of trap house. Unmanned trap house construction can be user specified.

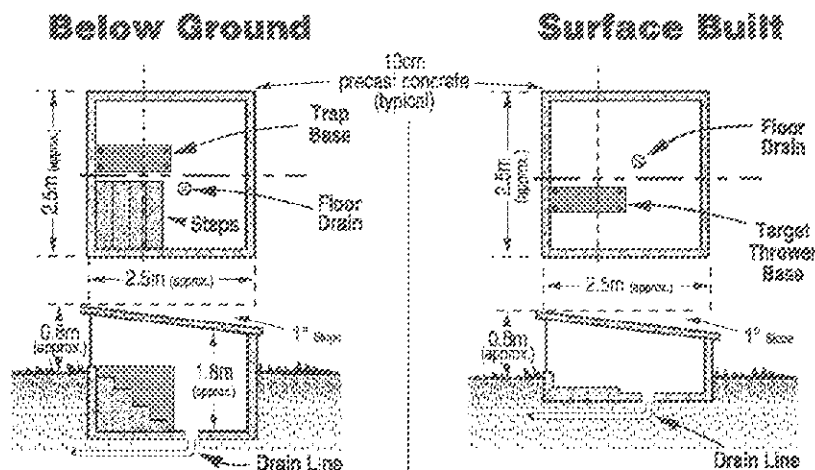


Figure 36: Sample Trap House



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TRAPSHOOTING AND SKEET RANGES

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Trap houses with manual traps require human operators. Construction requirements for this type of trap house are specified below. The primary concern of these requirements is the protection of the operator.

1. The exposed roof, side and back walls of the trap house shall be pellet-proof. They shall be constructed of 10 cm thick poured concrete, or of a construction design that meets this requirement (e.g. cinder block). It is recommended that the roof be of a reinforced concrete design.
2. There shall be no windows or openings on the sides or rear of the trap house.
3. There shall be a prominently placed warning sign inside the operator's area of the trap house instructing the operator not to emerge from the trap house until given permission by the Range Officer.

Each manually operated trap house shall be equipped with a **YELLOW** flag (approximately 30 cm x 45 cm), mounted to a short pole. This flag is to be used by the trap operator to signal to the Range Officer and shooters that shooting must be stopped (e.g. trap breakdown or target supply exhausted).

Shooting Stations

The shooting stations of the trapshooting field must:

- Be clearly marked; and,
- Be level and provide firm footing for the shooters under adverse weather conditions. The use of gravel, concrete or asphalt pads/pathways is recommended.

It is recommended that the shooting stations be approximately 90 cm square. The typical arrangement of shooting stations is shown in **Figure 35: Typical Trap Field Layout**.

Trap Target Throwing Mechanisms

The target throwing mechanisms shall be functional as described in **section 6.1 Safety Considerations**.

## 6.2.4 FIELD FIRING SKEET RANGE

Range Configuration

This type of *ad hoc* Skeet range is very simple to construct and operate. It consists of a manually powered and operated target thrower or a mechanical trap, and one or more shooting stations; refer to **Figure 33: Field Firing Skeet Range**.

Shooting stations

The shooting stations of the field firing Skeet range must:

- Be clearly marked;
- Shall be abreast of the target thrower; and,
- Be level and provide firm footing for the shooters under adverse weather conditions. The use of gravel, concrete or asphalt pads/pathways is recommended.

It is recommended that the shooting stations be at least 90 cm square.

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TRAPSHOOTING AND SKEET RANGES

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**Trap Mechanisms**

The mechanical traps shall be functional as described in section 6.1 Safety Considerations.

If a manual target thrower is utilized, the operator shall be familiar with its operation and aware of the limits of the safety area.

**6.3 SAFETY AREA TEMPLATES****6.3.1 SKEET**

The standard Skeet range safety area templates are illustrated by **Figure 73: Safety Area Template S1 – Skeet Range Safety Area** in **Appendix D: Safety Area Templates**.

**6.3.2 TRAPSHOOTING**

The standard Trapshooting range safety area templates are illustrated by **Figure 74: Safety Area Template S2 – Trap Range Safety Area** in **Appendix D: Safety Area Templates**.

**6.3.3 FIELD FIRING**

The field firing Skeet range safety area templates are illustrated by **Figure 76: Safety Area Template S4 – Field Firing Skeet Safety Area** in **Appendix D: Safety Area Templates**.

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SPORTING CLAY RANGES

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## 7 SPORTING CLAY RANGES

Sporting clay ranges are established with different shooting scenarios configured to simulate hunting-type settings. The typical sporting clay range consists of various shooting stations laid out in a circuit or configured around multi-station towers. Each station consists of a shooting position and target thrower(s) designed to throw frangible targets on a specific flight path or within an intended arc.

Sporting clay shooting is popular for a number of reasons. Its courses-of-fire are challenging, imaginative and flexible, and they are changed periodically. Assessments of this type of range must take these factors into account.

There are sporting organizations that have established operating and facility construction rules for sporting clay ranges. These sport governing body guidelines are very useful and should be consulted by range builders, as they supply more application specific and detailed construction information than does this section. This section of the guidelines is primarily concerned with safety issues and does not address regulatory issues relevant to sport governing (competition) rules.

In matters of safety, the requirements of this section must be met. However, in areas that are not safety-related and that pertain to regulatory sport governing rules, the requirements of the sport governing body can take precedence.

### 7.1 SAFETY CONSIDERATIONS

The design and construction of a sporting clay range often makes use of the local terrain and tree/brush foliage. Each shooting station is unique. In order not to make the safety area requirements prohibitive, the actual shooting conditions for each station must be determined and the safety area matched to those specific requirements.

Acknowledging that the shooting stations are moved periodically, **the Range Operator is not required to notify the CFO of every change in shooting station location or design.** However, the Range Operator is required to maintain a small scale site plan of the range area with the shooting stations and their safety zones clearly indicated. The limits of the range property and sites of human activity shall be clearly indicated on the site plan.

The site plan shall be clearly displayed at a common meeting place at the range (e.g. a clubhouse) and shall be updated as required. A copy of this plan shall be made available to the CFO upon request.

The use of Global Positioning System (GPS) technology is useful for fixing the location of firing stations and direction of fire from those stations.

**Note:** GPS users must be aware of the position locating errors inherent in the instrument and take these errors into account when siting the shooting stations. The positional errors inherent with GPS' designed for civilian use can be +/- 30 m, or larger.

#### 7.1.1 HUMAN ACTIVITY – SAFETY AREA

The general allowance of human activity within a range safety area, as described in section 1.2 Range of Safety Areas, cannot be afforded to sporting clay ranges. Human activity should not be approved within the safety area of a sporting clay range when it is in operation.

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## SPORTING CLAY RANGES

## 7.2 SAFETY AREAS

The determination of the safety area requirements for each sporting clay station is based on the particular course-of-fire planned for that shooting station. The safety areas are essentially “pie”-shaped. The depth of the safety area is determined by the distance the pellets will travel given the Vertical Angle of Fire (VAoF) of the shotgun as the target is engaged, the velocity of the pellets, and their size (weight).

There are three safety area templates available for use on sporting clay ranges, which have been combined in Template S3; refer to **Figure 75: Safety Area Template S3 – Sporting Clay Safety Area** in **Appendix D: Safety Area Templates**. Each of these templates is designed for a different VAoF, as measured from the horizontal. For each station, a VAoF is selected based on the height of the target’s flight path (relative to the shooter) at which it *can be reasonably* engaged by the shooter.

For simplicity, the VAoFs are categorized as being low, medium or high angles of fire. Refer to **Table 10: Vertical Angles of Fires** and **Figure 37: Vertical Angle of Fire for Sporting Clay** for more information.

Table 10: Vertical Angles of Fire

Category	VAoF
Low	-5 to 5 degrees <sup>1</sup>
Medium	>5 to 60 degrees <sup>2</sup>
High	>60 to 90 degrees

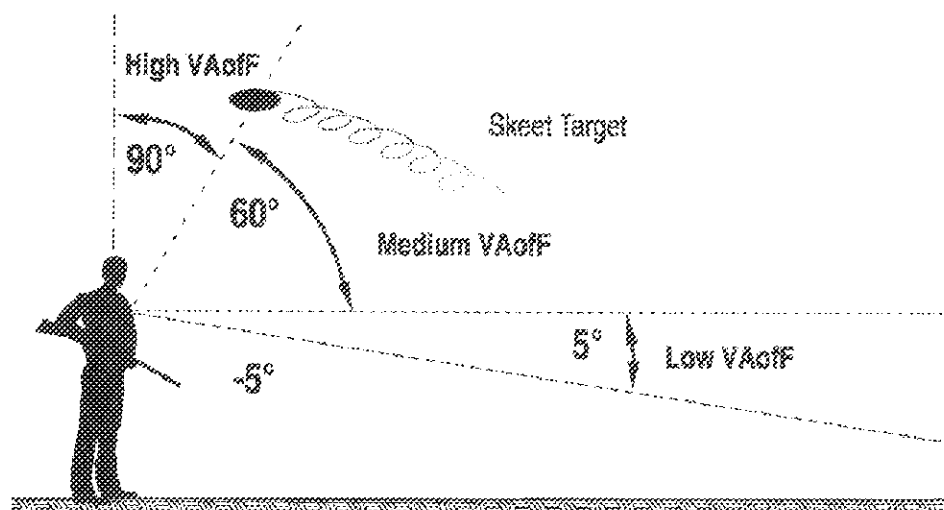


Figure 37: Vertical Angle of Fire for Sporting Clay

<sup>1</sup> Angles are measured from the horizontal, 0° being horizontal and 90° being vertical.

<sup>2</sup> “>” is the symbol for “greater than.”

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## SPORTING CLAY RANGES

If the target paths, when they can reasonably be engaged, span more than one vertical angle category (e.g. high and medium), then the template with the greatest safety distance shall be the one applied.

After selecting the correct template, based on the target's flight height, the angular width of the template must be determined. The Horizontal Angle of Fire (HAoF) is determined by one of the two methods listed below:

1. In the case where a shooting stall is utilized to restrict the shooter's swing of the shotgun, the HAoF is defined by the design of the shooting stall. The HAoF is the horizontal arc that an average shooter, *properly positioned* in the stall, will attain; refer to *Figure 38: Sporting Clay Horizontal Angle of Fire (Shooting Stall)*.
2. When no shooting stall is utilized, the HAoF is defined by the horizontal arc through which the shooter can fire at their target, plus 3.4° (60 mils) to the left and right of that arc; refer to *Figure 39: Sporting Clay Horizontal Angle of Fire (Without a Shooting Stall)*.

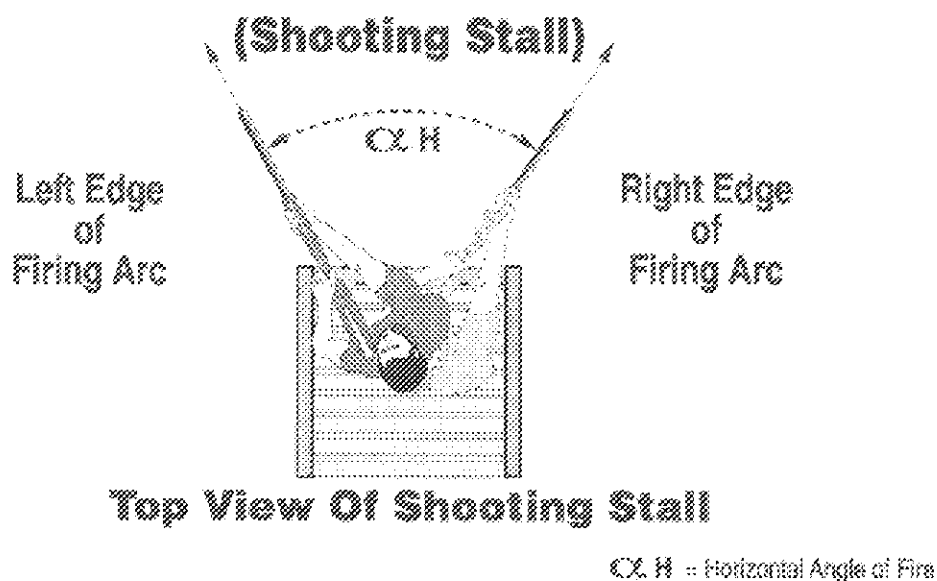


Figure 38: Sporting Clay Horizontal Angle of Fire (Shooting Stall)

## SPORTING CLAY RANGES

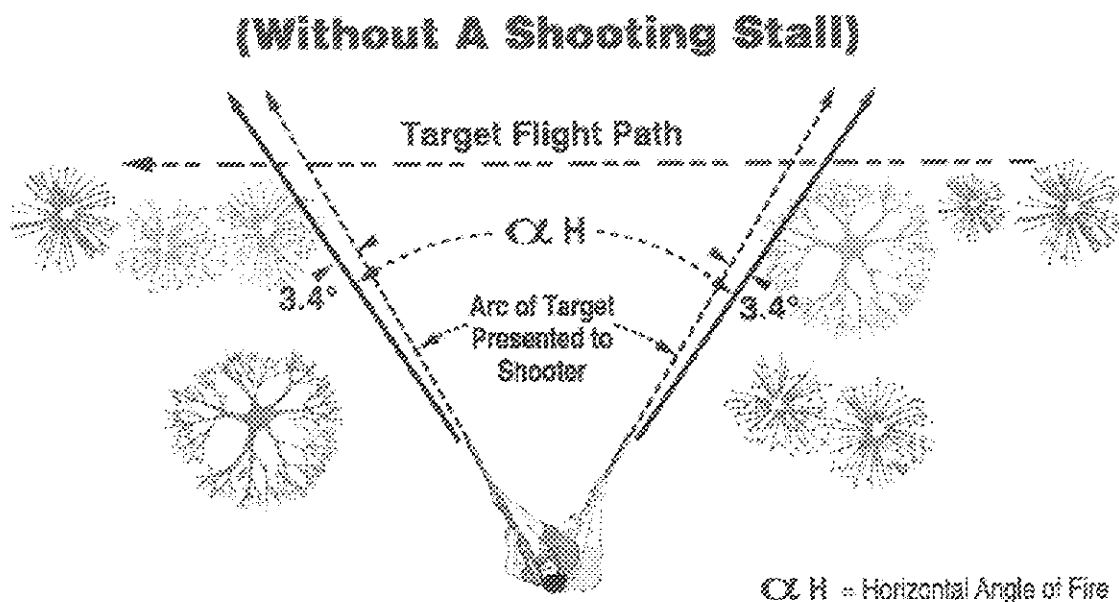


Figure 39: Sporting Clay Horizontal Angle of Fire (Without a Shooting Stall)

## 7.2.1 AMMUNITION

The safety area templates provided in **Appendix D: Safety Area Templates** are for shotshell ammunition loaded with a variety of different sized lead alloy shot pellets fired at a velocity of 396 m/sec (1,300 ft/sec). The correct template to use is the one for the largest diameter of the shot pellets being used on the range. If the templates provided in **Appendix D: Safety Area Templates** do not match (or exceed) the intended range use, contact the CFO for more information.

**Note:** Velocity measurements are to be taken within 1.5 m of the shotgun muzzle.

An elaborate shooting stall is not required to restrict the shooter's CofF (horizontal and/or vertical angles of fire). It can be effectively controlled with a simple arrangement of poles or framing, as long as the poles are sturdily constructed and the shooter's firing position is clearly marked.

## 7.2.2 REDUCED SAFETY AREAS

Trees, brush and shrubs do not provide barriers that can be used to reduce the safety template requirements.

Hills and similar topographical features within the trajectory envelope can be used to reduce safety template requirements; refer to **section 1.2 Range of Safety Areas**.

## 7.3 RANGE LAYOUT

Whenever possible, range safety areas from any shooting station should not overlap other shooting stations, walking trails or areas likely to be frequented by people. However, sometimes this situation cannot be avoided and range safety areas do overlap other range areas when those areas are in use. In those situations, a flag, beacon or similar warning system shall be installed. This warning system shall be used to prevent firing onto the downrange area when it is in use. The colour designation for the warning system shall be in accordance with **section 1.7 Warning Flags and Beacons**.

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## SPORTING CLAY RANGES

The layout of a sporting clay range is flexible and user defined, provided that the requirements of this section are satisfied and that all range safety areas are confined to the land area formally or informally controlled by the Range Operator, in accordance with section 1.2 Range of Safety Areas.

## 7.4 RANGE EQUIPMENT

## 7.4.1 SHOOTING STATIONS

There is a variety of shooting station designs that can be utilized on a sporting clay range. The designs can be simply marked stations, shooting stalls or more elaborate scenario-based ones, such as a duck boat simulation.

This subsection is intended to provide general guidance with regard to shooting stations. Each particular configuration will have to be individually assessed using discretion and a common sense approach.

Marked Shooting Stations

The shooting stations shall:

- Be clearly identified with a reference number that can be related to a site plan;
- Be clearly marked with the planned course-of-fire from that station (e.g. 25 yd bounding rabbit or "fur and feather," etc.); and,
- Provide firm footing for the shooters under adverse weather conditions. The use of gravel, asphalt or concrete pads/pathways is recommended.

It is recommended that the shooting stations be approximately 1 m x 1 m.

Shooting Stalls

The use of shooting stalls is permitted and encouraged when it is practical. They are an excellent method of restricting the shooter's HAoF, and/or the VAoF, and thereby reducing the land area required for a safety area; refer to *Figure 40: Sporting Clay Shooting Stall* for a shooting stall example.

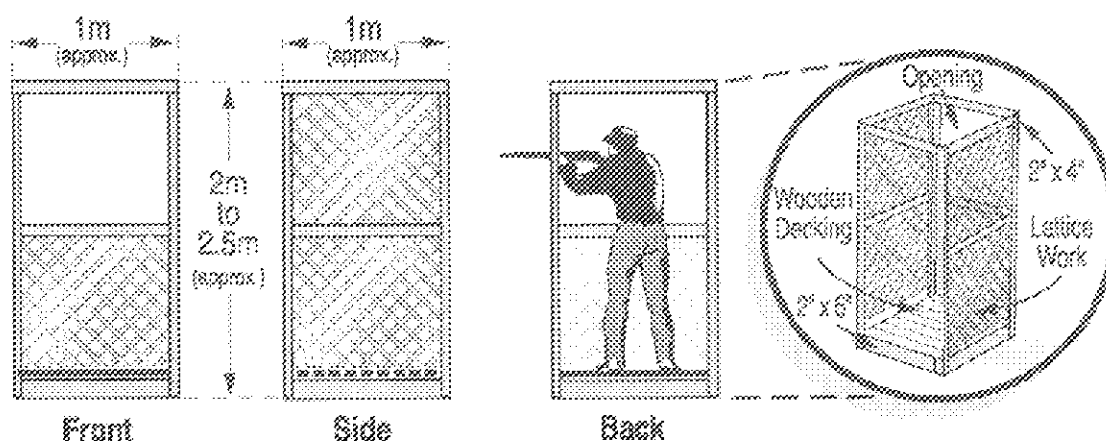


Figure 40: Sporting Clay Shooting Stall



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SPORTING CLAY RANGES

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Shooting stalls shall:

- Be of sturdy construction;
- Be properly situated to ensure that they are stable and do not wobble or tilt when used;
- Provide firm footing for the shooter;
- Be clearly identified with a reference number that can be related to the site plan; and,
- Be clearly marked with to the planned course-of-fire from that station (e.g. 25 yd bounding rabbit).

#### Scenario Shooting Stations

This style of shooting station is more elaborate in nature and is intended to simulate, as close as possible, particular hunting situations (e.g. goose blind). These stations may have an intentional degree of instability (e.g. a floating duck boat) as a result of their design and construction. Shooting station instability is acceptable, as long as it is intentional and adequate safety provisions are in use to ensure that unintentional discharges or misdirected shots do not occur as a result.

The permission for shooting station instability is limited to specifically designed scenario shooting stations. **It is not a substitute for poor construction or design.**

Scenario shooting stations shall:

- Be of sturdy construction;
- Be clearly identified with a reference number that can be related to the site plan;
- Be clearly marked with the planned course-of-fire from that station (e.g. overhead duck); and,
- Have clearly defined safety procedures for the use of the station (e.g. when to enter the shooting station and when to load, etc.).

#### 7.4.2 EQUIPMENT PROTECTION

It is recommended that any range equipment within the HAofF be protected by earthen berms, planking or similar construction.

#### 7.4.3 OPERATOR PROTECTION

Whenever equipment operators (e.g. a target thrower operator) are *forward* of the shooting station while firing is conducted, they shall be adequately sheltered from direct pellet impact, pellet ricochet and target fragmentation. The forward area is defined as any area within a 180° arc of the shooting station; refer to *Figure 41: Sporting Clay Horizontal Angle of Fire*.

If the operator's location is outside of the Coff for the shooting station, they shall be sheltered by two layers of overlapped 5 cm planking or other construction materials affording equivalent or greater protection.

If the operator's location is within the Coff for the shooting station, they shall be sheltered by 10 cm of poured concrete or other construction materials (e.g. cinder block) that afford equivalent or greater protection.

The *entire* operator's area will be sheltered from shotgun fire from the shooting station.

Ensure that there are no ricochet surfaces present, which could direct pellets into the operator's sheltered area.

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## SPORTING CLAY RANGES

There shall be a prominently displayed sign in the operator's area cautioning them to remain under cover until instructed to emerge by the Range Officer.

Each trap operator or operator's station shall be equipped with a **YELLOW** flag (approximately 30 cm x 45 cm) mounted to a short pole. This flag shall be used by the trap operator to signal to the Range Officer and shooters when shooting must be stopped (e.g. due to trap breakdown or exhausted target supply).

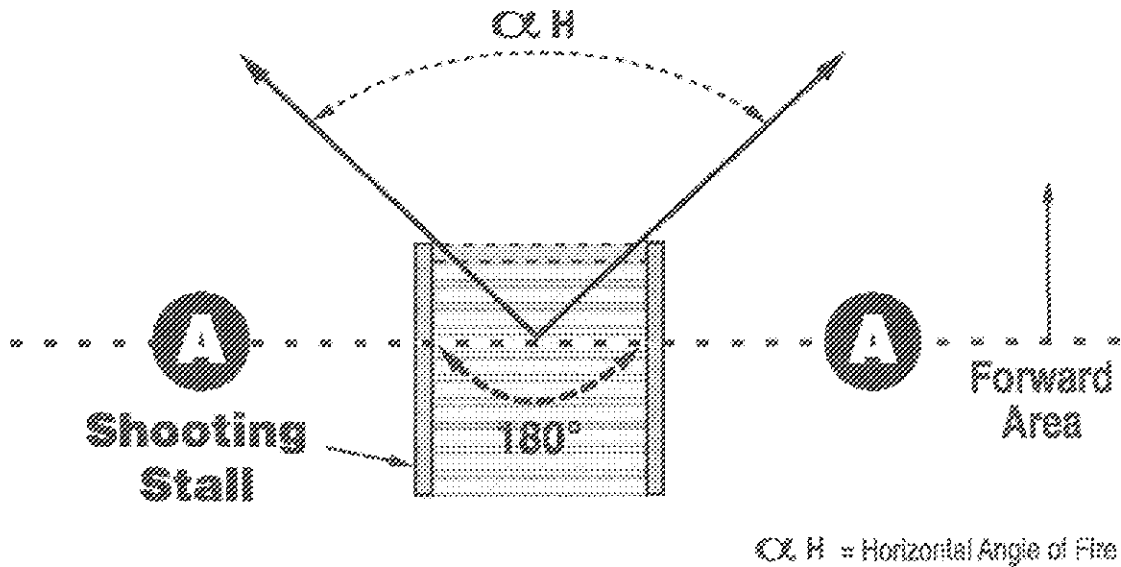


Figure 41: Sporting Clay Horizontal Angle of Fire

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## BAFFLED RIFLE AND HANDGUN RANGES

## 8 BAFFLED RIFLE AND HANDGUN RANGES

This section pertains to rifle and handgun ranges that have a system of overhead baffles and side berms (or baffles) that are used to contain all fired bullets and ricochets to the active range area. By definition, when properly designed and constructed, this type of range does not require a downrange safety area.

Baffled rifle and handgun ranges consist of one or more firing lines, an active range area, one or more target lines, a backstop and a network of overhead baffles and side berms or side baffles. They may also have a variety of range equipment and structures required for its intended use (e.g. target sheds, overhead firing point cover, target mechanisms or target markers gallery); refer to *Figure 42: Type II Baffled Handgun Range* for a layout of the baffled handgun range.

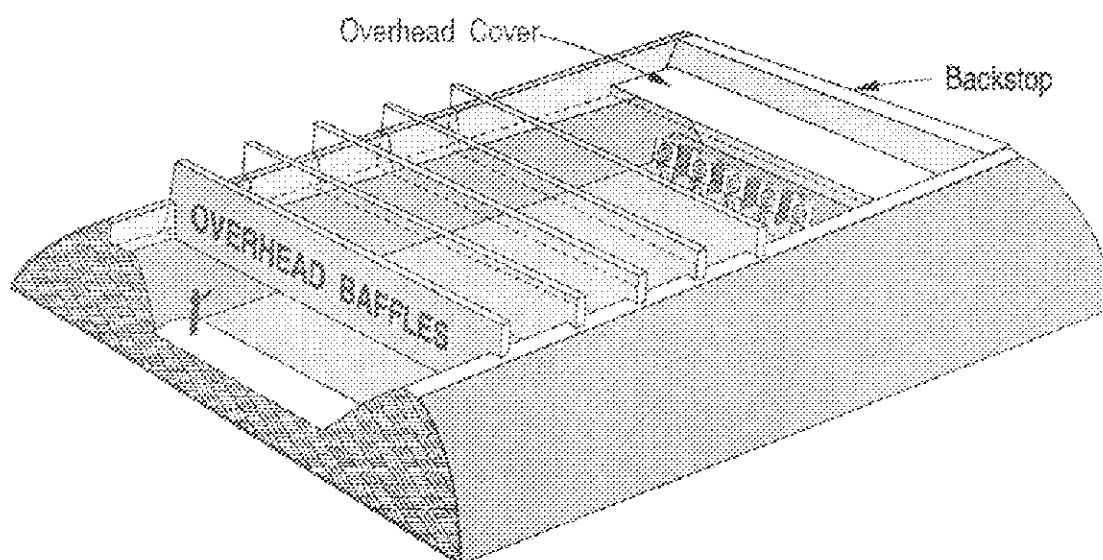


Figure 42: Type II Baffled Handgun Range

There are a number of ways to achieve the aims of this section. This is particularly true in the selection of construction materials. Alternate materials and configurations are acceptable, as long as they provide a comparable level of safety to the requirements described in this section.

There are different requirements for baffled ranges that are used for handgun shooting only, as opposed to those that are used for both rifle *and* handgun shooting. These differences arise from the different penetration capabilities of the different calibre groups.

This section considers handgun and rifle usage on baffled ranges. For more information about shotgun usage on these ranges, contact the CFO.

## 8.1 SAFETY CONSIDERATIONS

The absence of any significant downrange safety area makes the complete containment of all shots and ricochets to the active range area the primary safety issue for baffled ranges. As a result, diligent care must be taken in the design, construction, approval and operation of baffled ranges.

## BAFFLED RIFLE AND HANDGUN RANGES

The courses-of-fire planned for the range must be taken into account when designing and constructing a baffled range. Range safety can be compromised by conducting courses-of-fire for which the range was not designed. Therefore, the **Range Operating Instructions** and the planned courses-of-fire are important considerations for all baffled ranges.

The more complex the course-of-fire requirements are for a baffled range, the more complex the construction requirements are likely to be.

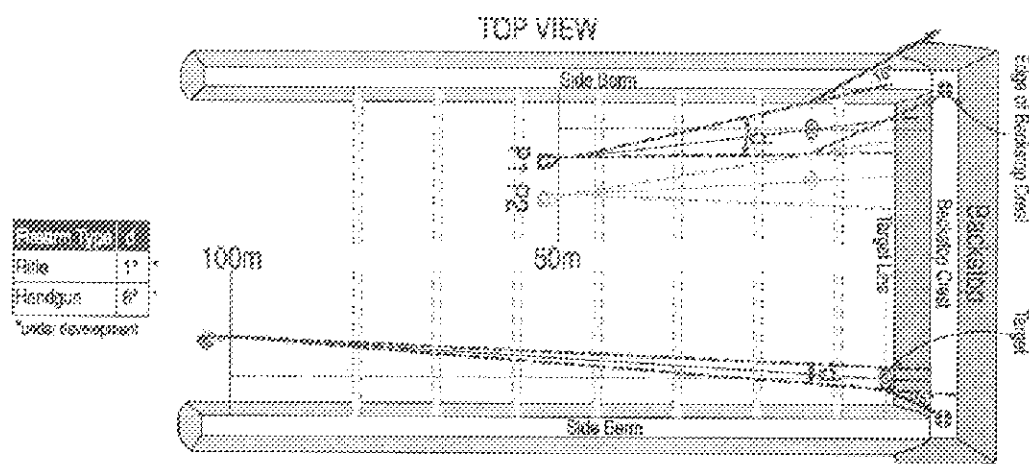
Due to construction limitations, it is not generally practical to baffle a rifle range with a firing distance longer than 300 m.

For baffled ranges, steel or similar high-ricochet surfaces in the active range area, which are exposed to rifle or handgun fire (e.g. baffle supports), pose an unacceptable ricochet risk. Therefore, these surfaces shall be clad in timber or other similar materials designed to contain or prevent ricochets, or placed behind shelters designed to contain ricochets.

If the use of steel targets is planned for a baffled range, care must be taken to ensure that ricochets from these targets are contained within the range. This can be accomplished by sheltering the targets within revetments or within a structure designed to capture or direct all ricochets.

If any doubt exists as to the penetration protection provided by any baffle system or construction, the key system components (e.g. the baffles) can be tested; refer to section 8.11 Safety Area.

Cross-range firing at extreme angles dramatically increases the chance of bullets escaping from a typical baffled range. Therefore, it is good practice to ensure that the left and right deviation of the arc of fire is constrained. When courses-of-fire do not require engaging targets to be directly in front of the shooter, refer to *Figure 43: Cross-Range Shooting on a Baffled Range* for information on how to determine the maximum allowable left/right deviation between the target and the shooter.



Note 1: Target location or shooter repositioning required (See P2)

Note 2: Two shooters shown in their respective positions for illustration purposes only.

**Figure 43: Cross-Range Shooting on a Baffled Range**

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## BAFFLED RIFLE AND HANDGUN RANGES

## 8.2 RANGE LAYOUT

A baffled range is designed to virtually contain all fired projectiles and ricochets generated in the course of normal range operations. This is accomplished through a network of baffles, a backstop and range side berms or side walls.

There are two basic designs for baffled ranges (Type I and Type II). These two types of baffled ranges are primarily differentiated by the presence (or absence) of ground baffles and the configuration of the overhead baffles; refer to Figures 44: *Type I Baffled Range* and 45: *Type II Baffled Range*. Baffled range features are listed in Table 11: *Baffled Range Types*.

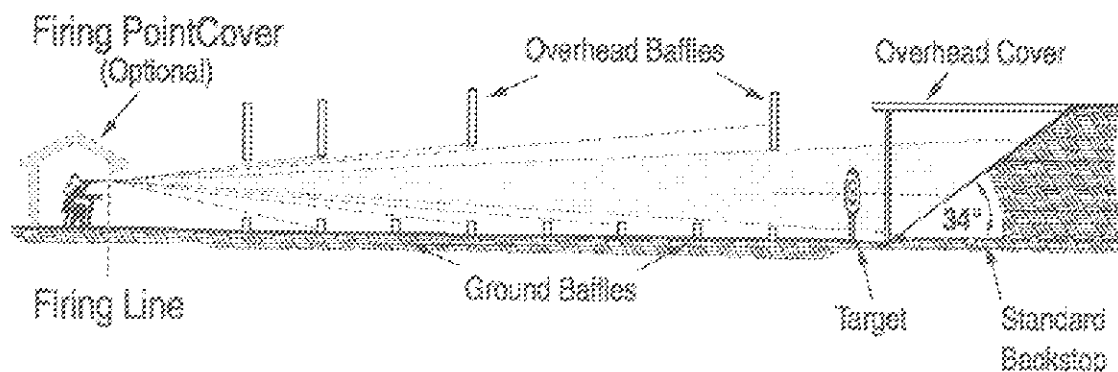


Figure 44: Type I Baffled Range

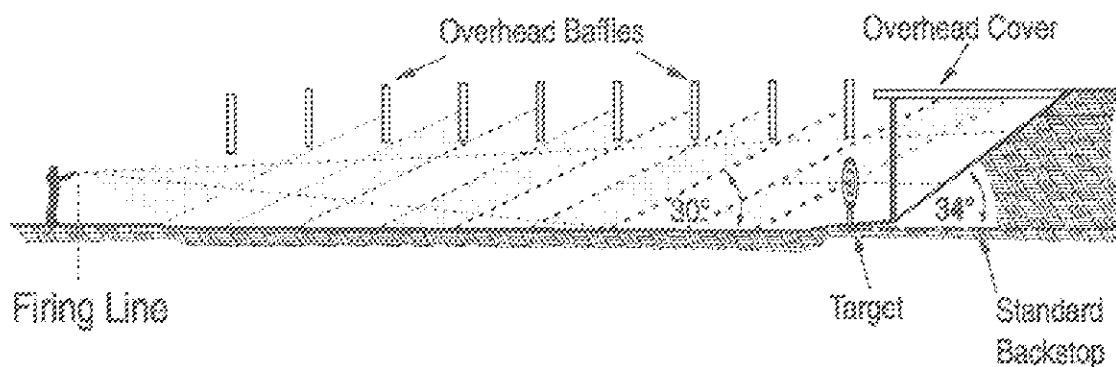


Figure 45: Type II Baffled Range

Table 11: Baffled Range Types

Range Feature	Type I Range	Type II Range
Overhead Baffles	Yes	Yes
Ground Baffles	Yes	Optional
Defined Firing Lines	Yes	No
Firing Area	No	Yes
Side Berms/Walls	Yes	Yes

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BAFFLED RIFLE AND HANDGUN RANGES

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Range Feature	Type I Range	Type II Range
Firing Point Overhead Cover	Optional	Optional
Backstop Cover	Yes	Yes

## 8.2.1 RANGE ORIENTATION

The existence of overhead and side baffles will likely diminish the amount of wind *and light* entering the active range area in comparison to standard outdoor ranges. Therefore, the range can be oriented in any direction; however, care should be taken to ensure that the orientation selected will maximize the amount of sunlight entering the active range area.

## 8.3 BACKSTOPS

This section is in accordance with section 2.1 Backstop Design and Construction, except as noted below.

## 8.3.1 BACKSTOP HEIGHT

The minimum backstop height is determined by the individual range and baffle design. The height of the backstop shall be sufficient to ensure that its crest is not visible beneath any baffle, from any intended firing height, at any intended firing position.

## 8.3.2 BACKSTOP CREST LENGTH

The length of the backstop crest must exceed the crest of the left and right flank, range side berms or the peak of the range side walls.

## 8.3.3 OVERHEAD BACKSTOP COVER

The backstop shall have an overhead cover (roof). This feature is designed to prevent the escape of projectiles that ricochet off of the targets or the backstop itself from leaving the active range area.

Due to the diminished penetration performance of the projectiles that can ricochet in to it, the overhead backstop cover shall meet (or exceed) 25% of the requirements for the most bullet-resistant baffle on the range.

The overhead backstop cover shall:

- Not be exposed to direct bullet impacts;
- Project forward to cover the base of the backstop; and,
- Run the length of the backstop crest.

Different construction specifications are expected and acceptable for overhead backstop covers due to varying structural requirements (e.g. snow loading, drainage, etc.).

No portion of the overhead backstop cover (excluding supports) shall be visible from any intended firing location at any intended firing height. In addition, the backstop cover shall be embedded into the backstop such that no gaps exist between its base and the crest of the backstop.

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## 8.3.4 BULLET CATCHERS

The use of inclined bullet catchers on the backstop of a baffled range is optional; however, it is recommended. If present, bullet catchers shall be built in accordance with section 2.1.6 Bullet Catchers, except as noted below.

Steel bullet traps and related technologies are available from commercial manufacturers for outdoor ranges. They can be used in lieu of the backstop bullet catchers on baffled ranges. If they are employed, then the calibre/bullet nature rating of the trap shall match the maximum calibre/bullet nature intended to be fired on the range. Documentation describing the bullet trap ratings shall be provided to the CFO during the Range Approval application process.

## 8.4 OVERHEAD BAFFLES

Overhead baffles are required to prevent a bullet from leaving the active range area, as they can intercept a high or wide shot, capture a ricochet and intercept the bullet before it can ricochet.

There are three types of baffles: overhead, ground and side baffles.

Overhead baffles are vertical or inclined panels suspended above the range floor. They are designed to capture unintentional high elevation shots and ricochets.

All baffles must be constructed in such a way as to prevent bullet perforation. Perforation is defined as the complete penetration (and exit) of a baffle by a bullet. Therefore, baffle designs must be matched with the penetration capabilities of the ammunition being fired on the range. Baffles are categorized as being able to contain:

- Rim-fire rifle and rim-fire handgun calibres;
- Centre-fire handgun calibres; and,
- Centre-fire rifle calibres.

Unless otherwise specified, the bullet nature designs used in this section of the guidelines shall be: for centre-fire cartridges, lead alloy core with copper alloy jacket, FMJ; and for rim-fire cartridges, lead alloy construction. Contact the CFO for additional information, if armour piercing, steel jacketed or high penetration (solid core or tungsten penetrator, etc.) bullets are to be fired.

Due to the fire risk to range structures (e.g. baffles) posed by tracer and incendiary ammunition, their use is not recommended on baffled ranges.

## 8.4.1 LOCATION OF OVERHEAD BAFFLES

Type I baffled ranges have an arrangement of overhead baffles that is somewhat concentrated near the intended firing line(s). The baffles are spaced more closely together, nearer to the planned firing lines, and they are spaced further apart, the greater the distance downrange at which they are placed.

The first baffle forward of any intended firing line shall be located no more than 5 m forward of that firing line. Subsequent downrange baffles are placed such that "no blue sky" is visible beneath the first baffle from all intended firing height(s), at all intended firing locations; refer to Figure 44: Type I Baffled Range.



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Type II baffled ranges enjoy the flexibility of a firing area instead of specific firing lines; however, they have more overhead baffles. This type of baffled range requires an arrangement of overhead baffles that are regularly spaced over the entire active area of the range. The overhead baffles start at a point no more than 5 m forward of the most distant firing line and end less than 5 m from the base of the backstop.

Type II baffled ranges do not require ground baffles. However, the overhead baffles must be of sufficient height and placed to ensure that they capture any ricochets achieving a 30° angle of departure from the range floor. In addition, these baffles are positioned such that “no blue sky” is visible from any intended firing height, from anywhere in the firing area; refer to **Figure 45: Type II Baffled Range**.

The positioning of overhead baffles is dependent on their specific overall height. In general, the taller the baffles are, the greater the permissible spacing between them.

The overhead baffles on the range should be positioned to have approximately 2.5 m, or more, clearance between their underside and the surface of the range floor. This separation allows for the free movement of shooters and range staff over the range floor and helps to ensure that the baffles are hit only infrequently by direct shots.

The design and placement of all baffles must be assessed against all the intended firing line(s) and firing height(s).

#### 8.4.2 CONSTRUCTION OF OVERHEAD BAFFLES

Overhead baffles shall have a minimum vertical dimension of 1.25 m.

Overhead baffles shall be supported by columns properly embedded in the ground, in accordance with local building codes. All support columns shall be located between firing lanes.

If the overhead baffles become vertically misaligned (e.g. by frost heaving of supports), such that gaps in the overhead or ground baffle coverage occur, the Range Operator shall cease using the range immediately. When repairs have been made to realign the baffles, the range can be returned to service.

Overhead baffles can use any of the following materials (in any combination) in their construction: timber, concrete, steel or gravel. The thickness of the baffles shall be sufficient to prevent perforation by the maximum calibre and bullet nature for which the range was designed; refer to *Table 12: Recommended Baffle Construction* for recommended materials and thicknesses.

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## BAFFLED RIFLE AND HANDGUN RANGES

Table 12: Recommended Baffle Construction

Materials	Rim-fire Handgun and Rim-fire Rifle	Centre-fire Handgun	Centre-fire Rifle
Timber <sup>3</sup>	150 mm	200 mm	375 mm
Concrete <sup>4</sup>	75 mm	150 mm	200 mm
Steel <sup>5</sup>	5 mm	8 mm	11 mm
25 mm (1 inch) Gravel	100 mm	150 mm	300 mm

Alternate construction materials for baffles are acceptable, as long as they provide equivalent or greater ballistic protection. If materials or construction techniques used in the fabrication of overhead baffles are different from those listed in *Table 12: Recommended Baffle Construction*, then they shall be approved for use in accordance with section 8.12 Baffle Design, Approval and Testing.

The face of the baffles exposed to the shooters shall be overlaid with at least 5 cm of planking or similar material to reduce bullet backslash. This timber (or equivalent) outer layer shall be constructed with at least a 5 cm air gap between it and the baffle itself.

The air gap between the baffle core and the exterior cladding is used to:

- Reduce the backslash effect of impacting bullets;
- Improve the sound absorption properties of the baffles; and,
- Allow periodic inspection of the baffle core.

Inspection of the baffle cores should be conducted regularly. This inspection is undertaken to ensure that the baffle cores have not been significantly damaged by bullet impacts or degraded by weathering. Degraded or damaged baffles shall be repaired as required.

The overhead baffles shall run the width of the range and shall meet or exceed the crest of the range side berms or the peak of the side walls.

## 8.5 GROUND BAFFLES

Ground baffles are required for Type I baffled ranges; they are not required for Type II baffled ranges. Ground baffles are utilized to intercept low shots before they can make contact with the ground, thus eliminating a source of ricochets.

Type I baffled ranges use ground baffles in conjunction with overhead baffles to provide a very effective means of bullet capture. However, shooters are constrained to specific firing lines, as they are blocked from moving freely over the active range area.

The number and location of the ground baffles is determined by their height above the ground level. The taller the ground baffles are, the fewer of them are required. The ground baffles can be located beneath the overhead baffles or at another interval.

<sup>3</sup> Softwood Timber

<sup>4</sup> Aggregate Concrete – min. 20 N/mm<sup>2</sup> (3000 psi) strength, 20 mm aggregate

<sup>5</sup> Mild Steel (0.15%-0.25% Carbon)

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## BAFFLED RIFLE AND HANDGUN RANGES

Ground baffle height and placement shall be such that the ground surface of the range floor cannot be visible more than 5 m forward (towards the targets) from any intended firing location, at the intended firing height.

Ground baffles shall rise vertically from the ground. They shall meet the construction requirements of the overhead baffles. As an option, ground baffles can be backfilled with soil for additional support.

Ground baffles shall be fitted with an angled timber (or equivalent material) cap piece. The downward slope of the cap piece shall be sufficient to prevent bullets ricocheting off of the top of the ground baffle. It is recommended that this surface have a downward slope of at least 5°; refer to *Figure 46: Ground Baffle Design*.

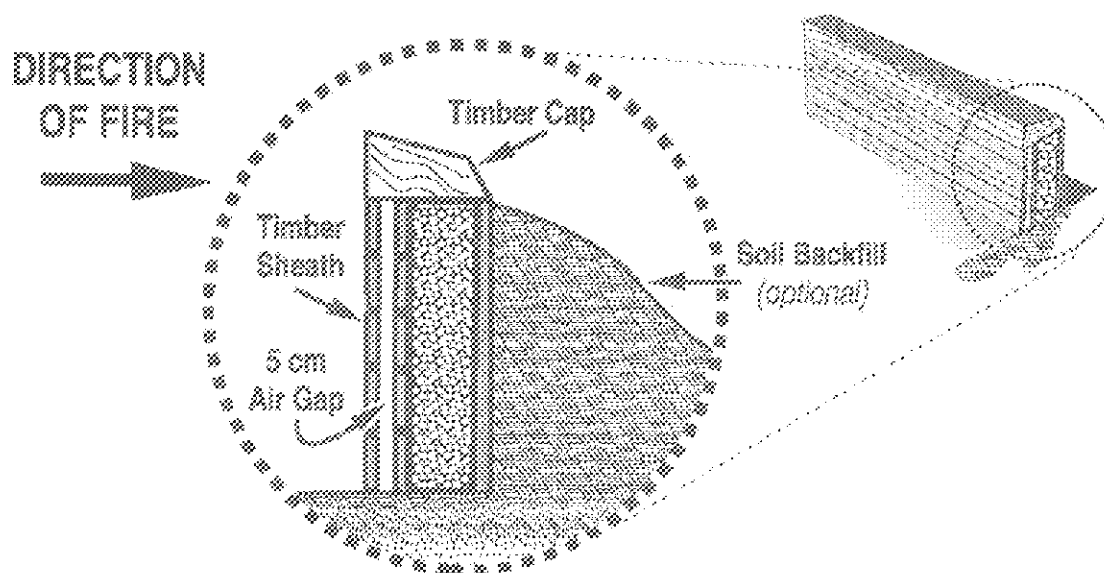


Figure 46: Ground Baffle Design

The baffle cap shall not be considered as part of the baffle when assessing baffle placement or height.

Targets are not to be placed on the top of the ground baffles.

An example of steel target revetments is illustrated in *Figure 47: Steel Target Revetments*.

The ground baffle cap pieces are to be repaired or replaced as soon as they have become significantly damaged from bullet impacts.

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## BAFFLED RIFLE AND HANDGUN RANGES

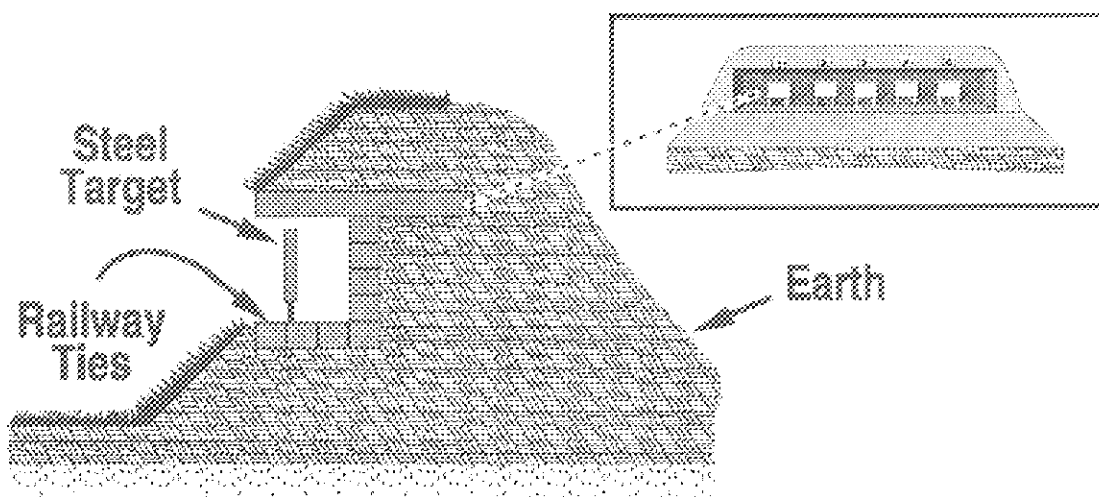


Figure 47: Steel Target Revetments

## 8.6 SIDE BERMS / SIDE WALLS / SIDE BAFFLES

The side berms or side walls shall run the length of the active area of the range. They shall begin at least 1 m behind the most distant firing line. They shall be joined to the backstop.

All baffled ranges shall have side berms or side walls. They shall have a minimum height of 3 m above the range floor. Their minimum height shall also exceed the height of the overhead baffle underside by at least 50 cm.

Side walls can be combined with side berms to achieve the necessary heights.

## 8.6.1 SIDE BERMS

Unless otherwise specified in this subsection, side berms shall be in accordance with **section 2.5 Berms**.

If side berms are used, their base shall be located at least 2 m away from the outside edge of the flank target lanes.

## 8.6.2 SIDE WALLS

Side walls shall rise vertically from the range floor.

They shall meet or exceed 70% of the construction requirements (by thickness) of overhead baffles, described in **Table 12: Recommended Baffle Construction**.

## 8.6.3 SIDE BAFFLES

If the side berms do not meet the requirements (e.g. slope, composition, etc.) of **section 2.5 Berms**, the range shall be fitted with vertical side baffles. The side baffles are designed to shelter the side berm from direct fire impacts from any intended firing distance; refer to *Figure 48: Overhead / Side Baffles*.

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## BAFFLED RIFLE AND HANDGUN RANGES

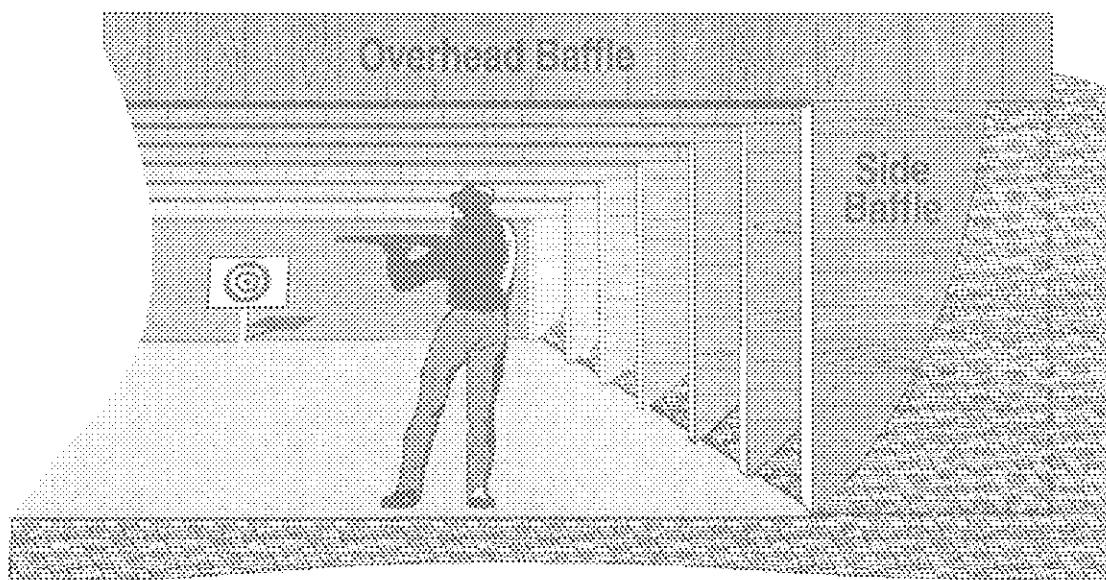


Figure 48: Overhead / Side Baffles

In general, side baffles shall be located in places that ensure the side berm is sheltered from direct bullet impacts initiated from any intended firing distance. The side baffles will be placed so that the adjacent side berm is not visible from the outside two firing lanes closer than a point that is 5 m forward of the intended firing position.

The specific locations of the side baffles will depend on the intended firing distance and the width of the side baffles. Refer to the method for locating overhead baffles for Type I baffled ranges in section 8.4.1 Location of Overhead Baffles.

To reduce the probability of repeated bullet impacts on the side baffles, there shall be at least 1 m clearance between the inside edge of all side baffles and the outside edge of the adjacent flank firing lane or firing location.

If the side baffles are co-located with the overhead baffles, they shall rise vertically from the range floor to meet the underside of the overhead baffle.

If the side baffles and the overhead baffles are not co-located, then the side baffles shall rise to the height necessary to:

- Provide the required sheltering of the side berm(s); and,
- Prevent any gaps between the overhead and side baffles.

The side baffles shall meet the applicable construction requirements of overhead baffles; refer to section 8.4.2 Construction of Overhead Baffles.

## 8.7 RANGE FLOOR

This section is in accordance with section 2.3 Range Floor.

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BAFFLED RIFLE AND HANDGUN RANGES

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## 8.8 FIRING POINTS / FIRING LINES / FIRING LANE MARKING

This section is in accordance with section 2.2 Firing Points / Firing Lines / Firing Lane Marking or section 3.2 Firing Points / Firing Lines / Firing Lane Marking, except as noted below.

Type I baffled ranges shall be designed for specific firing locations (distances).

Type II baffled ranges have more flexibility inherent in their design; therefore, firing locations are relatively flexible within the active range area.

## 8.9 TARGET HOLDERS

To reduce the probability of bullet ricochet and backsplash off of the target holders, they shall not be constructed of *unsheltered* metal structural components; however, metal fittings can be used. Sheltering of the metal target holders can be provided by wood cladding or similar materials.

## 8.10 TARGETS

This section is in accordance with section 4.10 Targets and the following provisions:

- Targets are not to be placed on the top of ground baffles;
- Soft targets used on a baffled range (e.g. paper, cardboard, etc.) can be moved forward and back to accommodate different firing distances. This can be accomplished with moveable target bases or with an overhead track suspended from the overhead baffles; and
- The use of *unsheltered* hard (e.g. steel) targets on baffled ranges is not permitted.

Hard targets are considered to be sheltered if:

- They are designed to capture or direct (into the backstop) all ricochets; or if:
- The range has an overhead backstop cover constructed in accordance with section 8.3 Backstops;
- The targets are placed beneath the overhead cover; and,
- The targets are placed in the centre third of the target line.

## 8.11 SAFETY AREA

There is no requirement for a downrange safety area that extends beyond the backstop for a properly constructed and operated baffled range.

## 8.12 BAFFLE DESIGN, APPROVAL AND TESTING

The use of alternate materials and designs to those provided in Table 12: Recommended Baffle Construction, are acceptable, provided that the alternate design provides the same (or greater) level of bullet ricochet ballistic protection.

Where baffle construction differs from the requirements of Table 12: Recommended Baffle Construction, the baffle design shall be approved by a Professional Engineer licensed to practice engineering in the province or territory in which the range is located.

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BAFFLED RIFLE AND HANDGUN RANGES

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The Professional Engineer is required to attest that the planned baffle design and construction will, *in all probability*, prevent perforation by the occasional bullet impact from calibres of ammunition and bullet natures that are *intended to be fired* on the range. It is recommended that the Professional Engineer's work involve the testing of the baffle design by live firing to affirm its suitability.

When a baffle is tested by live firing, it shall be tested:

- At the same distance(s) and orientation(s) under which it would be struck by bullets in accordance with the range design;
- Using the most ballistically significant cartridge that the range is designed for; and,
- Using the most robust bullet nature (construction) for which the range was designed.



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## INDOOR RANGES

## 9 INDOOR RANGES

This section pertains to indoor ranges used for rifle and handgun shooting. These ranges are characterized by the following features:

- Fully enclosed within a building;
- Do not have a safety area exterior to the building in which they are located;
- Have a bullet trap; and,
- Have a ventilation system to remove air contaminated by firing.

There are a number of ways to achieve the aims of this section. This is particularly true in the selection of construction materials. **Alternate materials and arrangements are acceptable, as long as they provide a level of safety that is equivalent to the requirements described in this section.**

Indoor rifle and handgun ranges consist of one or more firing lines, an active range area with a downrange Protected Zone (PZ), a ventilation system and a bullet trap (backstop), all of which are contained within a suitable building. The range may also have a variety of additional equipment and structures required for operations (e.g. target carriers, waiting area, etc.); refer to *Figure 49: Indoor Range*.

Indoor ranges are typically laid out with a specific number of firing points and firing lines located at specific distance(s) from the targets. These guidelines have been written with this design in mind; however, the use of the active range area as a more expansive firing area for a single shooter is certainly acceptable.

This section contains information for handgun and rifle usage on indoor ranges. For more information concerning shotgun usage on these ranges, contact the CFO.

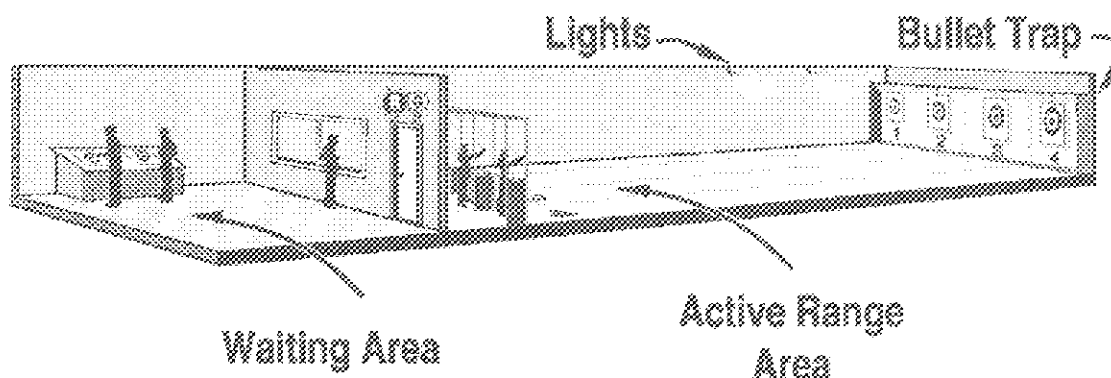


Figure 49: Indoor Range

## 9.1 SAFETY CONSIDERATIONS

There are a number of safety considerations for indoor ranges, which fall into two broad categories: ballistic and environmental. The ballistic issues are concerned with bullet containment and backsplash. The environmental issues are concerned with range ventilation and lead contamination.

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INDOOR RANGES

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This section deals primarily with ballistic issues; discussion of environmental issues is very limited. Users of these guidelines must refer to instructions from provincial or territorial agencies (e.g. Dept. of Health or Dept. of Labour) for detailed guidance on environmental issues and requirements applicable to their specific jurisdiction. Contact the CFO to obtain information about the specific agency to be contacted for these requirements.

The underlying goal of this section is the safe containment within the range of all projectiles (and any subsequent ricochets or backslash) generated in the course of firing conducted in accordance with the **Range Operating Instructions**. This requirement, in conjunction with the calibres of firearms intended to be fired and the intended use (shooting activities) of the range, will dictate the selection of construction materials and the range design.

## 9.1.1 AMMUNITION

Bullet construction and calibres used on an indoor range must be matched with the bullet trap and Protected Zone design and construction.

The requirements provided in this subsection are based on copper alloy jacketed (FMJ, JHP, JSP, etc.) or lead alloy bullet natures (construction). They are not intended to accommodate the following ammunition natures: armour piercing, tracer, incendiary, solid metal core bullets (e.g. steel cored) or hardened metal penetrator bullet designs. Should a requirement to use these ammunition natures on indoor ranges exist, contact the CFO for more information.

## 9.1.2 LEAD CONTAMINATION / DECONTAMINATION

Notwithstanding the deferral of environmental issues to provincial or territorial authorities, the following general recommendations are made with regard to lead contamination:

1. All individuals involved in designing, approving, operating or using indoor ranges should make themselves fully aware of the health hazards posed by the lead contamination associated with operating indoor ranges.
2. Range Operators should develop a lead control plan to minimize the hazards posed by lead contamination.
3. If the active areas of indoor ranges are used for non-shooting activities (e.g. dog training), then these secondary activities should be scrutinized by the Range Operator to ensure that the individuals involved are not exposed to hazardous lead residues from the range.
4. Food or drink should not be consumed in the active range area unless the range is thoroughly lead decontaminated beforehand.
5. The active range area(s) should be regularly cleaned using either a vacuum system specifically designed to capture lead residues (e.g. a HEPA vacuum) or a wet-wash system. The use of dry broom techniques (e.g. traditional sweeping) or standard commercial vacuum cleaners is strongly discouraged.

If lead contamination is identified as a hazard on an indoor range, the risk may be removed or significantly reduced through the exclusive use of lead-free ammunition. Range Operators are advised to thoroughly research lead-free ammunition before undertaking expensive facility (e.g. ventilation) upgrades.

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## INDOOR RANGES

## 9.2 PROTECTED ZONE

To ensure the containment of bullets fired in accordance with the **Range Operating Instructions** within the building, all indoor ranges shall have a downrange Protected Zone (PZ). This area surrounds the bullet trap and a significant portion of the downrange area. In some cases, the building construction will afford the necessary protection to ensure bullet containment; in other cases, additional features will have to be added.

The PZ of an indoor range is the area forward of the firing line(s) from which an errant shot or ricochet will not escape the range. The PZ does not necessarily extend back to the most distant firing line.

The *minimum* extent of the PZ is determined by horizontal and vertical angular measurements taken from the intended firing positions (e.g. prone, kneeling and/or standing), at all the planned firing locations. The limits of the downrange PZ area are defined by the angular measurements listed in *Table 13: Indoor Range Protected Zone Angles*.

Table 13: Indoor Range Protected Zone Angles

Direction	Rim-fire Rifle	Rim-fire Handgun	Centre-fire Handgun and Rifle
Vertical	10°	15°	15°
Horizontal	6°	10°	15°

**Note:** PZ angles are measured from the line of sight from the shooter to the target, at all planned firing heights. Refer to *Figure 50: Indoor Range Protected Zone (Vertical Angle)* and *Figure 51: Indoor Range Protected Zone (Horizontal Angle)*.

All downrange area that is outside of the bullet trap and within the PZ shall be sheltered by baffles or a wall/ceiling/floor construction, designed such that no projectile or ricochet can perforate the materials and escape the active range area.

There shall not be any doorways or other access points into the active range area forward of the most distant firing line, which can be opened from the exterior of the active range area.

All range fixtures (e.g. lights, sprinkler heads, pipes, etc.) within the PZ shall be sheltered from projectiles fired from the firing line(s), which may strike them, by baffles or other similar features.

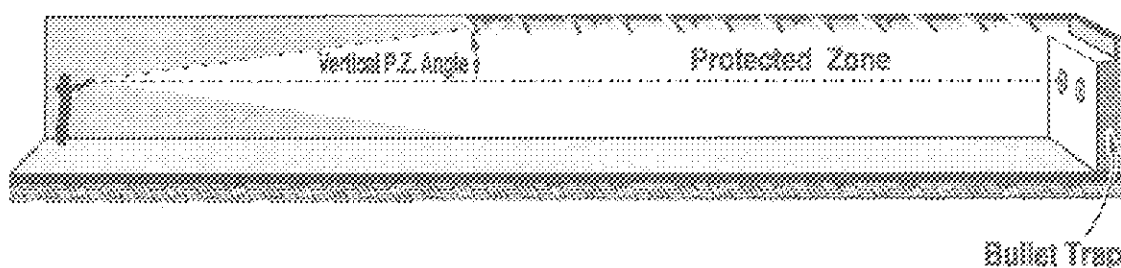


Figure 50: Indoor Range Protected Zone (Vertical Angle)

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## INDOOR RANGES

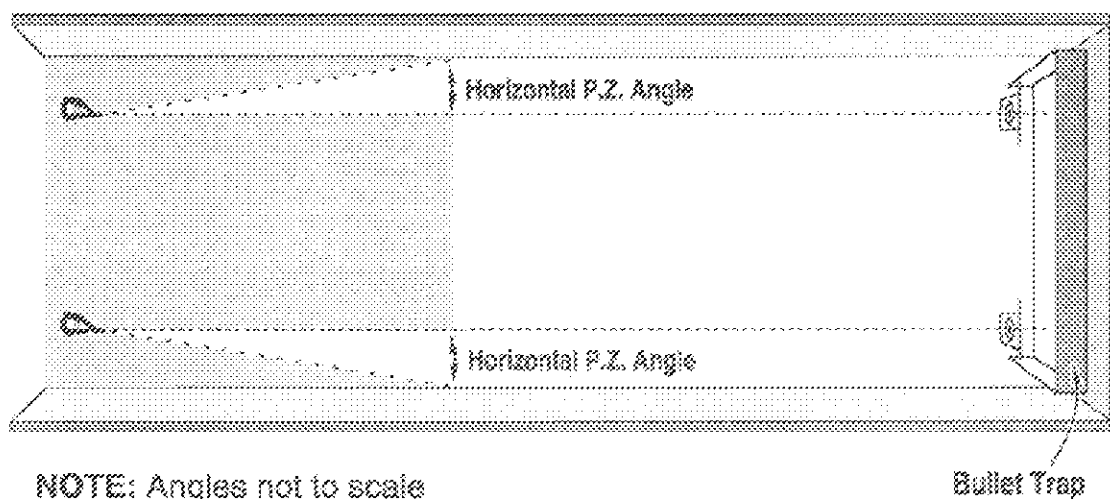


Figure 51: Indoor Range Protected Zone (Horizontal Angle)

## 9.2.1 ADJOINING ROOMS / FLOORS

Rooms that adjoin the active range area, that are forward of the most distant firing line and that may have use during range operations (e.g. an office), shall be protected from shots fired from the firing line(s) within the range by the construction of intervening walls. This requirement does not apply to secured rooms or other spaces not used when the range is in operation. The provisions of this subsection also apply to rooms or spaces above or below the active range area.

The protection of adjoining space(s) shall be accomplished by baffles or a suitable wall, floor or ceiling construction that is impenetrable by a shot fired from the firing line(s); refer to **section 9.5 Active Range Construction Area** for information about construction materials.

## 9.2.2 RANGE WAITING / OBSERVATION AREA

The range facility may be equipped with a waiting or observation area. If the range has a waiting area, it shall be separate from the active range area and it shall be ventilated such that range air is not able to freely enter the waiting/observation area when the range is operating.

Any doors that separate the waiting/observation area from the active range area shall be fitted with weather stripping or an equivalent fitting intended to impede the exfiltration of lead contaminated air from the active range area when the range is operating.

## 9.3 ACTIVE RANGE AREA

## 9.3.1 FLOOR

The floor of the active range area shall be constructed in such a way as to minimize bullet backsplash and to facilitate cleaning (lead decontamination). The floor shall not have any sharp angular surfaces or edges facing the firing line that could generate bullet backsplash.

When practical, it is recommended that the active range area floor be of poured concrete or of an equivalent construction. If the floor is of plank construction (or similar), plank joints shall be filled and sealed.

The use of soil, sand or gravel, etc. as the exposed floor surface in the active range area is not recommended due to the problems these materials pose when lead decontaminating the area.

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## INDOOR RANGES

When employing wet-wash methods to clean and decontaminate the active range area, it is recommended that the floor be sloped to provide effective drainage and that a waste water collection system be provided.

The Range Operator is to ensure that lead contaminated materials collected in the course of range cleaning (e.g. floor washing run-off) are disposed of in accordance with any applicable environmental requirements for the jurisdiction in which the range is located.

### 9.3.2 CEILING HEIGHT AND LofS CLEARANCE

The ceiling (or roof) of the active range area shall be of sufficient height to provide for safe firing. All roof members, trusses, baffles, pipes, sprinkler heads, etc. must be above the required minimum clear Line of Sight (LofS) between the firing line(s) and the targets.

The clear LofS shall be a minimum of 60 cm above the maximum firing height at the firing line(s) and 25 cm above the top of the target at the bullet trap; refer to *Figure 52: Clear LofS – Indoor Range*. The height of the LofS at a firing line is determined by the shooter's required firing position for the intended range use (e.g. prone, kneeling or standing).

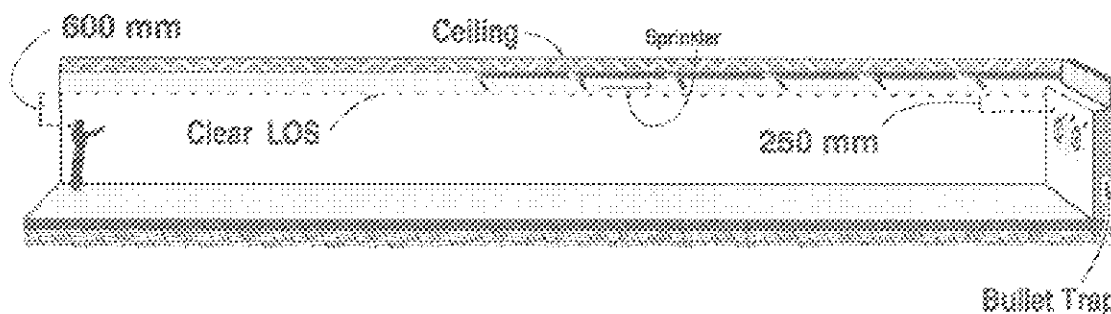


Figure 52: Clear LofS – Indoor Range

### 9.3.3 LIGHTING

There shall be an emergency lighting system within the active range area that is in accordance with local fire or municipal regulations. The emergency lighting shall be configured so that the active range area will be automatically illuminated in the event of a power failure.

The active range area shall be equipped with a lighting system that provides adequate illumination. There can also be local (or spot) lighting systems to provide additional illumination to the targets and to the firing line(s).

All lighting fixtures and equipment within the PZ shall be sheltered to prevent them from being struck by a direct shot from the firing line(s).

### 9.3.4 RANGE SIGNAGE

There shall be a "Range Safety Rules" sign, in accordance with section 1.5 Range and Safety Area Signs, located in a common area (e.g. the range waiting area) or near the primary range access door. This sign shall be clearly visible to all range users.

It is recommended that separate signs be displayed within the active range area that advises users:

- To wear hearing protection;
- Not to smoke within the active range area; and,
- Not to eat or drink within the active range area.

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INDOOR RANGES

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## 9.3.5 TARGET HOLDERS

Target holders shall be designed to ensure that they do not generate ricochets that might exit the range or endanger the range users.

The use of low ricochet materials, such as wood, plastic or Coroplast™, or similar materials, is recommended for use in target holder construction, when practical. If metal is used in target holder construction, it should be sheltered by timber or angled to deflect ricochets into the bullet trap or into the range floor.

**Note:** Coroplast is a trademark of Coroplast, Granby Que.

Target holders shall be constructed such that targets can be held at the various heights (above the range floor) needed to accommodate the various firing heights for which the range was designed (e.g. prone, kneeling and standing). This is to promote the shooter's engagement of the targets with an angle-of-fire that is as close to being horizontal to the range floor as is practical.

## 9.3.6 TARGET CARRIERS AND MECHANISMS

To facilitate efficient range operations and to reduce the exposure of shooters to lead contaminants that collect on the range floor, the use of a target carrier system to move the targets forward and back from the firing line to the target line is encouraged when practical.

If provided, the target carriers and associated target mechanisms shall be constructed to minimize bullet backsplash and ricochet. This can be accomplished by sheltering the metal surfaces with wood or by angling any flat metal surfaces downward.

## 9.4 FIRING POINTS / FIRING LINES / FIRING LANE MARKING

The provisions of this section shall apply for indoor ranges with multiple lane operations. Refer to **section 2.2 Firing Points / Firing Lines / Firing Lane Marking** for general requirements for firing lines and firing points.

## 9.4.1 FIRING LANES

The range shall be laid out with the concept of individual firing lanes applied.

## 9.4.2 FIRING LINE(S)

The firing line(s) shall be parallel to the bullet trap.

Each firing line and the distance to the targets shall be permanently marked (e.g. painted) on the range walls and/or floor.

It is recommended that the firing line(s) depth be in accordance with **Table 5: Recommended Firing Line Depths (Rifle Range)** or **Table 9: Recommended Firing Line Depth (Handgun Range)** as applicable.

Each firing line shall have a provision for a Range Officer area. It is recommended that this area be in accordance with **Table 5: Recommended Firing Line Depths (Rifle Range)** or **Table 9: Recommended Firing Line Depth (Handgun Range)** as applicable.

The firing line shall exceed the outside edges of the flank (first and last) target lanes by 0.5 m.

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## INDOOR RANGES

## 9.4.3 FIRING POINTS

Except as noted below, firing points shall be in accordance with section 2.2 Firing Points / Firing Lines / Firing Lane Marking.

The minimum spacing (centre-to-centre) between adjacent firing points is recommended to be at least 1.0 m.

Where practical, the use of firing point separators between adjacent firing lanes is recommended. These separators are intended to provide each shooter with a defined firing area. They also serve to protect the shooters from being hit by ejected (fired) cartridge cases originating from other lanes. If employed, the separators:

- Shall not significantly obstruct air flow;
- Can be fitted with small tables to assist shooters; and,
- Can be fitted with sound-absorbing materials to dampen the firing noises.

## 9.5 ACTIVE RANGE AREA CONSTRUCTION

This section pertains to the design, construction and the selection of materials for the active range area. The requirements listed here are to be considered as supplementary to the design and construction requirements imposed by local building codes, regulations and practices.

When practical, the use of concrete as the structural material for the floors, walls and ceiling of the active range area is encouraged. When concrete is used as the main structural material, the protection provided by the PZ is likely already afforded by the building structure itself.

## 9.5.1 PROTECTED ZONE CONSTRUCTION MATERIALS

If structural construction materials are used within the PZ to provide ballistic protection, then they shall meet or exceed the standards listed in *Table 14: Protected Zone Construction Materials*.

Table 14: Protected Zone Construction Materials

Calibre Class	Concrete <sup>6</sup>	Brick <sup>7</sup>	Concrete Block <sup>8</sup>	Hardwood Timber	Softwood Timber
Rim-fire Rifle and Rim-fire Handgun	75 mm	103 mm	100 mm	125 mm	150 mm
Centre-fire Handgun	150 mm	215 mm	215 mm	175 mm	200 mm
Centre-fire Rifle	200 mm	215 mm	330 mm	250 mm	375 mm

<sup>6</sup> 20 N/mm<sup>2</sup> (3000 psi) strength, 20 mm Aggregate Concrete

<sup>7</sup> Void-free construction bricks

<sup>8</sup> Dense aggregate solid concrete blocks



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## INDOOR RANGES

The use of unprotected hollow core construction blocks (e.g. cinder blocks) is not recommended, as they do not sustain damage well from glancing or direct bullet strikes. If used, it is recommended that they be clad with additional materials in accordance with [Table 14](#) above.

## 9.5.2 PROTECTED ZONE BAFFLES

Overhead or side wall baffles in the PZ can be used to augment or provide primary protection against the escape of projectiles from the active range area.

There are a number of construction materials that can be used to construct baffles. The determination of any particular baffle suitability is its ability to stop the ammunition being fired on the range. If baffles are used to provide ballistic protection within the PZ, they shall meet or exceed the requirements in [Table 14: Protected Zone Construction Materials](#) or [Table 15: Indoor Range Baffle Construction](#), as applicable.

All baffles shall be clad in 5 cm timber on their firing line side. The backs of the baffles shall be visible for inspection purposes.

Baffles within 10 m of a firing line shall be angled at approximately 25° to 30° from the horizontal to minimize backslash and to deflect ricochets or bullet fragments downrange instead of back towards the firing line (shooters).

Baffles designed of steel shall meet or exceed the requirements in [Table 15: Indoor Range Baffle Construction](#).

Table 15: Indoor Range Baffle Construction

Firearm Calibre Class	Steel Thickness <sup>9</sup>
Rim-fire Rifle and Rim-fire Handgun	5 mm
Centre-fire Handgun	8 mm
Centre-fire Rifle	In accordance with <a href="#">Table 12: Recommended Baffle Construction</a>

## 9.5.3 PROTECTED ZONE INSPECTIONS

The PZ, including all baffles and interior surfaces, shall be inspected periodically by the Range Operator. Damage to protective surfaces within the PZ shall be repaired as required.

## 9.6 BULLET TRAPS

The bullet trap is located behind the most distant target line, at the end of the range. Bullet traps are intended to safely contain bullets and the attendant ricochets or fragments of shots fired in accordance with the [Range Operating Instructions](#). There are many different bullet trap designs; some are better suited to specific uses than others. The bullet trap must be matched to the intended range usage (e.g. maximum calibre, bullet nature and firing angles).

A number of companies produce commercial bullet traps. Each commercial bullet trap will be provided with specific calibre and bullet design information. If a commercial bullet trap is utilized, this information must be supplied with the Application for Approval of a Shooting Range.

<sup>9</sup> Mild Steel (0.15-0.25% Carbon)

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These guidelines will provide a limited number of examples of bullet trap construction and design. Additional information on bullet traps is readily available from a number of other sources (e.g. bullet trap manufacturers and sports governing bodies).

The information provided in this section is provided for the use of all stakeholders. It is not intended to prevent the use of bullet trap designs not discussed. Each bullet trap design must be considered on its own merits.

If bullet traps are designed and constructed with materials other than those listed in these guidelines, then a signed statement from a provincial or territorial licensed Professional Engineer is required for any *non-commercially* manufactured bullet trap, or any commercial bullet trap lacking the necessary documentation from the manufacturer. The Professional Engineer's report shall provide construction details for the trap and the maximum calibre and bullet nature ratings for the sustained operation of the bullet trap.

For more information on bullet traps designed for centre-fire rifle calibres, contact the CFO.

#### 9.6.1 BULLET TRAP DESIGNS

There are a number of common designs used for bullet traps on indoor ranges. Regardless of the design selected for use, the bullet trap must be:

- Rated to the maximum calibre of firearm intended for use;
- Rated to the most robust bullet design (nature) intended for use; and,
- Able to safely contain projectiles, bullet fragments and ricochets generated by firing conducted in accordance with the Range Operating Instructions.

Regardless of the particular backstop design used, there are common construction requirements, which are as follows:

- Edges of steel plates must be cleanly abutted with no gaps or protruding edges;
- Seams in the steel plates must be backed by an equivalent thickness steel plate at least 10 cm wide running along the seam length and approximately centred on the seam;
- Seams should not be located behind the Mean Point of Impact (MPI) for any lane;
- Exposed screw heads/bolts must be flush with the steel plating;
- Bolt nuts should not be exposed to projectile impact;
- Steel plates must be adequately supported to ensure that they do not buckle, bow or waver as a result of their own weight or sustained use; and,
- Edges of steel plates exposed to direct bullet impact shall be bevelled and have a fillet radius of no more than 1.5 mm.

The use of a sacrifice plate, tack-welded to the steel backstop over the MPIs, is one method of improving the longevity of steel backstops. The sacrifice plate is placed on the backstop to sustain a high percentage of bullet impacts. Once the sacrifice plate has been worn out, it can be readily replaced. This is a far less expensive method of backstop repair than having to repair the main backstop impact plate.

The sacrifice plate:

- Should be tack-welded to the backstop impact plate, over the MPI; and,
- The edges of the plate shall be bevelled to provide a smooth transition to the backstop impact plate.

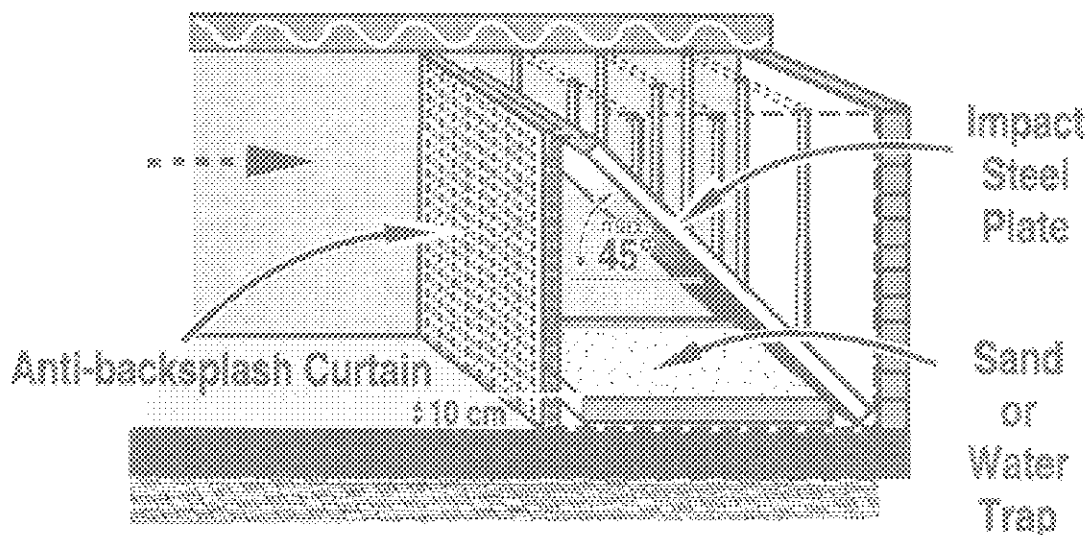
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**45° Angled Steel Plate Design**

One of the simplest bullet trap designs to construct is the Angled Steel Plate Design. This design uses a steel plate angled at 45° (or less) to the direction of fire. Impacting bullets are intentionally ricocheted downwards into a sand or water trap located at floor level; refer to *Figure 53: Angled Steel Plate Design*.



**Figure 53: Angled Steel Plate Design**

This design generates considerable amounts of fine lead dust contamination resulting from the severe deformation of bullets impacting the angled steel plate.

The steel impact plate angle shall not exceed 45° from the horizontal; however, it can be less than 45°. The steel plate shall meet or exceed the requirements in *Table 16: Angled Steel Plate Minimum Requirements*.

The sand or water trap beneath the impact plate shall be at least 10 cm deep. It shall completely cover the floor area beneath the steel impact plate.

The sand in the bullet trap shall be coarse and free of hard inclusions (e.g. stones). If water is used in the trap, it shall be replenished as required.

This bullet trap design may be used for centre-fire handgun and rim-fire rifle/rim-fire handgun calibres only.

The use of an anti-backsplash curtain is recommended.

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Table 16: Angled Steel Plate Minimum Requirements

Calibre	Bullet Nature	Min. Steel Thickness	Steel Specifications <sup>10</sup>	Mild Steel Min. Steel Thickness <sup>11</sup>	1T100 Armour Steel Min. Thickness
.22 Long Rifle	Lead	7 mm	AR-450	6 mm	4 mm
9 mm Para.	FMJ	10 mm	AR-500	12 mm	8 mm
.357 Magnum	JSP	10 mm	AR-500	12 mm	8 mm
.44 Magnum	JSP	10 mm	AR-500	12 mm	8 mm
.45 ACP	FMJ	10 mm	AR-500	12 mm	8 mm
.50 AE	FMJ	10 mm	AR-500	12 mm	8 mm

Vertical Steel Plate Design

The Vertical Plate Design utilizes a vertical steel plate to fragment fired bullets on impact. This is a simple and reliable design for a bullet trap; however, it is suitable only for rim-fire calibre rifles and rim-fire calibre handguns. It also generates considerable amounts of contamination in the form of fine lead dust resulting from the severe deformation of bullets impacting the steel plate; refer to *Figure 54: Vertical Steel Plate Design*.

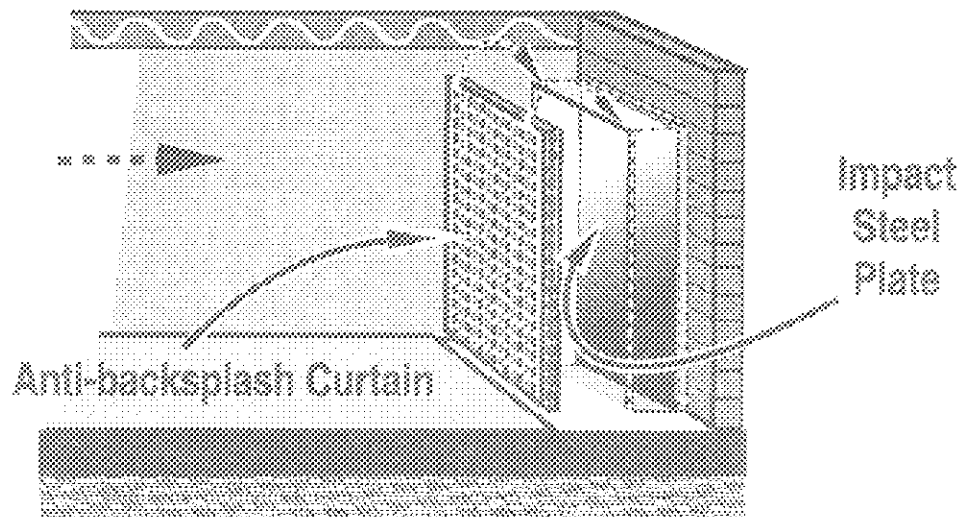


Figure 54: Vertical Steel Plate Design

<sup>10</sup> The steel specifications are provided as a minimum requirement; the use of alternate steel specifications that exceed these requirements is permitted.

<sup>11</sup> 0.15-0.25% carbon mild steel, grades: 260W, 300W, 260WT, 300WT, 350 WT, 380WT, 400WT, 350R, 350A, 400A, 480A, 700Q, 700QT or their equivalent

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## INDOOR RANGES

The steel impact plate shall have a minimum thickness of 6 mm for 0.15% to 0.25% carbon mild steel or 4 mm minimum thickness for 1T100 armour steel.

The steel plate shall be enclosed within a wooden or sheet metal enclosure. The enclosure shall be fitted with an anti-backsplash curtain positioned at least 30 cm in front of the steel backstop.

This design may only be used for rim-fire calibre rifles and rim-fire calibre handguns firing lead alloy bullets.

#### Venetian Blind Design

The Venetian Blind Design utilizes multiple angle steel plates arranged one above the other; refer to *Figure 55: Venetian Blind Design*.

The steel plates shall be angled at no more than 45° to the horizontal and shall be configured with an overlap such that the lip of one plate is positioned higher than the base of the plate above it. The steel plate shall meet or exceed the requirements in **Table 16: Angled Steel Plate Minimum Requirements**.

The use of an anti-backsplash curtain is recommended.

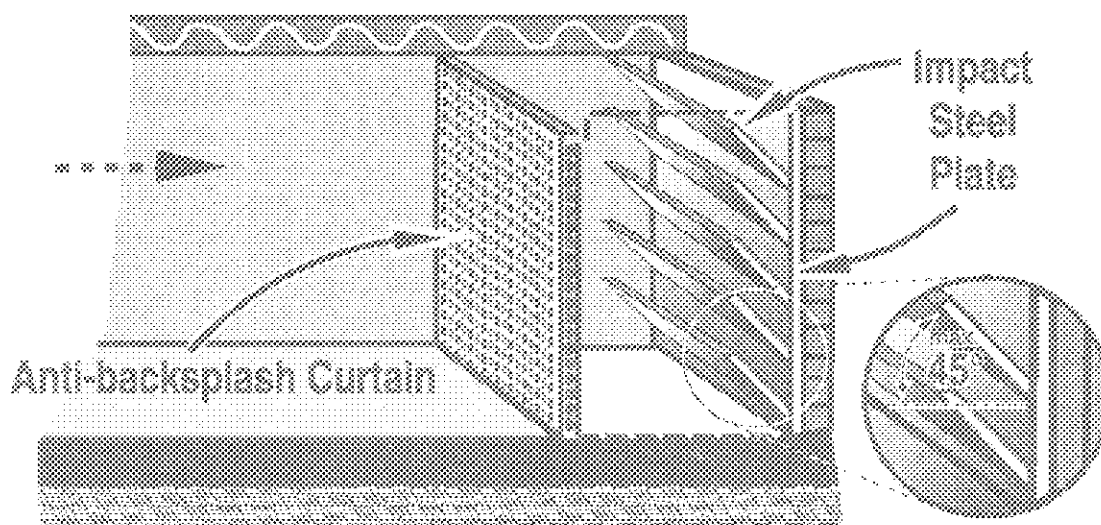


Figure 55: Venetian Blind Design

#### Passive Snail™ Design

The Snail Design is part of a class of bullet trap designs that is able to capture fired bullets with as little deformation or damage as possible. Minimizing bullet damage reduces the amount of fine lead dust originating from the bullet trap.

The Snail Design employs shallow angle steel plates to deflect incoming bullets into a circular deceleration chamber. In some designs, the deflection plates and deceleration chamber are constantly sprayed with a water-based liquid to entrap lead residues and reduce friction between the bullets and the steel plates.

**Note:** The Snail trademark is held by the Savage Arms Corp of the USA

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INDOOR RANGES

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## 9.6.2 BULLET TRAP MAINTENANCE

The Range Operator shall inspect the bullet trap regularly to ensure that it is in good condition. Special attention should be paid to the impact plates, especially in the MPI areas.

The presence of impact plate perforation, sagging or other damage (e.g. pitting), etc. are significant safety concerns, requiring repair actions by the Range Operator. The Range Operator is to ensure that all worn or damaged components of the bullet trap are repaired as required.

## 9.6.3 BULLET TRAP ANTI-BACKSPLASH CURTAIN

The use of a bullet trap anti-backsplash (safety) curtain is recommended for all 45° (approximately) angled metal impact plate bullet trap designs. Anti-backsplash screens are generally not required for:

- The Snail™ – type designs;
- Bullet trap designs with low (25° or less) angled impact plates; or,
- Other passive bullet trap designs.

The use of a bullet trap anti-backsplash curtain is required for any vertical steel impact plate design.

The primary function of the anti-backsplash curtain is to contain bullet backsplash within the bullet trap. It will also promote the containment of fine lead dust particles to the immediate area of the bullet trap.

This curtain is to be located behind the targets and in front of the bullet trap. It shall cover the entire front of the bullet trap.

There are various designs of anti-backsplash curtains, which satisfy the same function, including:

- Linatex™ panels or similar self-sealing rubberised or latex materials;
- Wood planks (e.g. 25 mm x 150 mm softwood boards) slid into vertical channels, which allow the shot-out boards to be replaced by less damaged boards that slide down into place from above; and,
- Heavy layers of carpet or similar material.

Regardless of the materials used in the anti-backsplash curtain, they will all become shot-out eventually. All designs should take this fact into account and provide for the repair or replacement of shot-out areas as required.

The anti-backsplash screens should be configured to allow easy viewing of the backstop. This will assist the Range Operator when inspecting the backstop.

## 9.7 WARNING LIGHTS

There shall be a warning light system used to indicate the operational status of the range. The warning lights shall be visible to shooters on the active range area and to people outside of the range. They shall be under the control of the supervising Range Officer.

The warning light system can be any of the following:

- An illuminated "Warning Range In Use" sign;
- RED and GREEN warning lights; or,
- RED and GREEN beacons.

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A combination of the warning light systems described above is permitted, as long as their meaning is clear and in accordance with the **RED/GREEN** colour system described in section 1.7.2 Beacon System.

## 9.8 RANGE VENTILATION

Minimum ventilation requirements (e.g. airflow velocity or volume) are determined by provincial and territorial agencies. Therefore, these guidelines do not establish minimum airflow requirements for indoor ranges. Contact the CFO for more information.

In addition to the requirement to meet provincial or territorial ventilation standards, the following is recommended:

1. The air supply to the range should be behind the firing line. To ensure uniform air flow across the firing line, the supply air should be provided from ducts located less than 2 m above the range floor, which are evenly spaced along the firing line.
2. To promote the efficient removal of firing gases from the firing line, the air supplied behind the firing line should be in a smooth laminar flow, not a turbulent flow. Turbulent airflow can be generated by obstructions in the air path (e.g. a table or bench) or by air flow velocities that are too high for the ventilation duct design.
3. To promote the efficient and controlled removal of the lead residues, the range should be operated at a *negative* pressure (e.g. the air exhaust system attempts to exhaust more air than is supplied). Having negative air pressure within a range prevents the escape of lead contamination air to adjacent areas.

Depending on the intended range use, there are two common exhaust duct configurations that can be employed:

1. Configuration 1 – Exhaust ducts are located approximately 5 m to 6 m forward of the firing line, as well as in the area of the bullet trap. The ducts located forward of the firing line should be configured to exhaust approximately 25% of the supplied air volume, while the bullet trap exhaust ducts remove the remaining 75% plus of the supplied air volume.
2. Configuration 2 – Exhaust ducts are located in the area of the bullet trap and are configured to exhaust all of the supplied air volume.

All supply and exhaust ducts should be evenly spaced across the width of the range to promote efficient and even air movement.

If the exhaust air from the range is filtered to remove lead or dust particles, then it is recommended that an air pressure alarm or indicator be fitted to the range. This air pressure alarm is intended to signal to the Range Operator when the filters have become clogged and need to be replaced or cleaned. Clogged filters are an unavoidable consequence of air filtration and result in the impaired extraction of air from the range. This causes diminished air flows and the loss of the negative air pressure within the range.



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INDOOR RANGES

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## 9.9 TARGETS

The selection of target types for use on indoor ranges is at the discretion of the Range Operator.

The use of hard targets (e.g. steel targets) on an indoor range should be closely monitored by the Range Operator. The courses-of-fire using hard targets should be critically evaluated by the Range Operator to ensure that the range users and those exterior to the range are not put at risk as a result of the inappropriate use (e.g. placement, type and design) of these targets, given the range design.

Refer to **section 1.9 Backsplash** for recommended minimum engagement distances for hard targets.

## Attachment 3 to PD-56-2022

## FIELD FIRING RANGES

## 10 FIELD FIRING RANGES

Field firing outdoor ranges can have different configurations, dependent on the planned shooting activities. The range can be configured in accordance with a standard rifle or handgun range (without the backstop or with an inadequate backstop) or it can be configured as an austere range built using existing natural features.

If the range is configured in accordance with a standard outdoor rifle or handgun range, *but it does not have an adequate backstop*, then the calibre-appropriate field firing safety area template(s) from **Appendix D: Safety Area Templates** shall be applied, along with the provisions of these guidelines for standard outdoor rifle (sections 2.2 to 2.7) or standard outdoor handgun ranges (sections 3.2 to 3.7).

An austere range is one that requires few constructed features, as it uses the natural attributes of the range site. This type of range also includes “jungle lane” type designs; refer to *Figure 56: Field Firing Pistol Range*.

For austere field firing ranges, the provisions of this section are applicable.

Austere field firing ranges have the following: firing area(s), target area(s) and a suitable downrange safety area. There is no requirement for this type of range to have a backstop.

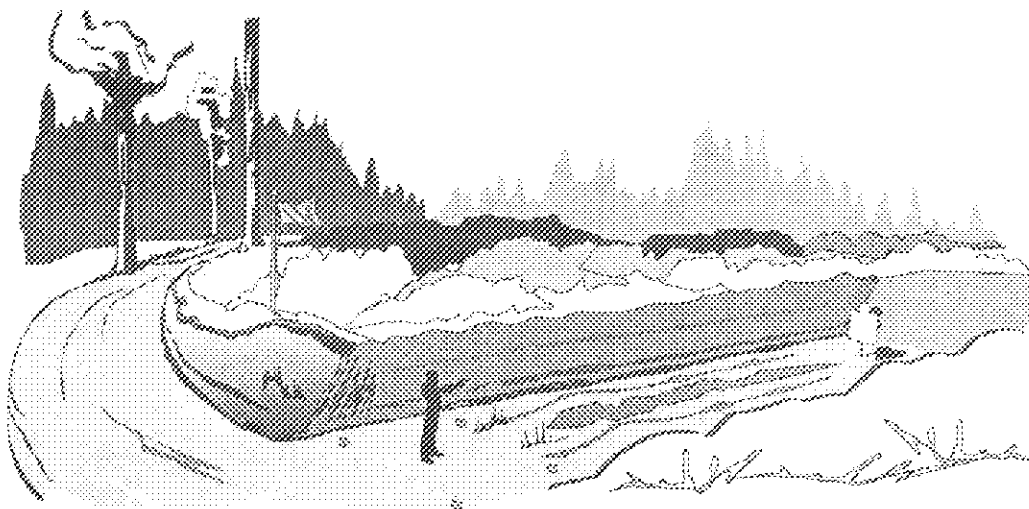


Figure 56: Field Firing Pistol Range

## 10.1 SAFETY CONSIDERATIONS

## 10.1.1 HUMAN ACTIVITY – SAFETY AREA

The general allowance of human activity within a range safety area, provided under **section 1.2 Range of Safety Areas**, cannot be afforded to field firing ranges. The risk profile of a field firing range is considerably more expansive than that for a standard outdoor range due to the absence of a suitable backstop. Therefore, human activity should not be approved within the safety area of a field firing range when it is in operation.

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FIELD FIRING RANGES

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## 10.1.2 APPLYING SAFETY AREA TEMPLATES

The total field firing safety area is determined by applying the appropriate field firing template under “maximum” variability conditions possible for the shooter/target positioning, as determined by the range and course-of-fire design. The field firing safety area template is applied between the edges of all demarcated firing areas and the edges of all demarcated target areas with:

- The maximum possible horizontal arcs; and,
- The maximum possible up/down range positioning.

## 10.1.3 LOCATING RANGE(S)

The accurate siting of the firing and target areas is an important safety consideration. It is important that the firing arcs do not exceed the limits for which the range was designed. A great deal of flexibility is permitted, provided that the safety area traces for all shooter/target combinations are kept within the range property and in accordance with the Range Approval. The use of appropriate survey techniques to site these areas is recommended. The use of GPS and magnetic compass techniques are permitted, so long as the Range Operator makes the necessary allowances for the inaccuracies of the instruments used.

It is recommended that target areas not be located on the crest of hills or rises (e.g. on the skyline). It is recommended that, *when practical*, the VAofF for the shooter-target alignment be approximately horizontal or that it be depressed below the horizontal.

## 10.1.4 BACKSPLASH / RICOCHET HAZARDS

It is recommended that courses-of-fire be appropriate for the terrain of the firing area(s). The Range Operator should plan the courses-of-fire to reduce the likelihood of shooters firing into potentially hazardous ricochet or backsplash surfaces located close to them; refer to **section 1.9 Backsplash**. The aim of this recommendation is to protect the shooter(s) and others from potentially dangerous bullet backsplash.

## 10.1.5 REDUCED SAFETY AREAS

Trees, brush and shrubs do not provide a barrier that can be used to reduce the safety template requirements.

Hills and similar topographical features within the trajectory envelope can be used to reduce safety template requirements; refer to **section 1.2 Range of Safety Areas**.

## 10.2 RANGE LAYOUT

Field firing range safety areas should not overlap other ranges, walking trails or areas likely to be frequented by people *when the range is in use*. When having people in the safety area of a field firing range is likely, there shall be a flag, beacon or similar warning system installed. This warning system shall be used to prevent firing onto the downrange areas when it is in use. The colour designation for the warning system shall be in accordance with **section 1.7 Warning Flags and Beacons**.

The layout of a field firing range is flexible and user defined, provided that the requirements of this section are satisfied and that all range safety areas are confined to the land area formally or informally controlled by the Range Operator in accordance with **section 1.2 Range of Safety Areas**.

## Attachment 3 to PD-56-2022

FIELD FIRING RANGES

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## 10.3 BACKSTOP DESIGN AND CONSTRUCTION

Although backstops are not required for field firing ranges, the presence of even a small backstop can dramatically reduce the occurrence of projectiles and ricochets travelling into the downrange area. Backstops can be provided at the discretion of the Range Operator.

Refer to section 2.1 Backstop Design and Construction for information on backstops.

If a backstop is provided:

- The height and crest length shall be determined by the Range Operator;
- The slope of the backstop's forward (impact) face should be steeper than 30°; and,
- The forward face of the backstop shall be free of major outcroppings of rock or other hard materials.

Bullet catchers are not required for field firing ranges; however, if they are provided they shall be constructed in accordance with **section 2.1 Backstop Design and Construction**, with the dimensions to be determined by the Range Operator.

## 10.4 FIRING AREAS

Firing areas are the defined areas from which shooters can engage (fire) at their target(s). They can be as expansive as is required by the course-of-fire.

Firing areas shall be clearly demarcated with posts, pegs, pylons or other similar markers to ensure that shooters can readily identify the intended firing area.

If more than one shooter at a time is to be in the same firing area, then provisions (e.g. procedural or facility) shall be made to prevent shooters from endangering or interfering with each other.

## 10.5 TARGET AREAS

Target areas are the defined areas in which targets can be placed. They can be as expansive as is required by the course-of-fire.

Target areas shall be clearly demarcated with posts, pegs, pylons or other similar markers to ensure that the targets can be reliably placed in the appropriate area.

## 10.6 TARGETS AND TARGET HOLDERS

This section is in accordance with **section 2.7 Targets and Target Holders**.

## Attachment 3 to PD-56-2022

RANGE OPERATING INSTRUCTIONS

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## 11 RANGE OPERATING INSTRUCTIONS

Range Operating Instructions are an important requirement for all ranges. They are to be used to physically describe the range(s) and to detail the usage conditions for which each range was designed. As an analogy, they can be compared to the owner's manual for a car.

In accordance with the Safety Training instruction of the *Shooting Clubs and Shooting Ranges Regulations (SOR/98-212)*, s. 4, all range users must read the Range Operating Instructions, or be informed of their content. All range users must be fully familiar with range operating procedures. It is recommended that the Range Operator keep a record attesting to the fact that individual range users and the Range Officer(s) have read the Range Operating Instructions, or that they have been informed of their contents.

An example of a set of Range Operating Instructions is in **Appendix I: Sample Range Operating Instructions**.

A copy of the Range Operating Instructions shall be available to all range users and Range Officers at the range site.

The Range Operator shall ensure that range users and Range Officers are made aware of significant changes to the Range Operating Instructions. It is recommended that range users and Range Officers read the Range Operating Instructions at least on an annual basis.

### 11.1 AIM

The aim of the Range Operating Instructions is to promote safe range operations, and to protect the shooters and the non-shooting public alike from potentially hazardous and preventable incidents or activities.

The Range Operating Instructions are prepared with the intent of clearly describing to all range users and Range Officers the acceptable activities that will keep the range use within the scope of the Range Approval. They will also outline to all users and Range Officers the major unacceptable activities (e.g. those that *may not be apparent*) that are not permitted on the range.

### 11.2 CONTENT

Just as each range is unique, each set of Range Operating Instructions is unique. They need not be complex; however, they must be detailed enough to clearly describe each range and its safe operation.

Range Operating Instructions shall be prepared for each range. Their content is flexible provided that the basic points listed below are addressed:

- Describe the key physical details of all ranges;
- Describe the hours/days of operation;
- List acceptable Range Officer and/or user qualifications;
- Describe acceptable firearm/calibre/bullet natures;
- Acceptable range activities (e.g. arcs of fire);
- Unacceptable range activities (e.g. a list of unauthorized targets);
- Review safety issues (e.g. hearing protection, eye protection, lead contamination, etc.);

## Attachment 3 to PD-56-2022

RANGE OPERATING INSTRUCTIONS

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- Provide emergency information (e.g. hospital location and phone numbers for police and the Range Operator); and,
- Define any non-standard abbreviations used, as well as all acronyms used.

## 11.3 FORMAT

The format of the Range Operating Instructions is determined by the Range Operator, provided that the information is presented clearly. Refer to **Appendix I: Sample Range Operating Instructions** for an example of a set of Range Operating Instructions.

## 11.4 UPDATING

The Range Operating Instructions shall be kept current. They shall be updated as required to reflect the range design, usage and the granted Range Approval applicable at any time.

It is the Range Operator's responsibility to ensure that an up-to-date copy of the Range Operating Instructions shall *always* be on file with the CFO. The Range Operator shall advise the CFO of any significant changes in the Range Operating Instructions, from one version to the next.

## Attachment 3 to PD-56-2022

APPENDIX A: LIST OF ABBREVIATIONS

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*APPENDIX A: LIST OF ABBREVIATIONS*

<b>Abbreviation</b>	<b>Term</b>
ACP	Automatic Colt Pistol
ADH	Air Danger Height
AP	Armour Piercing (bullet)
ATA	Amateur Trapshooting Association
BP	Black Powder
CAF	Canadian Armed Forces
CFO	Chief Firearms Officer
CofF	Cone of Fire
DCRA	Dominion of Canada Rifle Association
DFO	Department of Fisheries and Oceans
DND	Department of National Defence
DNR	Department of National Resources
EMT	Emergency Medical Treatment (Technician)
FMJ	Full Metal Jacket (bullet)
GPS	Global Positioning System
HAofF	Horizontal Angle of Fire
HP	Hollow Point (bullet)
HPBT	Hollow Point Boat-Tail (bullet)
IPSC	International Practical Shooting Confederation
ISU	International Shooting Union
JHP	Jacketed Hollow Point (bullet)
JSP	Jacketed Soft Point (bullet)
LofS	Line of Sight
LRN	Lead Round Nose (bullet)
Max	Maximum
Min	Minimum
MPI	Mean Point of Impact
N/A	Not Applicable



## Attachment 3 to PD-56-2022

APPENDIX A: LIST OF ABBREVIATIONS

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Abbreviation	Term
NSA	No Safety Area (range)
NSSA	National Skeet Shooting Association
psi	Pounds/in <sup>2</sup>
PZ	Protected Zone
RCMP	Royal Canadian Mounted Police
RF	Rim-Fire (ammunition)
RN	Round Nose (bullet)
RO	Range Officer
RSV	Range Safety Vehicle
SC&SR	Shooting Clubs and Shooting Ranges
SFC	Shooting Federation of Canada
SMG	Submachine Gun
SP	Soft Point (bullet)
SWC	Semi-Wadcutter (bullet)
VAofF	Vertical Angle of Fire
WC	Wadcutter (bullet)

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## APPENDIX B: CONE OF FIRE DESIGN PARAMETERS

*APPENDIX B: CONE OF FIRE DESIGN PARAMETERS*

Table 17: Cone of Fire Design Parameters

Firearm Type	Firing Activity	Target Activity	Range Type	Horizontal Deviation		Vertical Deviation	
				mil "+/-"	degree "+/-"	mil "+/-"	degree "+/-"
Rifle	Static	Static	Standard	40	2.25	40	2.25
Rifle	Static	Moving	Standard	60	3.37	40	2.25
Rifle	Static	Static	Field Firing	60	3.37	60	3.37
Handgun	Static	Static	Standard	250	14.06	190	10.69
Shotgun	Skeet	Stn 1-7					15.0
Shotgun	Skeet	Stn 8					75 to 90
Shotgun	Trapshooting						9.0

Units of Measure

6400 mil = 360 degrees

1 mil = 0.05625 degrees

1 degree = 17.77778 mil

## Attachment 3 to PD-56-2022

APPENDIX C: HUMAN ENGINEERING

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*APPENDIX C: HUMAN ENGINEERING*

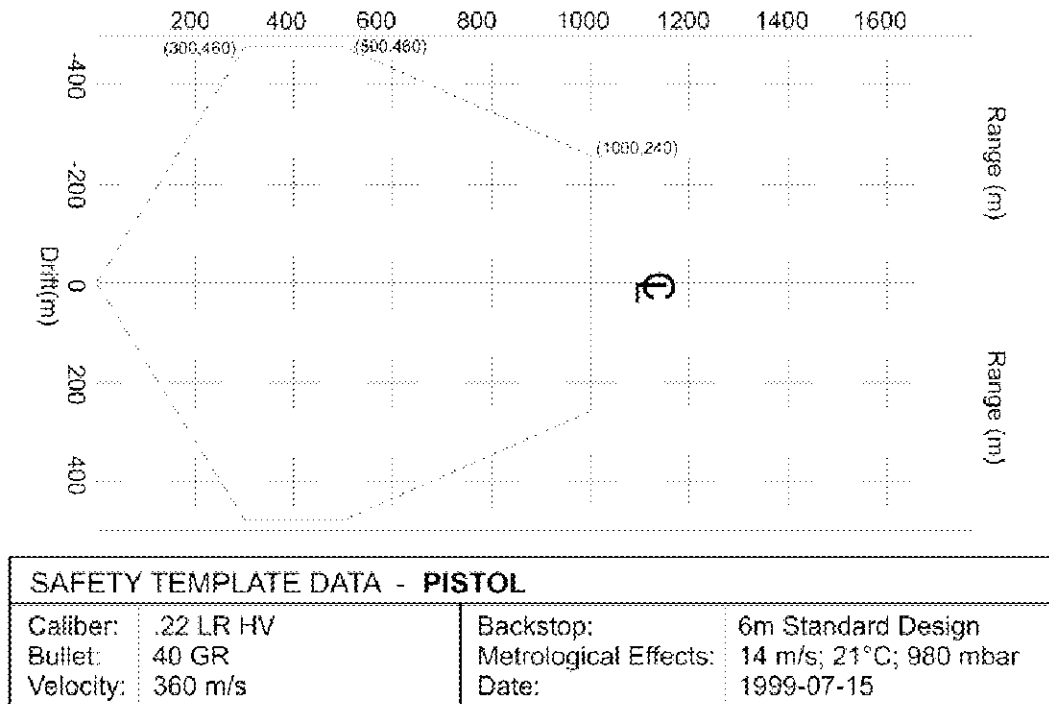
Below are listed the nominal design firing heights utilized in these guidelines.

**Table 18: Firing Heights**

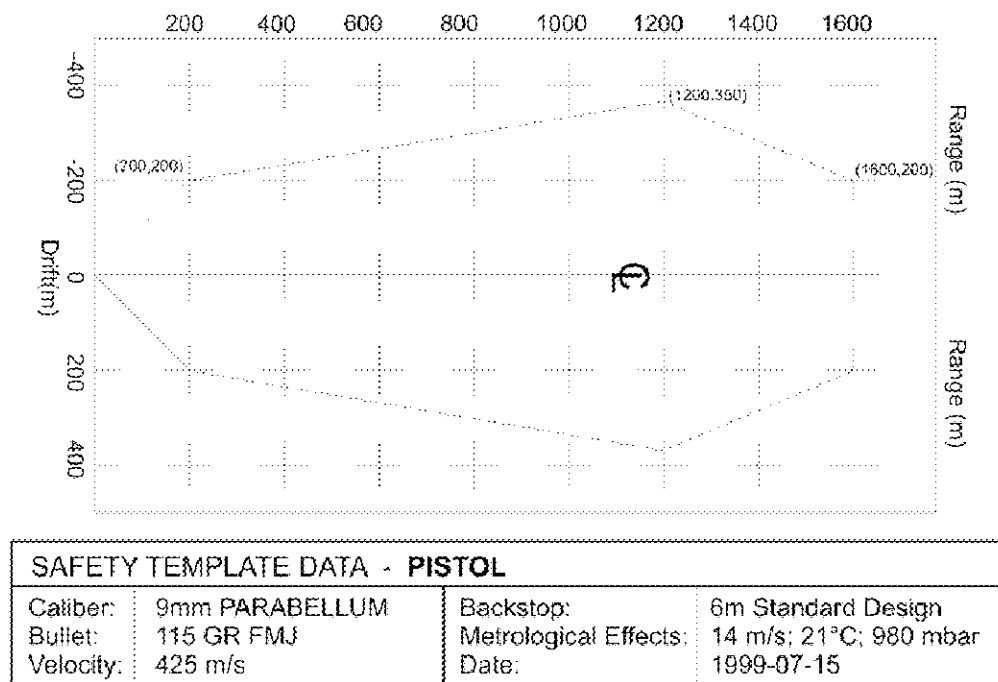
<b>Firing Position</b>	<b>Height Above Ground Level</b>
Standing	150 cm
Shooting Bench	120 cm
Kneeling	80 cm
Prone	30 cm

## APPENDIX D: SAFETY AREA TEMPLATES

## APPENDIX D: SAFETY AREA TEMPLATES



**Figure 57: Safety Area Template P1**



**Figure 58: Safety Area Template P2**

## Attachment 3 to PD-56-2022

## APPENDIX D: SAFETY AREA TEMPLATES

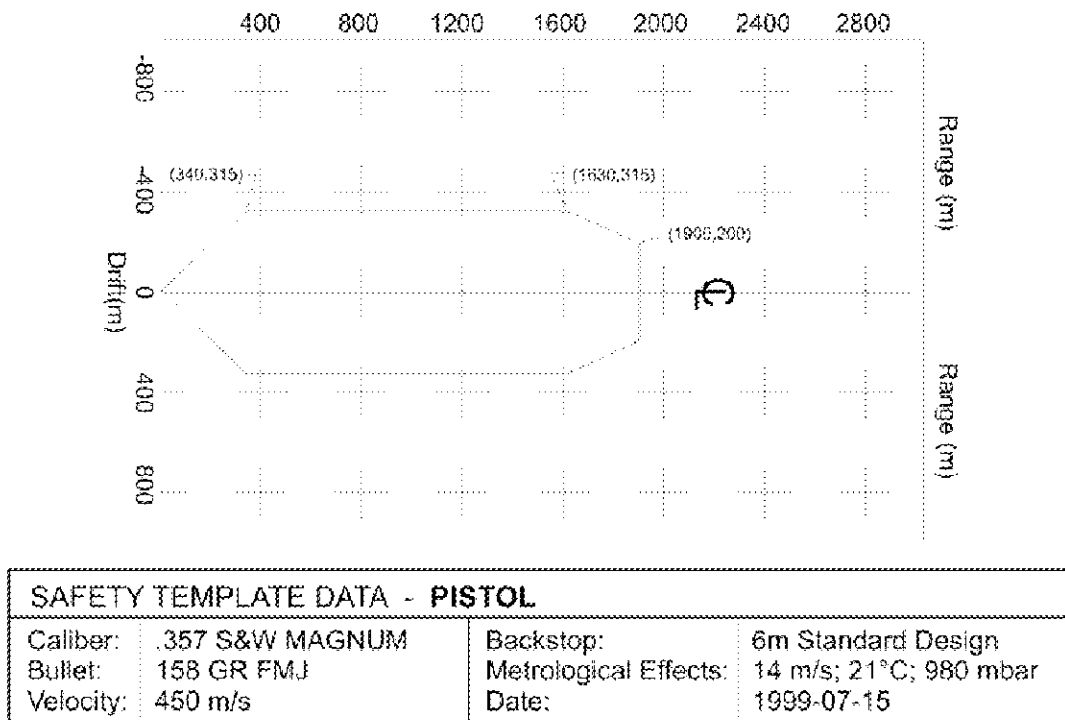


Figure 59: Safety Area Template P3

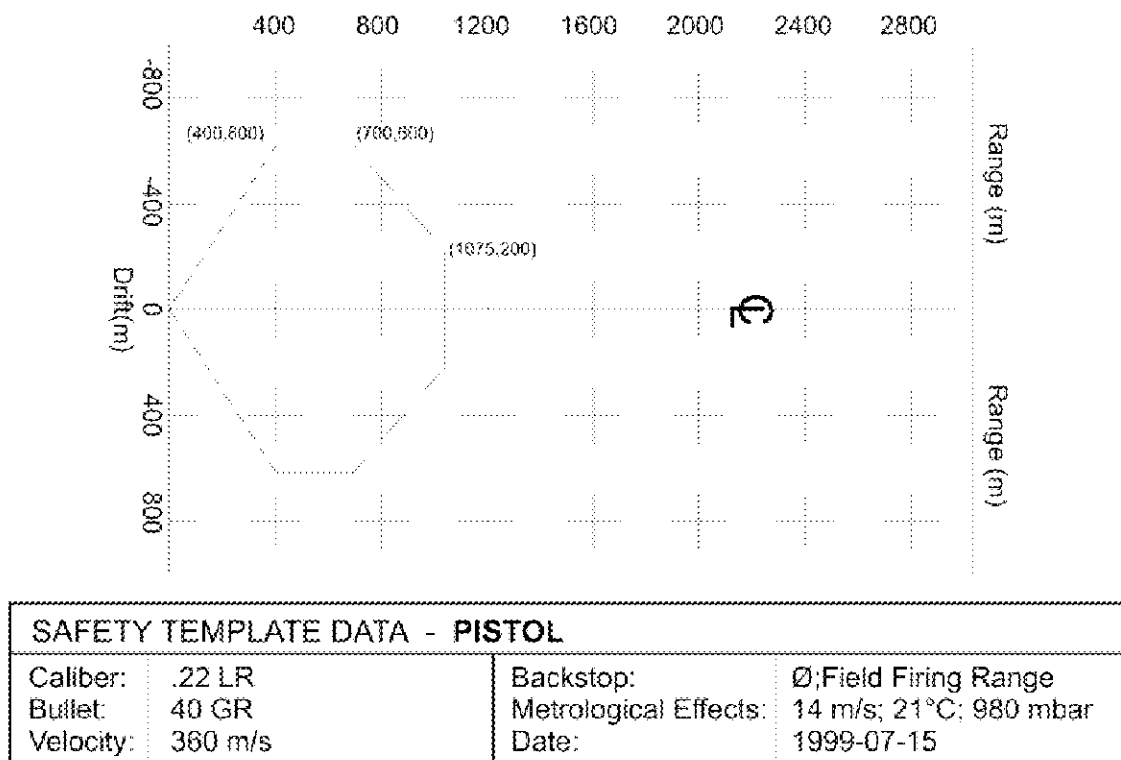


Figure 60: Safety Area Template P10

## Attachment 3 to PD-56-2022

## APPENDIX D: SAFETY AREA TEMPLATES

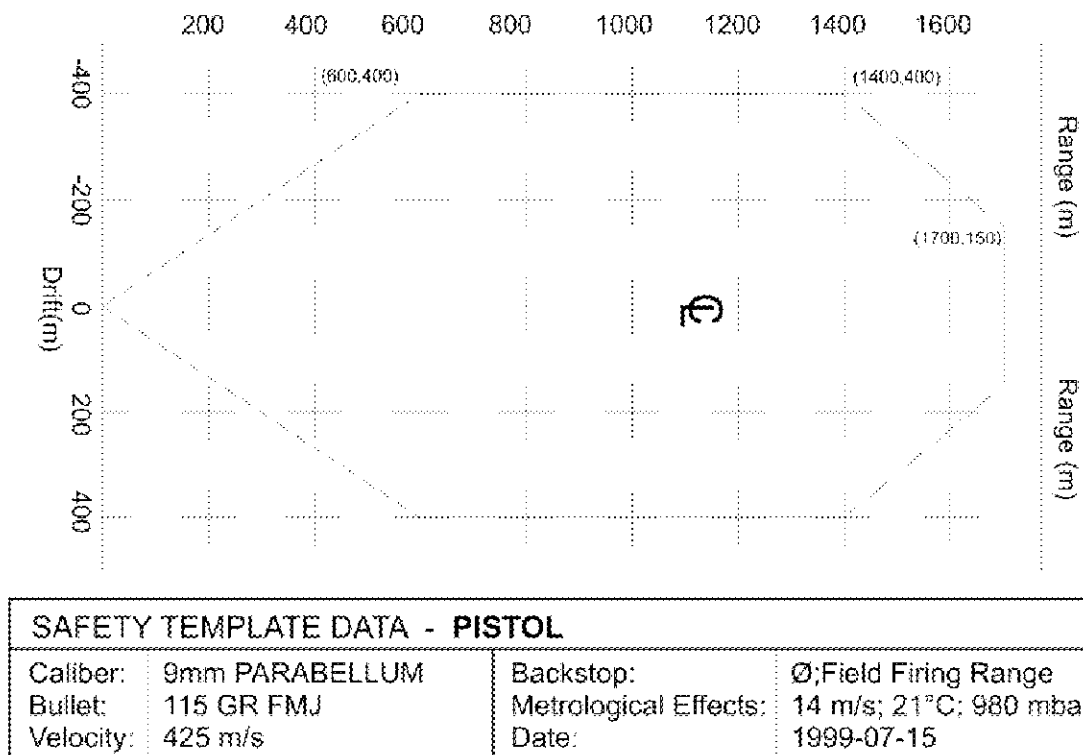


Figure 61: Safety Area Template P11

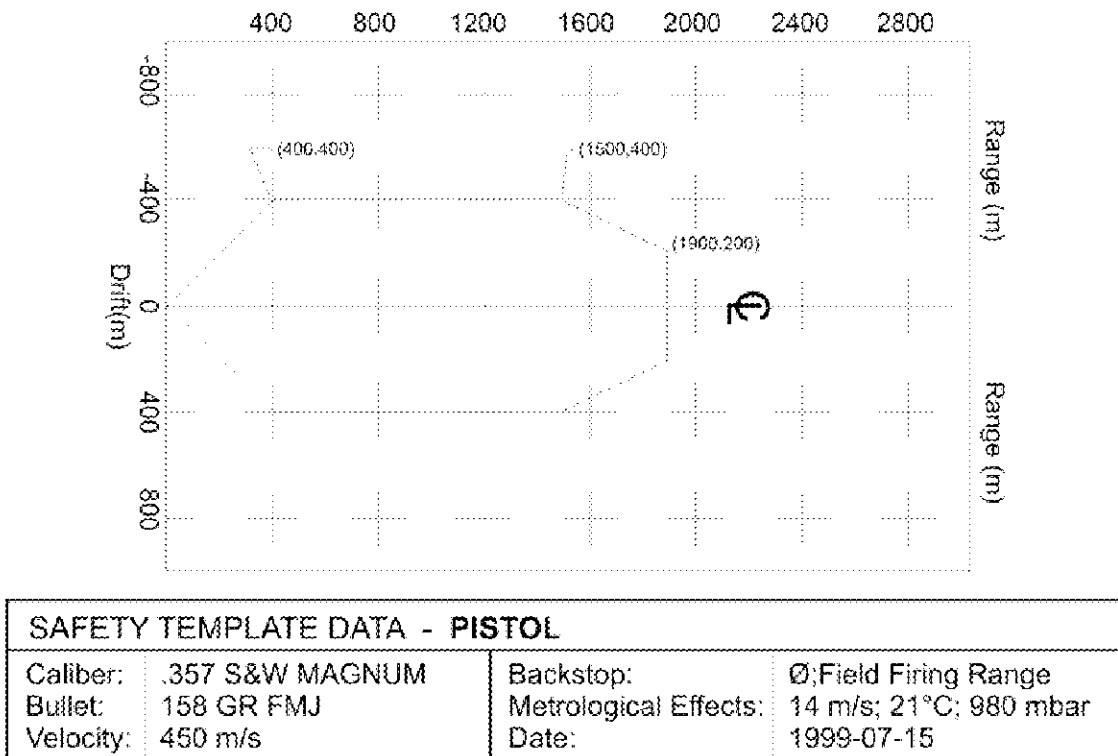
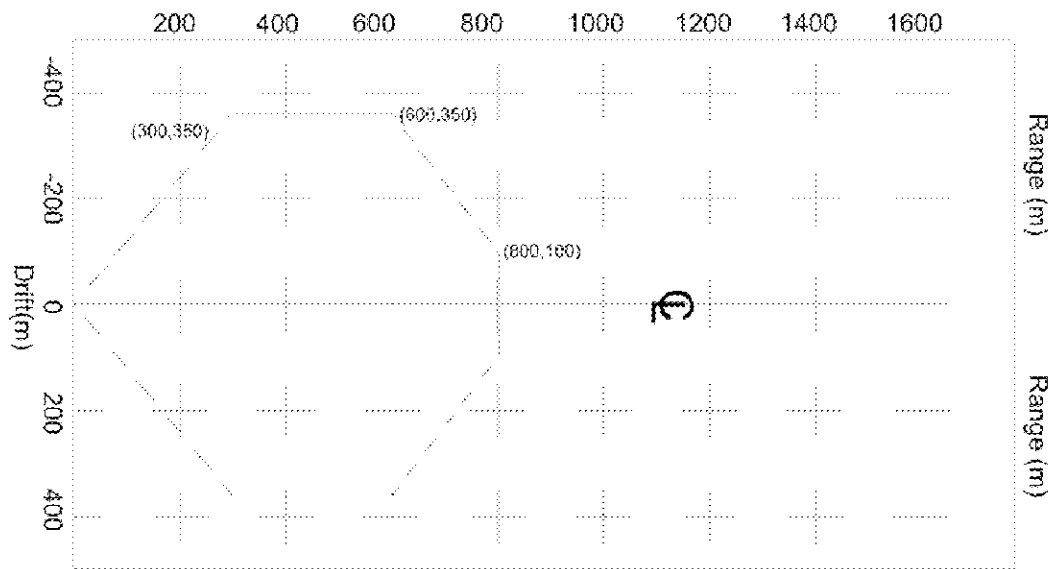


Figure 62: Safety Area Template P12

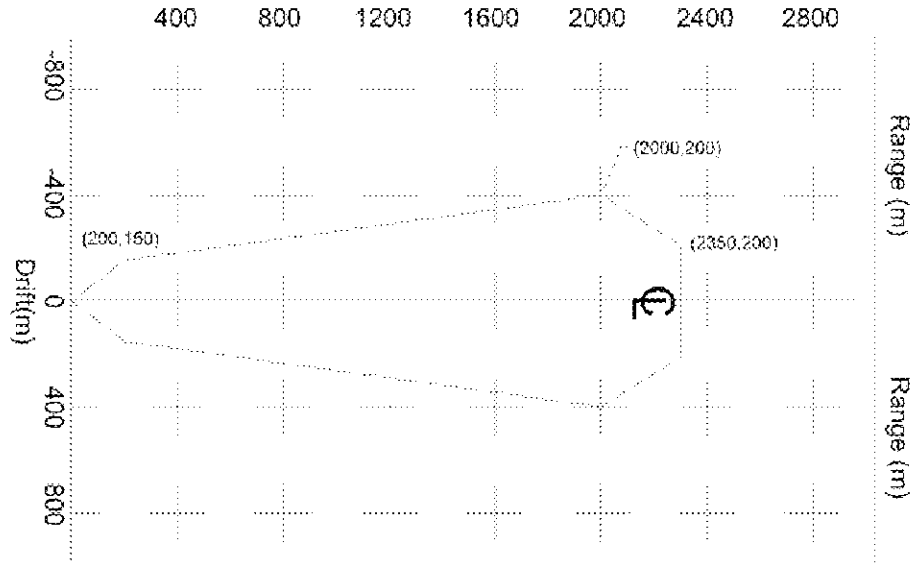
# Attachment 3 to PD-56-2022

## APPENDIX D: SAFETY AREA TEMPLATES



SAFETY TEMPLATE DATA - RIFLE			
Caliber:	.22 LR HV	Backstop:	6m Standard design
Bullet:	40 GR	Metrological Effects:	14 m/s; 21°C; 980 mbar
Velocity:	360 m/s	Date:	1999-07-15

Figure 63: Safety Area Template R1

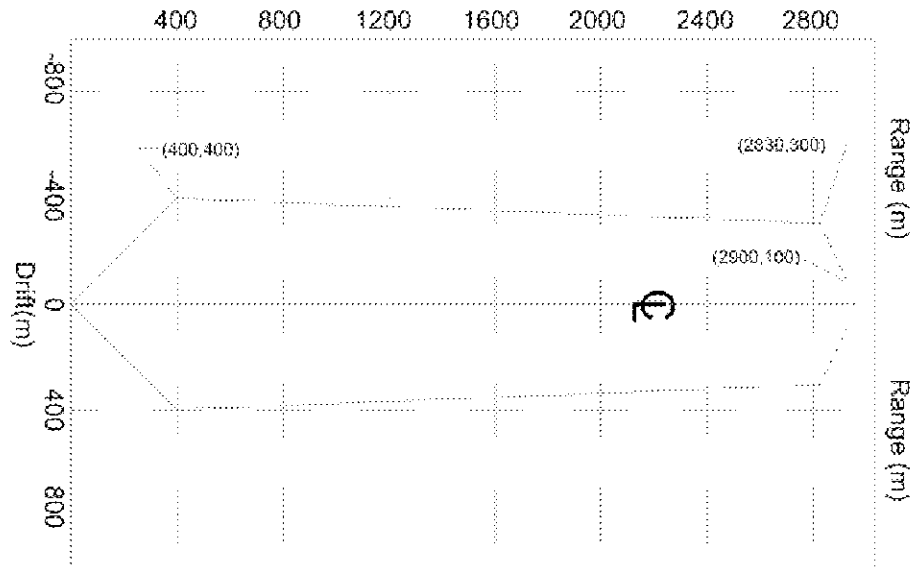


SAFETY TEMPLATE DATA - RIFLE			
Caliber:	.223 REMINGTON	Backstop:	6m Standard Design
Bullet:	62 GR FMJ	Metrological Effects:	14 m/s; 21°C; 980 mbar
Velocity:	940 m/s	Date:	1999-07-15

Figure 64: Safety Area Template R3

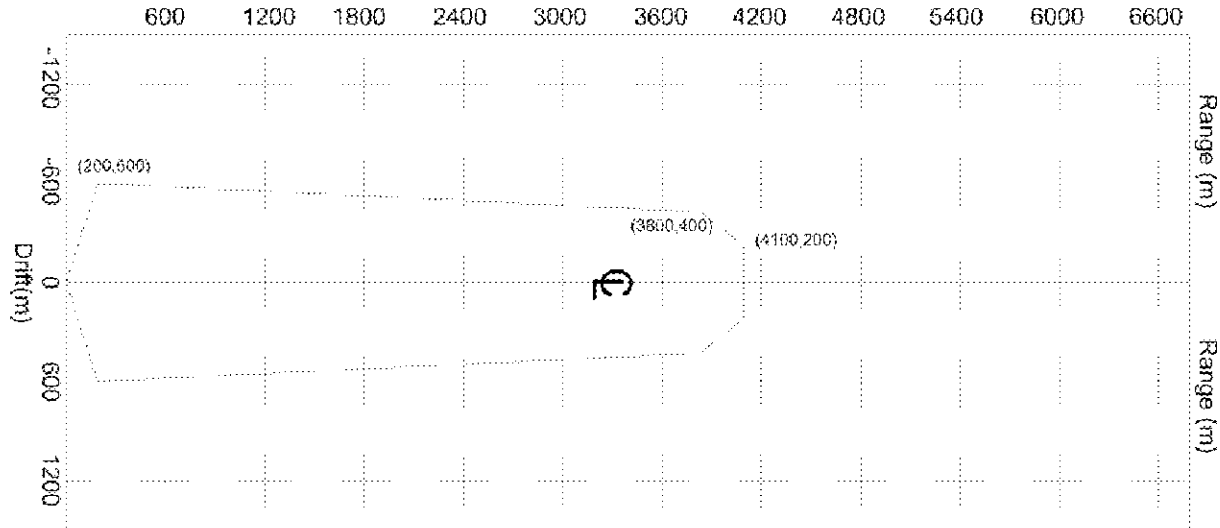
# Attachment 3 to PD-56-2022

## APPENDIX D: SAFETY AREA TEMPLATES



SAFETY TEMPLATE DATA - RIFLE			
Caliber:	.308 WINCHESTER	Backstop:	6m Standard Design
Bullet:	147 GR FMJ	Metrological Effects:	14 m/s; 21°C; 980 mbar
Velocity:	850 m/s	Date:	1999-07-15

Figure 65: Safety Area Template R4



SAFETY TEMPLATE DATA - RIFLE			
Caliber:	.338 LAPUA MAGNUM	Backstop:	6m Standard Design
Bullet:	250 GR FMJ	Metrological Effects:	14 m/s; 21°C; 980 mbar
Velocity:	920 m/s	Date:	1999-07-15

Figure 66: Safety Area Template R5



# Attachment 3 to PD-56-2022

## APPENDIX D: SAFETY AREA TEMPLATES

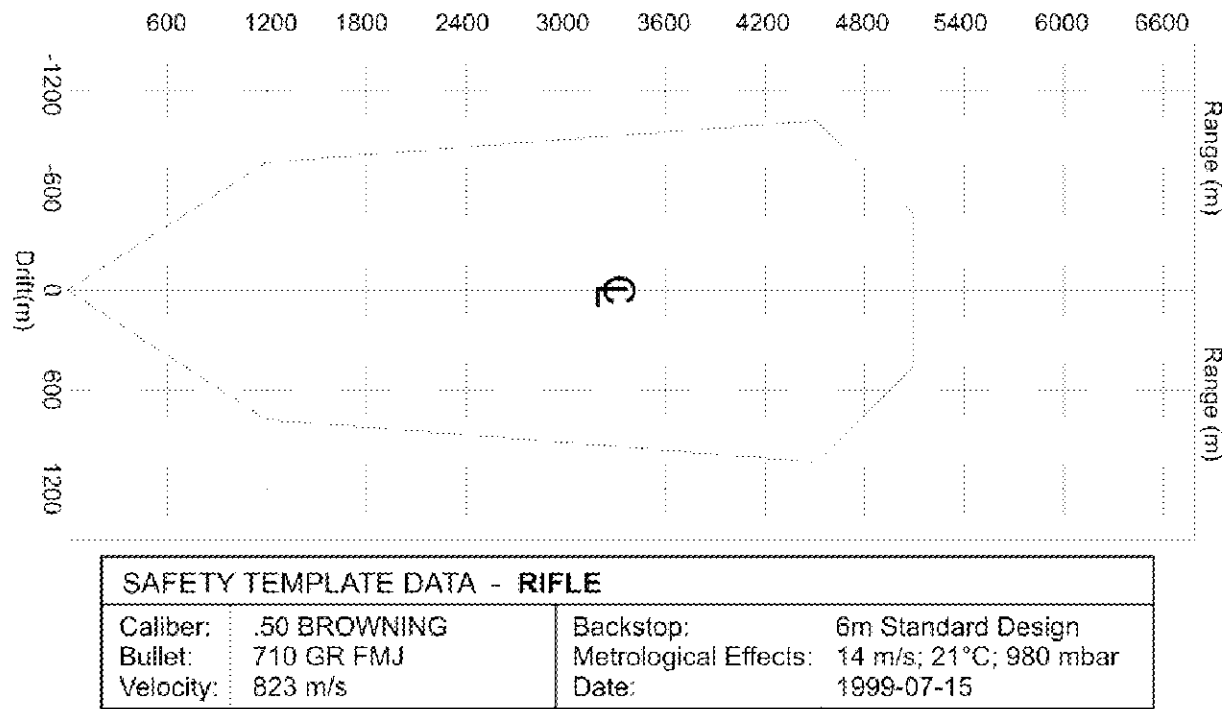


Figure 67: Safety Area Template R6

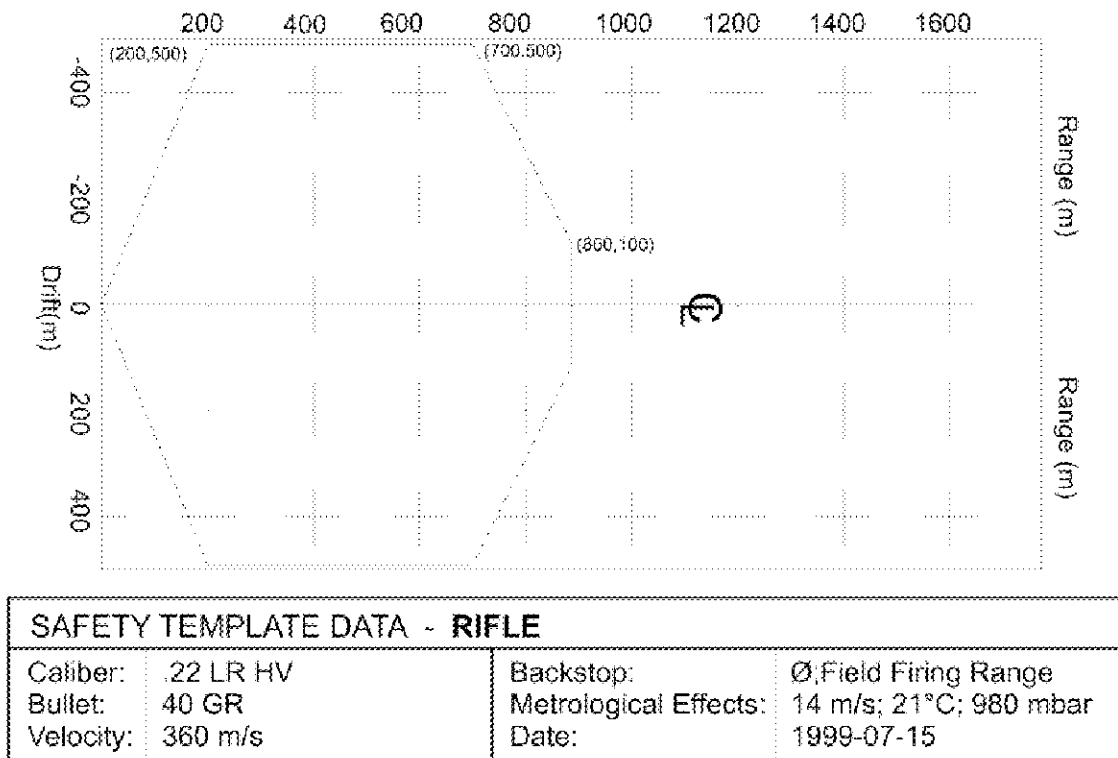


Figure 68: Safety Area Template R10

# Attachment 3 to PD-56-2022

## APPENDIX D: SAFETY AREA TEMPLATES

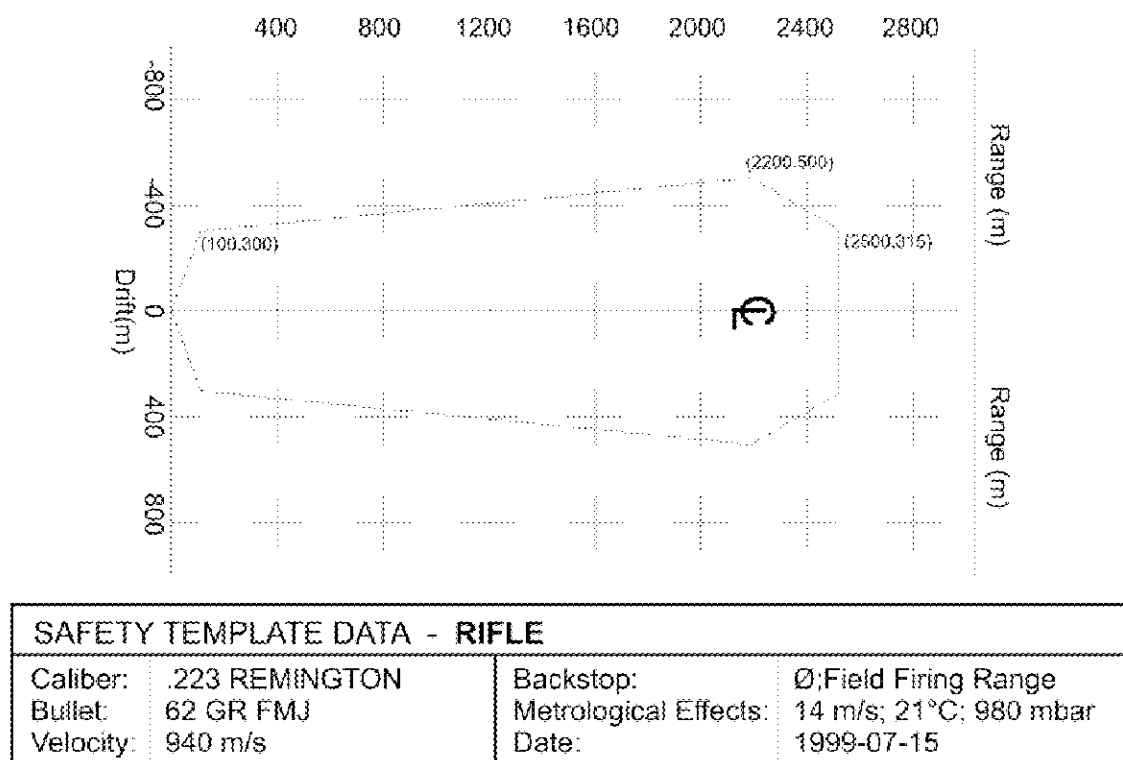


Figure 69: Safety Area Template R12

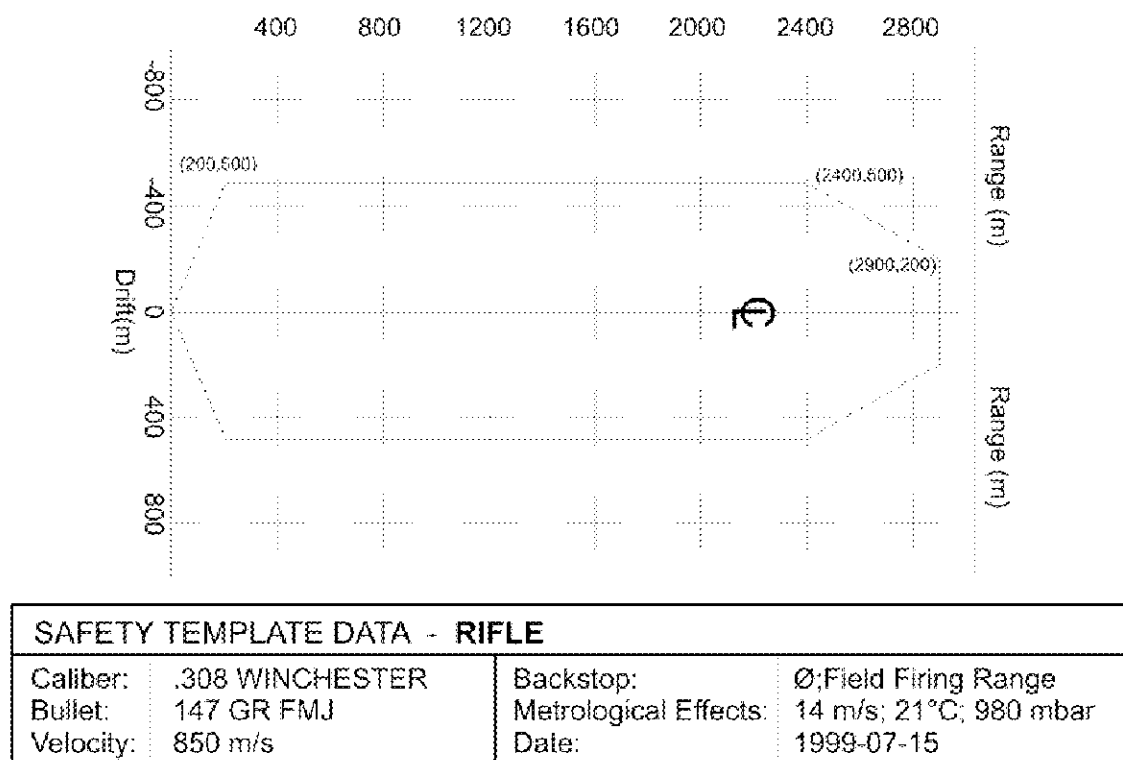


Figure 70: Safety Area Template R13

# Attachment 3 to PD-56-2022

## APPENDIX D: SAFETY AREA TEMPLATES

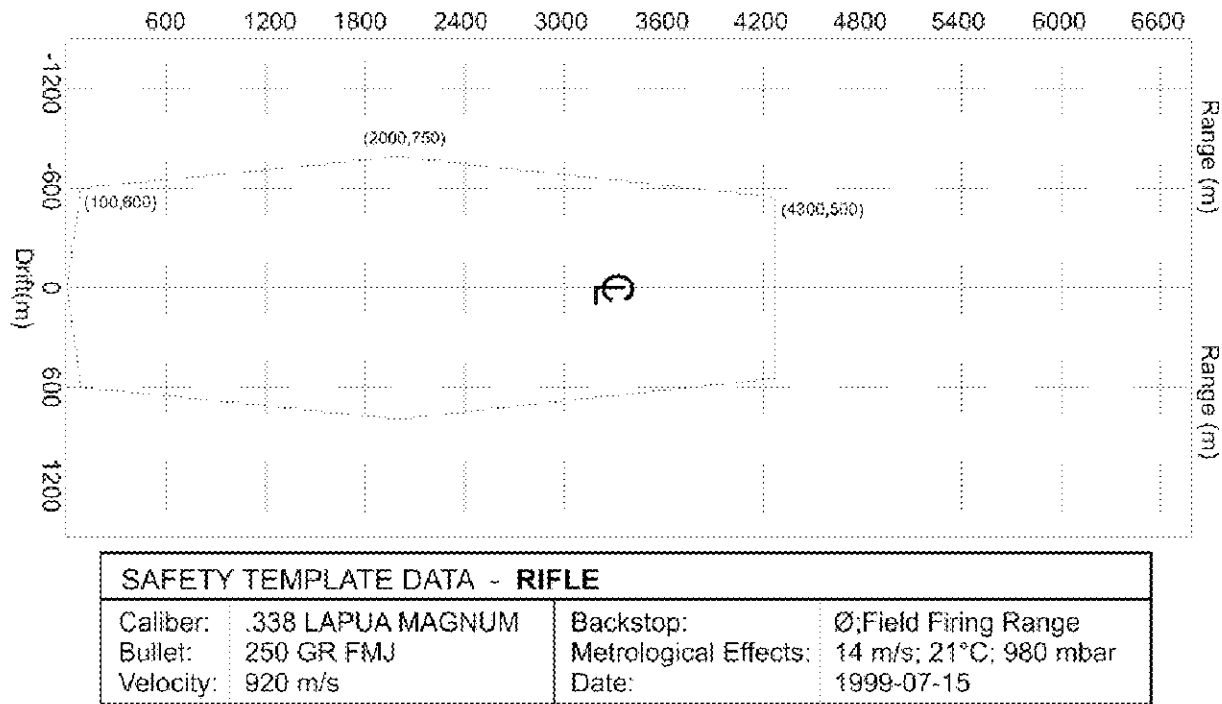


Figure 71: Safety Area Template R14

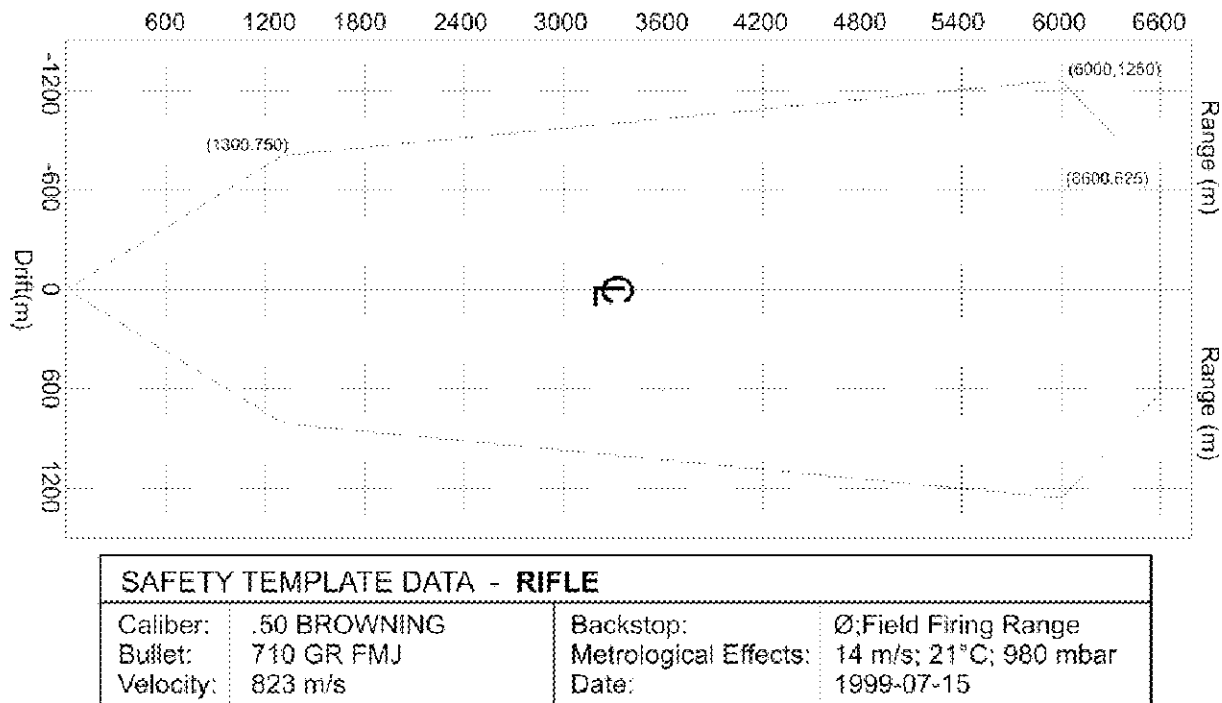


Figure 72: Safety Area Template R15

APPENDIX D: SAFETY AREA TEMPLATES

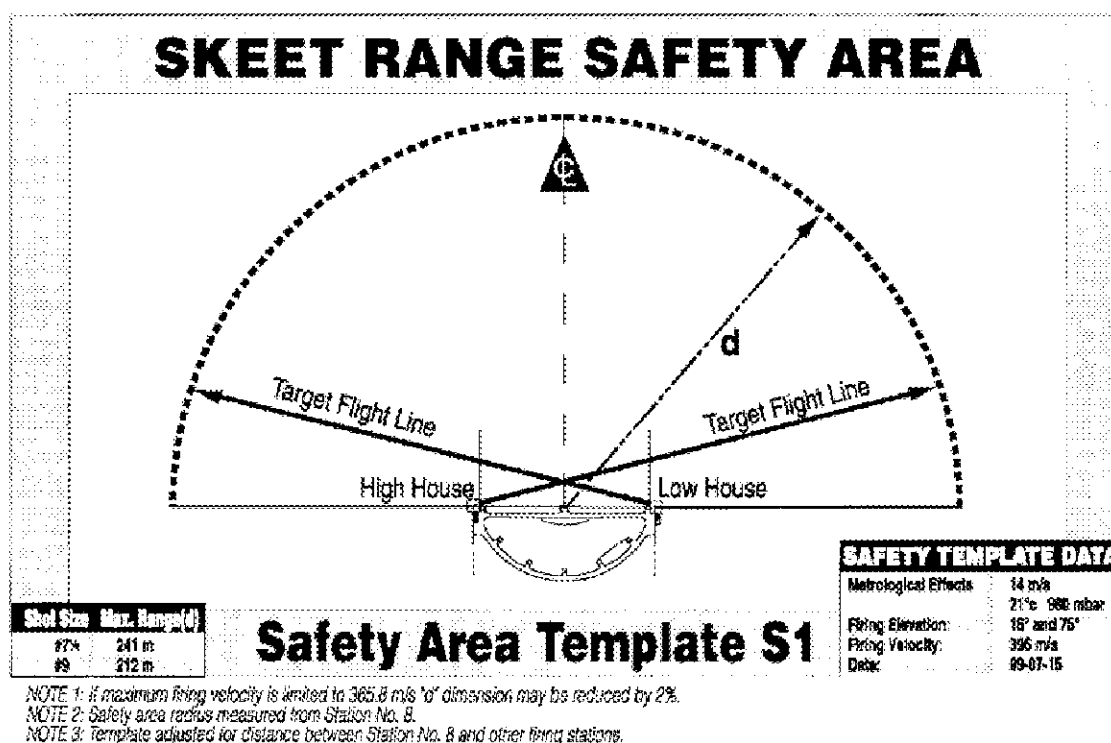


Figure 73: Safety Area Template S1 – Skeet Range Safety Area

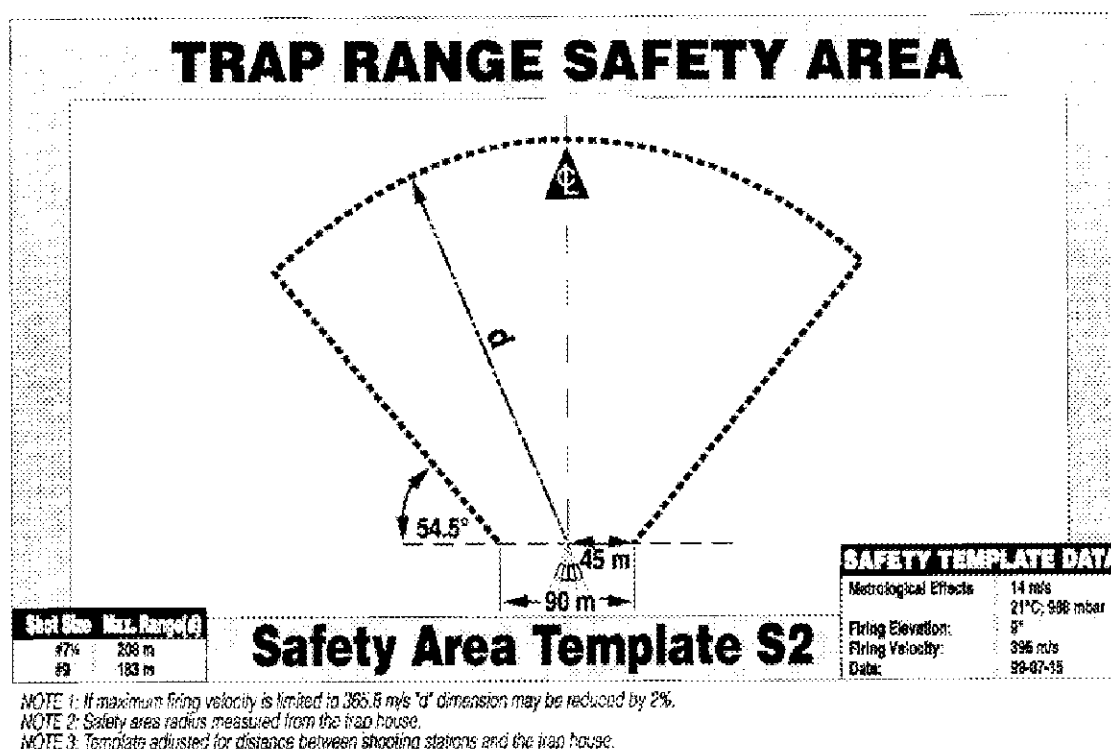


Figure 74: Safety Area Template S2 – Trap Range Safety Area

APPENDIX D: SAFETY AREA TEMPLATES

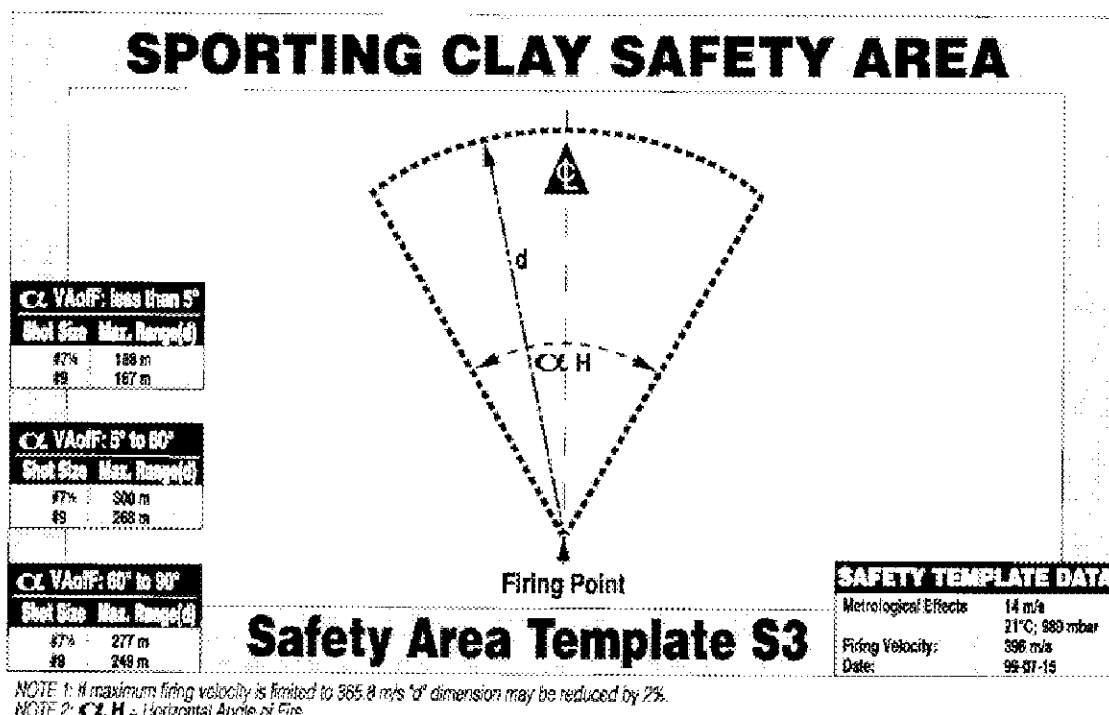


Figure 75: Safety Area Template S3 – Sporting Clay Safety Area

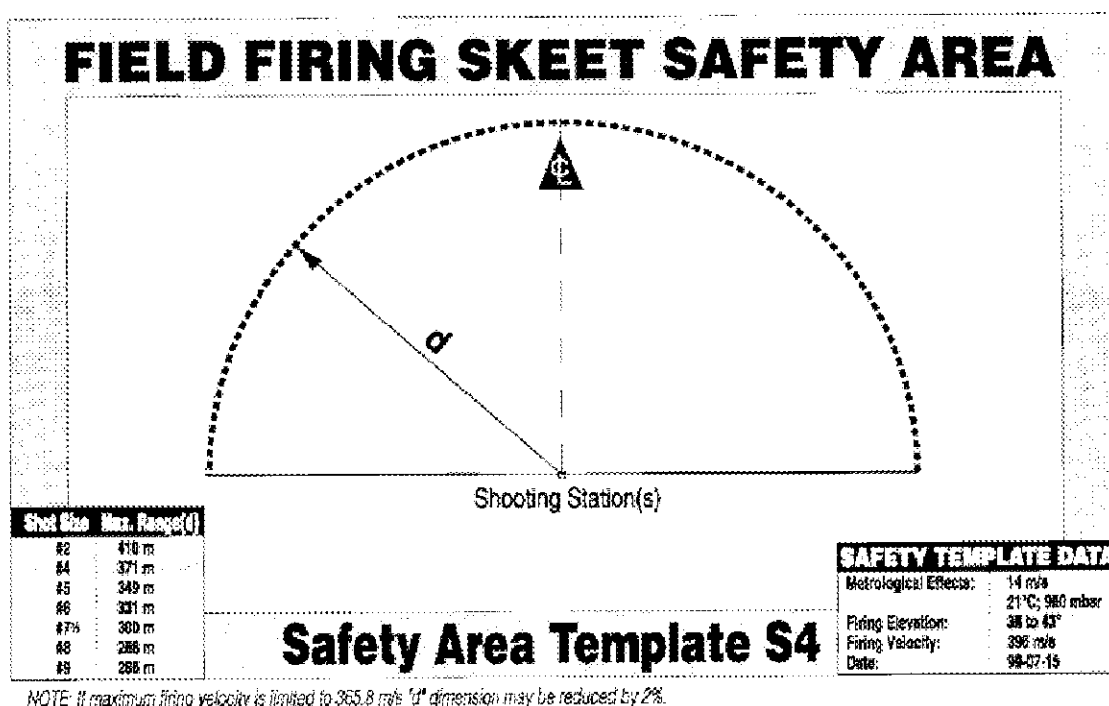


Figure 76: Safety Area Template S4 – Field Firing Skeet Safety Area

# Attachment 3 to PD-56-2022

## APPENDIX D: SAFETY AREA TEMPLATES

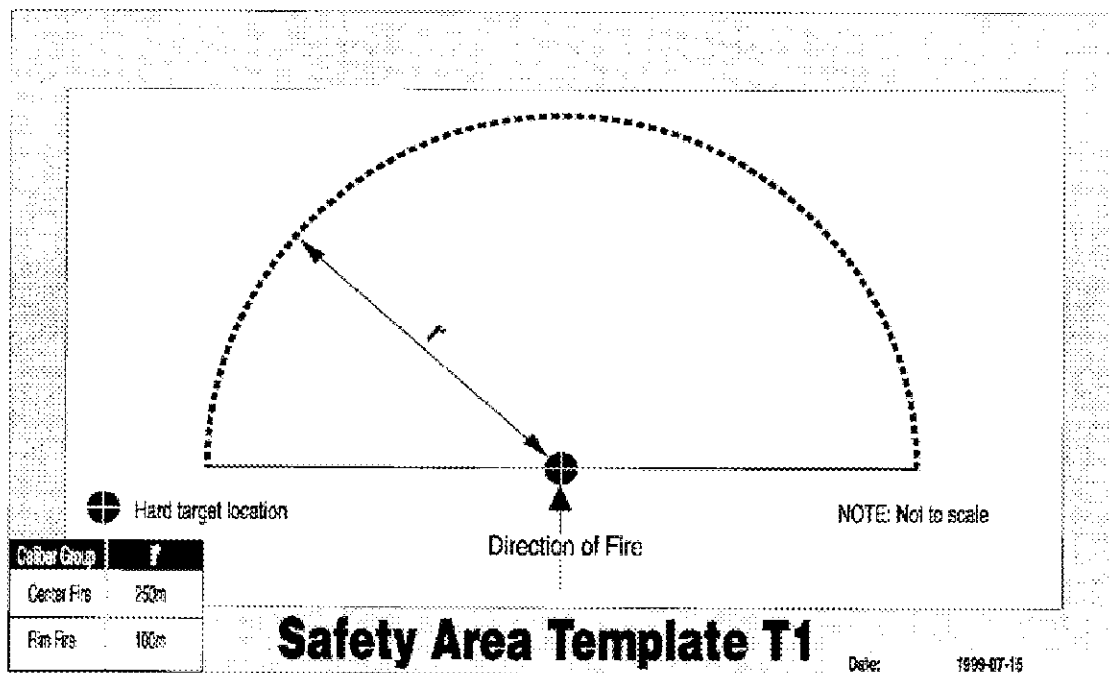


Figure 77: Safety Area Template T1

## Attachment 3 to PD-56-2022

## APPENDIX E: TEMPLATES TABLE OF EQUIVALENCIES

*APPENDIX E: TEMPLATES TABLE OF EQUIVALENCIES*

Table 19: Templates Table of Equivalencies

Template Group	Templates	Nominal Max. Range	Included Calibres	
.50 Browning Calibre	R6 & R15	7216 m (900 m/s @ 40 deg.)	.50 Browning Calibre	
.338 Lapua Magnum	R5 & R14	6322 m (900 m/s @ 39 deg.)	.338 Lapua Magnum	.300 H&H Magnum
			7 mm Remington Magnum	.338 Winchester Magnum
			.300 Winchester Magnum	.340 Weatherby Magnum
			.300 Weatherby Magnum	.358 Norma Magnum
			.308 Norma Magnum	.350 Remington Magnum
			.375 H&H Magnum	.378 Weatherby Magnum
			8 mm Remington Magnum	
.308 Winchester	R4 & R13	4359 m (845 m/s @ 36 deg.)	.308 Winchester	6.5X61 Mauser
			.30-06 Springfield	7X57 Mauser
			7 mm-08 Remington	7X57R Mauser
			6.5X55 Swedish Mauser	6.5X50 Arisaka
			6.5X54 Mannlicher-Schoenauer	6.5X52 Mannlicher-Carcano
			6.5X57 Mauser	6.5X53R Mannlicher
			6.5X57R Mauser	.250 Savage
			6.5X58R Sauer	.257 Roberts
			6.5X58 Portuguese Vergueiro	.307 Winchester

## Attachment 3 to PD-56-2022

## APPENDIX E: TEMPLATES TABLE OF EQUIVALENCIES

Template Group	Templates	Nominal Max. Range	Included Calibres	
			6.5X58R Krag-Jorgensen	.303 British
			8 mm Mauser (8X57 JS)	.350 Remington Magnum
			.270 Winchester	.300 Savage
			.358 Winchester	
.223 Remington	R3 & R12	4121 m (1050 m/s @ 36 deg.)	.223 Remington	7.62X39 Russian
			.22 Hornet	.30-30 Winchester
			.220 Swift	.222 Remington
			.22-250 Remington	.25-20 WCF
			.223 Remington Magnum	.25-35 Winchester
			.30 Remington	.256 Winchester Magnum
			.303 Savage	.50-90 Sharps
			.32 Winchester Special	.32-20 Winchester
			.35 Remington	.44-40 Winchester
			.38-55 Winchester	.444 Marlin
			.38-40 Winchester	.44 Ball
			.30 M1 Carbine	.375 Winchester
			.348 Winchester	.45-70 U.S. Government
			.351 Winchester	.458 Winchester
			.356 Winchester	6 mm Lee Navy
			.22 Savage Hi-Power	.30-40 Krag
			.25 Remington	



## Attachment 3 to PD-56-2022

## APPENDIX E: TEMPLATES TABLE OF EQUIVALENCIES

Template Group	Templates	Nominal Max. Range	Included Calibres	
.357 S&W Magnum	P3 & P12	2136 m (450 m/s @ 35 deg.)	.357 Magnum	
9 mm Parabellum	P2 & P11	2073 m (350 m/s @ 35 deg.)	9 mm Parabellum	.50 Caliber Muzzleloader, cast bullet
			.44 Magnum	
			.45 ACP	
			7.65 Parabellum (.32)	
.22 Long Rifle HV	P1 & P10 R1 & R10	1685 m (390 m/s @ 35 deg.)	.22 Long Rifle HV	.380 Short
			.22 Long Rifle Std. Velocity	.25 ACP
			.22 Long	.32 ACP
			.22 Short	
			.58 Calibre Muzzleloader Ball	
			.54 Calibre Muzzleloader Ball	
			.44 Calibre Muzzleloader Ball	
			.45 Calibre Muzzleloader Ball	
			.40 Calibre Muzzleloader Ball	
			.36 Calibre Muzzleloader Ball	
			.58 Calibre Muzzleloader Ball	

## Attachment 3 to PD-56-2022

APPENDIX F: RICOCHET AIR DANGER HEIGHTS

---

*APPENDIX F: RICOCHET AIR DANGER HEIGHTS***Table 20: Ricochet Air Danger Heights**

<b>Calibre</b>	<b>Ricochet Air Danger Height</b>
.22 Long Rifle	150 m
9 mm Parabellum	200 m
.357 S&W Magnum	200 m
.223 Remington	100 m
.308 Winchester	175 m
.338 Lapua Magnum	450 m
.50 Browning	800 m

**Notes**

1. ADHs for horizontal firing on standard ranges.
2. Ricochet height measured from target elevation.
3. All bullet designs are FMJ; for other bullet types, contact CFO.

## Attachment 3 to PD-56-2022

APPENDIX G: SAFETY AREA TEMPLATE DESIGN FACTORS

---

*APPENDIX G: SAFETY AREA TEMPLATE DESIGN FACTORS*

The environmental conditions listed in the table below have been used to represent the Canadian climate, taken as a whole, with statistical confidence. The safety area templates referred to in these guidelines have utilized these conditions as design parameters.

Table 21: Safety Area Template Design Parameters

<b>Environmental Effect</b>	<b>Value</b>
Wind Speed	14 m/s
Barometric Pressure	98.0 kPa (980 mBar)
Air Temperature	21°C

## Attachment 3 to PD-56-2022

APPENDIX H: CONVERSION FACTORS AND UNITS OF MEASURE

---

*APPENDIX H: CONVERSION FACTORS AND UNITS OF MEASURE*Weight

1 gram = 15.432 grains

1 gram = 0.03527 ounces

1 lb. = 7000 grains

1 kg = 2.205 lbs.

Distance

1 inch = 25.4 mm

1 ft = 0.3048 m

1 m = 1.0936 yds

1 km = 3281 ft

Velocity

1 m/s = 3.2808 ft/sec

1 ft/sec = 0.6818 miles/hr

Energy

1 Joule = 0.73757 ft.lbs.

Pressure

1 Mpa = 145.036 lb/sq.in. (psi)

Angular

360 degrees = 6400 mils

1 degree = 17.7778 mils

## Attachment 3 to PD-56-2022

APPENDIX I: SAMPLE RANGE OPERATING INSTRUCTIONS

---

*APPENDIX I: SAMPLE RANGE OPERATING INSTRUCTIONS*

These Range Operating Instructions are provided as a sample document from the perspectives of format and content. Other formats are acceptable, as long as they clearly describe the correct range operating practices and procedures

All Range operators and range users are to sign below after reading these Range Operating Instructions.

PRINT NAME	SIGNATURE	DATE

**SECTION 1 – GENERAL**

These Range Operating Instructions cover the use of the range facility operated by the XX Shooting Association.

All Range Officers (RO) and range users are required to read and sign these Range Operating Instructions yearly.

Requests for exemptions from any of the provisions given in these Range Operating Instructions shall be submitted in writing to the Range Operator for approval.

**1. Revisions**

These Range Operating Instructions have been published and revised on the dates listed below:

- Original publication – August 1, 200X
- 1st revision – 5 September 200X

## Attachment 3 to PD-56-2022

APPENDIX I: SAMPLE RANGE OPERATING INSTRUCTIONS

---

**SECTION 2 – RANGE FACILITY****1. Range Descriptions**

The range facility has multiple ranges. A description of each operational range is listed below:

- A Range – 5 lane, 900 m rifle ranges
- B Range – 24 lane, 50 m handgun/small bore rifle range
- C Range – 10 lane, 100 m rifle/handgun range
- D Range – 3 position, field firing shotgun Skeet range

**A RANGE**

Location: Immediately forward of B range (refer to *Site Plan*)

Description: 900 m rifle range

No. Firing Points: 5

Firing Distances: 900, 500, 300, 200 and 100 m

Approved Firearms: Bolt action and semi-automatic rifles

Maximum Approved Calibres: .308 Winchester

Approved Targets: Paper targets and steel reactive targets

Approved Ammunition: FMJ, SP and lead RN - No incendiary, tracer or armour piercing bullet designs

**B RANGE**

Location: Immediately behind A range (refer to *Site Plan*)

Description: 50 m handgun/rifle range

No. Firing Points: 20

Firing Distances: 50, 40, 25, 15, 10 and 7 m

Approved Firearms: Bolt action and semi-automatic rim-fire rifles, centre-fire handguns, all types, centre-fire handgun calibre SMG's (police only)

Maximum Approved Calibres: .357 S&W Magnum

Approved Targets: Paper targets and steel reactive targets

Approved Ammunition: FMJ, SP and lead RN - No incendiary, tracer or armour piercing bullet designs

**C RANGE**

Location: At the end of B range road (refer to *Site Plan*)

Description: 100 m rifle/handgun range

No. Firing Points: 10

Firing Distances: 100 m

Approved Firearms: Bolt action and semi-automatic rifles

Centre-fire handgun calibres

Maximum Approved Calibres: 338 Lapua Magnum

## Attachment 3 to PD-56-2022

APPENDIX I: SAMPLE RANGE OPERATING INSTRUCTIONS

---

Approved Targets: Paper targets and steel reactive targets

Approved Ammunition: FMJ, SP and lead RN - No incendiary, tracer or armour piercing bullet designs

**D RANGE**

Location: To the left side of C range (refer to *Site Plan*)

Description: Field firing Skeet range

No. of Firing Points: 3

Firing Distances: N/A

Approved Firearms: Sporting shotguns

Maximum Approved Calibres: 12 Gauge

Approved Targets: Frangible skeet targets

Approved Ammunition: 1300 ft/sec #7½ sized lead or steel shot

**SECTION 3 – PERSONNEL****1. Range Officer**

The RO has complete authority to conduct authorized shooting practices and matches on the range property.

ROs have the responsibility to supervise all personnel (shooting and non-shooting alike) present on the property and reserve the right to have members and/or non-members removed at their discretion.

All ROs operating the facility must have a valid Range Officer certification from a recognized agency. XX Shooting Association recognizes RO qualifications from the following agencies or groups:

- XX Shooting Association;
- SFC;
- IPSC;
- RCMP (Range Master course);
- Canadian Armed Forces Range Safety Officer training;
- DFO, Ports Canada Police or DNR; or
- Any other individual whose equivalent qualifications are deemed acceptable by the Range Operator.

**2. Guests and Spectators**

Guests (children and adults) or pets are the responsibility of the XX Association member who they came with and must remain under adult control at all times.

Spectators are the responsibility of the RO; the RO must take personal responsibility for them or delegate that responsibility to someone else, preferably a XX Shooting Association member.

## Attachment 3 to PD-56-2022

APPENDIX I: SAMPLE RANGE OPERATING INSTRUCTIONS

---

**SECTION 4 – RANGE OPERATIONS****1. Flags**

A RED *Complex* flag must be flown from the flag pole at the main entrance when firing is being conducted on any range within the facility. Each range has specific flags that must be flown when in use. They are:

**A RANGE**

- RED flag at the top of the stop butt.
- RED flag at the firing line; green flag when firing has ceased.

**B RANGE**

- RED flag at the top of the stop butt.
- RED flag at the active firing line; green flag when firing has ceased.

**C RANGE**

- RED flag at the top of the stop butt.
- RED flag at 100 metre firing line; green flag when firing has ceased.

**D RANGE**

- RED flag behind Station No. 2.

**2. Targets**

Only XX Shooting Association approved paper targets, as described below, may be used:

- A Range – Paper or steel reactive targets
- B Range – Paper or steel reactive targets
- C Range – Paper or steel reactive (rim-fire calibres only)
- D Range – Frangible clay skeet targets

At no time can glass, pop cans or similar targets be used on the range facility.

**3. Log Book**

Each range has a usage *Log Book*, which must be filled out by the RO upon completion of each day's firing.

Attendance records must be kept for each person using the range and submitted to the Operations Director upon request.

**4. Ammunition**

All spent cartridge cases or shotshell hulls must be collected and disposed of in containers provided or removed from the range.

The use of tracer, incendiary, explosive or similar ammunition is prohibited.

Only authorized calibres and types of ammunition may be used on any range.



## Attachment 3 to PD-56-2022

APPENDIX I: SAMPLE RANGE OPERATING INSTRUCTIONS

---

**5. Permitted Arcs of Fire**

The maximum permitted arcs of fire for each range are listed below:

**A RANGE**

- Plus or minus (+/-) 1 firing point at all distances.

**B RANGE**

- +/- 1 firing point beyond 20 m.
- +/- 3 firing points between 5 m and 20 m firing line.

**C RANGE**

- +/- 1 firing point at all ranges.

**D RANGE**

- 75° between the signs demarcated by red/orange.

**6. Firing**

The following firing guidelines are applicable to all ranges on the complex:

- No firing before 9 AM and no firing 10 minutes after sunset.
- No firing on any range unless two people are present, one of which is an approved RO.
- No firing if target visibility is reduced as determined by the RO.
- Shooters with loaded firearms must be under RO direction.
- Loaded firearms shall never be left unattended.

**7. Firearm Type Approvals (By Range)**

The following firearms types are approved for use on the ranges as indicated.

**A RANGE**

- Bolt action and semi-automatic rifles.

**B RANGE**

- Centre-fire and rim-fire calibre handguns, rim-fire calibre rifles, submachine guns, and shotguns.

**C RANGE**

- Centre-fire and rim-fire calibre handguns, centre-fire and rim-fire calibre rifles, submachine guns, and shotguns.

**D RANGE**

- Shotguns or shot handguns only.

**8. Explosives**

The detonation of explosive devices is prohibited on the range property.

## Attachment 3 to PD-56-2022

APPENDIX I: SAMPLE RANGE OPERATING INSTRUCTIONS

---

**9. Firearm Inspection Areas**

Located on Ranges B and C are areas designed for the safe inspection of loaded or unloaded firearms. They are noted by signs stating, "Caution: Firearm Inspection Area." All firearms arriving at the range must be cleared at the firearm inspection area or remain cased and then cleared on an active firing line by an RO.

**A RANGE**

- Not applicable.

**B RANGE**

- The inspection area is a three-sided wooden beam emplacement located between the parking lot and the 50 metre firing point.

**C RANGE**

- The inspection area is a three-sided wooden beam emplacement located beside the office.

**D RANGE**

- Not applicable.

**10. Hunting**

Hunting on the range site is permitted under specific conditions, which are:

- With written authorization from the Range Director;
- Not on any of the range surfaces or roadways; and,
- While any range is being used.

**11. Safety Zones**

Each range has a safety (danger) area designed for specific firearms and calibres. These areas are out of bounds (no trespassing) areas designed to contain overshoot and ricocheting bullets. Every reasonable effort shall be extended by the RO to ensure that the safety area does not have people in it during range operations.

**12. Road/Range Closures during Range Operations**

Due to the configuration of the range complex, specific road and range closures must be in effect during the operation of certain ranges. These closures are listed below:

Active Range	Closure
A Range	B Range to be closed
B Range	A Range and adjoining road to be closed
C Range	D Range to be closed
D Range	C Range to be closed

**13. Garbage**

Burning of garbage is prohibited. All garbage is to be collected, bagged and taken to the garbage bin located at the main gate or otherwise removed from the range property.

## Attachment 3 to PD-56-2022

APPENDIX I: SAMPLE RANGE OPERATING INSTRUCTIONS

---

**14. Handguns**

All handguns must be bolstered or cased except while on an *active* firing line or while in the inspection area.

**15. Match Completion**

At the conclusion of all matches or practices, the RO will ensure that:

- All target frames are returned to the storage shed;
- Firing points are policed for brass and other debris;
- All flags are lowered; and
- Buildings and entrance gate are locked.

The RO is to report all noted deficiencies in the *Log Book* located on each range.

**SECTION 5 – RANGE SAFETY CONSIDERATIONS****1. Range Safety Vehicle and Equipment**

A Range Safety Vehicle must be designated for each active range. This vehicle must:

- Be located as close as is practical to the active range (firing line);
- Have the keys in the ignition;
- Be suitable to transport an injured party to the nearest medical facility; and
- Be provided with an emergency first aid kit.

In addition, telephone or radio communications equipment must be available on the range.

**2. Spectators**

Spectators will follow all directions given to them by the RO. Spectators must remain 5 metres behind any active firing line.

**3. Hearing and Eye Protection**

Hearing protection for shooters and range staff in near proximity to an active firing line is mandatory.

Eye protection for shooters and range staff in near proximity to an active firing line is highly recommended.

**4. Alcohol / Drugs**

Any person deemed by the RO to be under the influence of alcohol or drugs will not be permitted to shoot.

**5. Smoking**

Due to the extreme fire hazard in the range area, smoking is not permitted on roadways or in wooded areas.

Smoking is not permitted on any firing point.

Smoking is permitted in the assigned area, immediately around the provided smoking barrels.

Smokers should be encouraged to wash their hands after shooting and before smoking due to the hazard posed by the possible ingestion of lead.

All smoking materials (butts, etc.) are to be disposed of in the containers provided.

## Attachment 3 to PD-56-2022

APPENDIX I: SAMPLE RANGE OPERATING INSTRUCTIONS

---

**SECTION 6 - EMERGENCY INFORMATION****1. Emergency Phone Numbers**

Ambulance: 1-123-456-7890

Fire: 1-123-456-7890

RCMP: 1-123-456-7890

Poison Control: 1-123-456-7890

Department of Natural Resources: 1-800-123-4567 or 1-123-456-7890

Range Operations Director:

1-123-456-7890 (Home)

1-123-456-7890 (Work)

1-123-456-7890 (Pager)

**2. Hospitals**

The location of area hospitals is listed below:

**Multi-Services Health Centre** (Travel time – 20 minutes)

70 Blueberry Blvd., Your Town

1-123-456-7890 (emergency ward)

Note: This facility is not a 24 hr emergency service.

**INCLUDE A SITE PLAN**

## Attachment 3 to PD-56-2022

APPENDIX J: SHOOTING CLUB AND SHOOTING RANGE REGULATIONS

---

*APPENDIX J: SHOOTING CLUB AND SHOOTING RANGE REGULATIONS***1. INTERPRETATION**

The definitions in this section apply to these Regulations.

“Act” – means the *Firearms Act*. (Loi)

“approved” – means approved under section 29 of the Act. (agrée)

“operator” – means a person approved under subsection 29(1) of the Act to operate either a shooting club or a shooting range. (exploitant)

“prohibited handgun” – means a handgun referred to in subsection 12(6) of the Act. (arme de poing prohibée)

“public service agency” – has the same meaning as in the Public Agents Firearms Regulations. (agence de services publics)

“range officer” – means an individual who oversees the shooting activities at the firing line of a shooting range. (officiel de tir)

“shooting club” – means a non-profit organization whose activities include target practice or target shooting competitions using restricted firearms or prohibited handguns at an identified approved shooting range. (club de tir)

“shooting range” – means a place that is designed or intended for the safe discharge of firearms for the purpose of target practice or target shooting competitions. (champ de tir)

**2. APPLICATION**

These Regulations apply to:

- a) shooting clubs; and
- b) shooting ranges, subject to Subsections (1) and (2).

(1) A shooting range that is part of the premises of a licensed business is exempt from the application of these Regulations on the condition that it is used only by owners and employees of the business who hold a licence authorizing the holder to acquire restricted firearms.

(2) A shooting range that is used only by public officers within the meaning of subsection 117.07(2) of the *Criminal Code* is exempt from the application of these Regulations on the condition that each public officer uses the shooting range only in connection with his or her lawful duties or employment.

**3. GENERAL**Request for Approval of Shooting Range

(1) A person who wishes to establish and operate a shooting range shall submit a request for approval to the Provincial Minister and provide the following information in the request:

- a) The applicant's name, address, phone number and, if applicable, facsimile number and electronic mail address;
- b) The location of the shooting range, including road directions to reach it;
- c) The proposed hours of operation of the shooting range; and

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- d) With respect to each operator, each owner of the shooting range and each employee of the shooting range who handles firearms:
  - i. His or her name, address and phone number; and
  - ii. The number of his or her licence to possess firearms or, if one does not exist, his or her date of birth.

(2) The request for approval of a shooting range must be accompanied by the following documentation:

- a) A survey report, location certificate or other similar document that shows the geographical location and layout of the shooting range and the portion of the surrounding area that might be affected by shooting on the shooting range, as well as the land use of that portion;
- b) A copy of the proposed safety rules;
- c) Subject to Subsection (3), evidence of at least \$2,000,000 of commercial general liability insurance with coverage on an occurrence basis;
- d) Evidence of compliance with applicable zoning laws;
- e) Copies of, and evidence of compliance with, any operating licences required by federal, provincial or municipal laws;
- f) Evidence that the design and operation of the shooting range meets at least the requirements set out in Section 4, Subsection (1); and
- g) Evidence that the shooting range complies with any federal, provincial or municipal legislation that applies to the establishment and operation of such a facility in regard to environmental protection.

(3) In the case of a shooting range operated by a public service agency, the agency shall provide evidence of liability indemnification with respect to the shooting range, of at least \$2,000,000, from a federal, provincial or municipal government.

Request for Approval of Shooting Club

(4) A person who wishes to establish and operate a shooting club shall submit a request for approval to the Provincial Minister and provide the following information in the request:

- a) The applicant's name, address, phone number and, if applicable, facsimile number and electronic mail address;
- b) With respect to each member or officer of the club:
  - i. His or her name, address and phone number; and
  - ii. The number of his or her licence to possess firearms or, if one does not exist, his or her date of birth; and
- c) The name and address of each approved shooting range that the shooting club uses for target practice or target shooting competitions.

(5) The request for an approval of a shooting club must be accompanied by the following documentation:

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- a) The articles of incorporation of the shooting club or other documentation sufficient to demonstrate that it is a non-profit organization;
- b) Evidence of at least \$2,000,000 of commercial general liability insurance with coverage on an occurrence basis; and
- c) Evidence confirming that the shooting club has permission to use at least one shooting range referred to in Subsection (4), paragraph (c), or a shooting range maintained by the Minister of National Defence under the *National Defence Act*.

**4. OPERATIONS**Compliance with Safety Standards and Other Obligations

(1) The operator of an approved shooting range shall ensure that the discharge of firearms on the shooting range does not endanger the safety of persons at the shooting range or in the portion of the surrounding area described in Section 3, paragraph (2)(a), by taking appropriate measures, including ensuring that:

- a) The design and operation of the shooting range:
  - i. Is such that projectiles discharged from firearms will not leave the shooting range if they are discharged there, in accordance with the safety rules; and
  - ii. Promotes the safety of all persons on the shooting range, by accommodating any adaptation that may be appropriate given the nature of the shooting activities that may take place and the type and calibre of firearms that may be used there;
- b) The shooting range has an adequate warning system to warn persons that they are entering a shooting range and to inform them, when such is the case, that shooting activities are taking place at that time;
- c) Appropriate shooting range safety rules are applied, which are consistent with the nature of the shooting activities that may take place and the type and calibre of firearms that may be used there;
- d) The safety rules are posted in a conspicuous place on the shooting range; and
- e) If more than one person is simultaneously engaged in shooting activities on the shooting range, a person acts as the range officer.

Requirements for Users

(2) No person may use a restricted firearm or prohibited handgun at a shooting range unless the person is:

- a) A member or an officer of an approved shooting club;
- b) A guest of a person referred to in paragraph (a); or
- c) An individual who ordinarily resides outside of Canada who is either a member of a recognized shooting organization or a guest described in paragraph (b).

Safety Training

(3) The operator of a shooting range shall ensure that every person who indicates an intention to use the shooting range for the first time is informed of the safety rules used at that shooting range.

(4) No person may use a shooting range for the first time without having received the information referred to in Subsection (3).

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**5. CONTINUING COMPLIANCE****Insurance**

(1) The operator of a shooting club or a shooting range shall at all times maintain the insurance coverage referred to in Section 3, paragraphs (2)(c) and (5)(b).

**Evidence**

(2) Every five years after the date on which the approval of a shooting range was granted, the operator shall submit current copies of the documents set out in Section 3, paragraphs (2)(a) to (2)(c), as well as evidence of continuing compliance with the requirements, referred to in paragraphs (2)(d) to (2)(g) of Section 3, Section 4 – Subsection (1) and Section 5 – Subsection (1), to the Chief Firearms Officer.

(3) The Chief Firearms Officer may request an operator of a shooting range to provide evidence, as described in Subsection (2), no more than once in a calendar year.

(4) Despite Subsection (3), the Chief Firearms Officer may make a request more frequently if he or she:

- a) Has received, in the preceding 12 months:
  - i. A personal injury report in accordance with Section 6, Subsection (1), or
  - ii. A change report in accordance with Section 6, Subsection (3); or
- b) Has reasonable ground to believe that the continued operation of the shooting range may endanger the safety of any person.

**6. REPORTS AND RECORDS****Personal Injury Report**

(1) The operator of an approved shooting club or shooting range shall report any personal injury occurring on a shooting range that is caused by the discharge of a firearm:

- a) As soon as possible to the local police; and
- b) Within 30 days after the personal injury to the Chief Firearms Officer.

(2) The report referred to in Subsection (1) must include the following information relating to the personal injury:

- a) Its date, time and location;
- b) The names of the individuals involved;
- c) The name of any range officer who was on duty at the time;
- d) Whether or not medical attention was sought; and
- e) A general description of the incident, including the circumstances in which the personal injury occurred, if known.

**Change Report**

(3) The operator of an approved shooting range who proposes to make a change that affects the matters set out in the documentation submitted under Section 3, Subsection (2), shall give advance notice of the proposed change to the Chief Firearms Officer within sufficient time, given the nature and complexity of the proposed change, to allow the Chief Firearms Officer to evaluate it.



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(4) The operator of an approved shooting range shall report immediately to the Chief Firearms Officer any change, other than one referred to in Subsection (3):

- a) To the shooting range or the portion of the surrounding area described in Section 3, paragraph (2)(a), that could endanger the safety of any person; and
- b) In operating permits or licences, issued under provincial or municipal laws, that may be relevant to the approval of the shooting range or its activities.

**7. RECORDS**

(1) The operator of an approved shooting club shall keep records, with respect to the following users of restricted firearms or prohibited firearms, which include:

- a) With respect to a member or officer of the club:
  - i. His or her name, address and phone number;
  - ii. His or her membership card number; and
  - iii. The number of his or her licence to possess firearms or, if one does not exist, his or her date of birth; and
- b) With respect to a guest of a member or officer of the club:
  - i. The information required in subparagraph (a)(i); and
  - ii. The number of his or her licence to possess firearms, if one exists.

(2) Every record made under Subsection (1) must be maintained for at least six years.

(3) At the Chief Firearms Officer's request, the operator of the approved shooting club shall submit to the Chief Firearms Officer a report containing all or any requested part of the information described in Subsection (1).

**Participation of Officers, Members and their Guests**

(4) The operator of an approved shooting club shall, on the request of a Chief Firearms Officer, supply a written description of the participation, if any, of a current or past member or officer of the shooting club or his or her guest, in target practice or target shooting competitions within the previous five years, where subsection 67(2) of the Act applies to the member, officer or guest.

(5) The operator of an approved shooting club shall, on the request of a current or past member or officer of the shooting club or his or her guest, supply to the requestor the description referred to in Subsection (4) that concerns the requestor.

**Notice of Refusal or Revocation**

(6) A notice of a decision by a Provincial Minister to refuse to approve a shooting club or shooting range or a notice to revoke an approval, pursuant to subsection 29(3) of the Act, is sufficiently given if the notice is addressed to the applicant for, or operator of, a shooting club or shooting range at the address of the person that is set out in the request for approval, or if the person has advised the Provincial Minister of a change of address, at the new address, and the notice is:

- a) Delivered personally:
  - i. If the applicant or operator is an individual, at any time that is reasonable in the circumstances; and
  - ii. If the applicant or operator is a business, during normal business hours;

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- b) Sent by registered or certified mail or by courier; or
  - c) Transmitted by electronic means that can produce a paper record.
- (7) The notice is deemed to be received:
- a) On the day of delivery, if it is delivered personally;
  - b) On the fifth working day, excluding Saturdays and holidays, after:
    - i. The postmark date, if it is sent by mail; and
    - ii. The date of shipment on the waybill, if it is sent by courier; and
  - c) If it is sent by electronic means:
    - i. If the applicant or operator is an individual, on the day of the transmission; and
    - ii. If the applicant or operator is a business, on the day of the transmission, if that day is a working day or, if that day is not a working day, on the first working day after the day of transmission.

**8. COMING INTO FORCE**

These Regulations come into force on December 1, 1998.

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MAP GLOSSARY

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*MAP GLOSSARY****Editing Notes: Terms are sorted alphabetically.***Bearing

The angle, measured clockwise, that a line makes with a fixed zero line. Unless otherwise stated, the zero line is north; a bearing may be a true bearing measured from true north, a magnetic bearing measured from magnetic north or a grid bearing measured from grid north.

Contour

An imaginary line on the surface of the ground, which is at the same height above mean sea level throughout its length. Contour lines are drawn on maps to show the shape of the ground.

Grid

Lines forming squares drawn on a map as a basis for a system of map references. The lines are drawn on the paper parallel to north-south and east-west lines through a fixed origin.

Magnetic Variation or Declination

The angle between true north and magnetic north.

Orienting a Map

Placing a map so that its true north line points true north (or magnetic or grid north line points magnetic or grid north, respectively). Also used for air photographs. It is also called "setting a map."

Resection

A method of fixing a position by observation of at least two previously fixed points.

True North

The direction of the North Pole from that point.

Magnetic North

The point in the far north of Canada to which a compass needle points.

Grid North

Except through the origin, grid lines do not lie true north and south nor east and west. Grid north is the direction of the north and south grid lines on a map.

Plotting

The process of transferring field observations and measurements to a map or sketch.

G.P.S.

Global Position System consists of receivers that obtain signals from satellites and resect these signals to give you a fix on your position.

Latitude

The north/south measurement of position, perpendicular to the earth's polar axis.

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MAP GLOSSARY

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Longitude

An east/west measurement of position in relation to the Prime Meridian, an imaginary circle that passes through the North and South poles.

Navigation

The process of travelling from one place to another and knowing where you are in relation to your desired course.

Position

An exact unique location based on a geographic coordinate system.

Universal Transverse Mercator (U.T.M.)

A grid coordinate system that projects global sections onto a flat surface to measure position in specific zones.

## Attachment 3 to PD-56-2022

AMMUNITION GLOSSARY

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*AMMUNITION GLOSSARY*

**Editing Notes:** All terms are sorted alphabetically. Definitions are from the Association of Firearms and Toolmark Examiners (AFTE) Glossary.

ACP

Abbreviation for Automatic Colt Pistol. Used with calibre designations, such as 25 ACP, 32 ACP, 380 ACP and 45 ACP.

Air Resistance

The resistance of air to the passage of a projectile in flight.

Altitude Effect

The effect on velocity and therefore projectile trajectory and shot pattern that is caused by changes in atmospheric density due to altitude.

Ammunition

One or more loaded cartridges consisting of a primed case, propellant, and with or without one or more projectiles.

Ammunition, Ball

A term generally used by the military for a cartridge with a full metal jacketed bullet or solid metal projectile.

Ammunition, Match

Ammunition made specifically for match target shooting, which is produced with special controls to assure maximum uniformity of cartridge performance.

Ammunition, Small Arms

A military term for ammunition for firearms with bores not larger than one inch.

Angle of Departure

The angle formed between a horizontal line and the centreline of the bore at the moment the projectile leaves the muzzle of the firearm.

Anvil

1. An internal metal component in a boxer primer assembly, against which the priming mixture is crushed by the firing pin blow. See "Primer."
2. A metal feature in the primer pocket of a Berdan-primed cartridge case, against which the priming compound is crushed by the firing pin blow.
3. The breech end of the chamber in a rim-fire firearm.

AP

Abbreviation for Armour Piercing ammunition.

Ballistic Coefficient

The ratio of the sectional density of the projectile to its coefficient of form (sometimes referred to as its form factor). It is an index of the manner in which a particular projectile decelerates in free flight due to resistance or drag of the atmosphere in which it is travelling.

## Attachment 3 to PD-56-2022

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Ballistic Table

A table of factors relating to the flight of a given projectile. Usually includes, but is not limited to, velocity and energy at various distances from the muzzle.

Ballistics

The study of a projectile in motion.

Ballistics, Exterior

The study of the motion of the projectile(s) after it leaves the barrel of the firearm.

Ballistics, Interior

The study of the motion of the projectile(s) within the firearm, from the moment of ignition until it leaves the barrel.

Ballistics Terminal

The study of the projectile's impact on the target.

Barrel

The part of a firearm through which a projectile or shot charge travels under the impetus of powder gases, compressed air, or other like means. It may be rifled or smooth.

Base

1. The portion of a cartridge case, which contains the primer, usually called the head.
2. The filler material that constitutes the lowest or base wad in the shotshell.
3. The rear or base portion of a bullet.

BB

The designation of spherical shot having a diameter of 180" used in shotshell loads. The term BB is also used to designate steel or lead air rifle shot of .175" diameter. Although the two definitions cause some confusion, they have co-existed for many years.

BB Cap

The abbreviation for Bulleted Breech Cap. Originally designated as a rim-fire cartridge for use in Flobert rifles in France, for indoor shooting.

Bullet

A non-spiral projectile for use in a rifled barrel.

Bullet, Armour Piercing

1. A bullet consisting of a hardened core or wholly composed of a substance other than lead or lead alloy.
2. Any bullet manufactured, represented or designed to be metal or armour piercing.

Bullet, Boat-Tail

A specific design of bullet having a tapered or truncated conical base.

Bullet, Cast

A bullet formed by pouring molten lead into a mould.

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AMMUNITION GLOSSARY

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Bullet, Conoidal

A cone-shaped bullet.

Bullet, Copper-Jacketed

A bullet having an outer jacket of copper or copper alloy and containing a lead alloy core.

Bullet Core

The inner portion of a jacketed bullet, usually lead or lead alloy.

Bullet, Exploding

A bullet containing a primer or other explosive and designed to explode upon impact.

Bullet, Flat-Nosed

A bullet with a flattened front end at a right angle to its axis.

Bullet, Frangible

A projectile designed to disintegrate upon impact on a hard surface in order to minimize ricochet or spatter.

Bullet, Full Metal Jacket

A projectile in which the bullet jacket encloses the core, usually with the exception of the base. Also called Full Jacketed, Full Patch, and Full Metal Case.

Bullet, Gas Check

A lead alloy bullet with a copper or gilding metal cup pressed over the base.

Bullet, Hollow Base

A bullet with a deep base cavity.

Bullet, Hollow Point

A bullet with a cavity in the nose to facilitate expansion.

Bullet, Incendiary

A bullet containing a chemical compound which ignites upon impact to start fires.

Bullet Jacket

A usually metallic cover over the core.

Bullet, Metal-Cased Hollow Point

A bullet having a metal jacket enclosing a lead alloy core. The entire bullet is enclosed except for the nose, which has a cavity.

Bullet, Mushroom

A bullet that has expanded upon impact to a mushroom-like shape, or is designed to expand as such.

Bullet Ogive

The curved, forward part of a bullet.

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AMMUNITION GLOSSARY

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Bullet, Partition

A bullet designed for controlled expansion having a jacket that is divided into two chambers, which enclose the forward and rear cores of the bullet. It is designed so that the first chamber expands and the rear chamber holds together for penetration.

Bullet Penetration

That distance which a bullet travels into a target material.

Bullet, Round Nose

An elongated projectile with a radiused nose. Technically, the radius of the nose is of the bullet's diameter.

Bullet, Semi-Jacketed Hollow Point

A bullet with a partial jacket exposing a lead nose with a cavity.

Bullet, Semi-Wadcutter

A projectile with a distinct, short truncated cone at the forward end.

Bullet, Soft Point

A design providing for exposure of a portion of the core at the nose of a jacketed bullet.

Bullet, Spire Point

A projectile with a conical nose profile.

Bullet Spin

The rotational motion imparted to a bullet by the rifling in the barrel.

Bullet, Spitzer

A bullet design having a sharp pointed, long ogive, usually of seven calibres or more (i.e. ogive radius length to bullet diameter ratio).

Bullet Spash

The spatter and fragmentation of a bullet upon impacting a hard surface.

Bullet, Steel-Jacketed

A bullet with steel used as jacket material.

Bullet, Swaged

A bullet that has been formed by compressing and forming the bullet material in a die.

Bullet, Tracer

A bullet that has a burning compound in its base which permits observation of its flight.

Bullet Trap

A means of safely stopping a bullet in flight when recovery is not the objective. Usually incorporates a steel plate set at an angle to deflect the bullet up or down into a pit or receptacle.

Bullet, Truncated

A design of a flat-nosed bullet having a conical-shaped nose, rather than a rounded nose.



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Bullet, Wadcutter

A cylindrical bullet design having a sharp shouldered nose intended to cut target paper cleanly to facilitate easy and accurate scoring.

Calibre

1. Firearms: The approximate diameter of the circle formed by the tops of the lands of a rifled barrel.
2. Ammunition: A numerical term, without the decimal point, included in a cartridge name to indicate a rough approximation of the bullet diameter.

Cannelure

A circumferential groove generally of a knurled or plain appearance in a bullet or cartridge case. Three uses include crimping, lubrication and identification.

Cap, Percussion

A small, generally cylindrical metallic cup containing a primary explosive used to ignite the powder charge in muzzle-loading firearms.

Cartridge

A single unit of ammunition consisting of the case, primer and propellant, with or without one or more projectiles. Also applies to a shotshell.

Cartridge, Bottleneck

A cartridge case having a main diameter and a distinct angular shoulder stepping down to a smaller diameter at the neck position of the case.

Cartridge Case

The container for all the other components which comprise a cartridge.

Cartridge, Case Belted

A cartridge case design having an enlarged band ahead of the extractor groove. This type of construction is generally used on large capacity magnum type cartridges and serves to strengthen the case.

Cartridge Case Capacity

The amount, by weight, of a particular type of powder that can be inserted in a cartridge case with the bullet fully seated, without compressing the powder charge.

Cartridge Case Extractor Groove

An annular groove cut in rimless, semi-rimmed or belted cartridge cases, forward of the head, for the purpose of providing a surface that the extractor may grip to remove the case from the chamber.

Cartridge Case Head

The base of the cartridge case which contains the primer.

Cartridge Case Mouth

The opening in the cartridge case into which the projectile(s) is inserted.

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Cartridge Case Neck

The cylindrical portion of a cartridge case, with a reduced diameter, extending from the top of the shoulder to the case mouth.

Cartridge Case Rebated

A centre-fire case whose rim diameter is smaller than the diameter of the body of the case.

Cartridge Case, Rimless

A centre-fire cartridge whose case head is of the same diameter as the body, having a groove forward of the head to provide the extraction surface.

Cartridge Case, Rimmed

A cartridge case having a rimmed or flanged head that is larger in diameter than the body of the case. May be either rim-fire or centre-fire.

Cartridge Case, Semi-Rimmed

A centre-fire cartridge case having a case head only slightly larger in diameter than the case body and an extractor groove just forward of the head.

Cartridge Case Shoulder

The section of a bottleneck cartridge case connecting the main body of the case and the smaller diameter neck.

Cartridge Case, Tapered

A case with the diameter reduced from head to shoulder or mouth.

Cartridge, Centre-Fire

Any cartridge that has its primer central to the axis in the head of the case.

Cartridge Designation – Metric

Most foreign and some American commercial cartridges are identified by their nominal bullet diameter and cartridge case length, both of which are given in millimetres: 8 x 57, 7 x 57, 6.5 x 54 mm, etc.

Cartridge, Dummy

An inert cartridge which cannot be fired.

Cartridge, Express

A cartridge that produces greater than standard velocity. The name is derived from cartridges developed in England around 1885.

Cartridge, Magnum

A term used to describe a rim-fire or centre-fire cartridge, or shotshell, that is larger, contains more shot or produces higher velocity than standard cartridges or shotshells of a given calibre or gauge. Rifles, handguns and shotguns that are designed to fire magnum cartridges or shells may also be described with the term "magnum."

Cartridge, Metallic

Ammunition having a metallic cartridge case.

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Cartridge, NATO

A common designation for the 9 mm, 7.62 mm or 5.56 mm NATO military cartridges. Produced under the specifications of the North Atlantic Treaty Organization.

Cartridge, Rim-Fire

A flange-headed cartridge containing the priming mixture inside the rim cavity.

Cartridge, Shot

A centre-fire or rim-fire cartridge loaded with small diameter shot. Designed to be fired from any firearm other than a shotgun.

Cartridge, Wildcat

Cartridges that have never been manufactured commercially or made available publicly.

Case

Refers to cartridge case. The term is shortened through common usage.

Case Capacity

The volume available for propellant in a cartridge case with a fully seated bullet. It may be expressed in weight of water or a specific propellant.

Caseless Ammunition

Ammunition that has the propellant charge moulded to the base of the bullet and not enclosed in any type of cartridge case.

CB Cap

A low velocity .22 calibre rim-fire cartridge having a Conical Bullet (from which the name is derived) and no propellant other than the priming compound.

Chamber

The rear part of the barrel bore that has been formed to accept a specific cartridge. Revolver cylinders are multi-chambered.

Charge

1. The amount, by weight, of a component of a cartridge (i.e. priming weight, propellant weight, shot weight).
2. To load a firearm.

Charge, Maximum

A charge weight, in grains, of a particular propellant that may be used with other specified ammunition components without exceeding the safe, maximum, allowable pressure limit for the specific cartridge being loaded.

Choke

An interior constriction at or near the muzzle end of a shotgun barrel bore for the purpose of controlling shot dispersion.

Choke, Variable

An adjustable device attached to the muzzle of a shotgun in order to control the shot patterns.

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Chronograph

An electronic device used to measure and record time intervals and time of flight projectiles. It is used to determine velocities of projectiles.

Coefficient of Form

A numerical term indicating the general profile of a projectile.

Deflagrate

To burn with intense heat and light. Gunpowder is said to deflagrate.

Discharge

To cause a firearm to fire.

Elevation

The term used to designate the vertical movement of an adjustable sight to cause the fired bullet to strike the point of aim at various ranges.

Energy, Bullet

The capacity of a projectile to do work, commonly expressed in the units, foot-pounds, joules or kilogram metres. Sometimes called Projectile Energy.

Energy, Muzzle

The energy of a projectile at the muzzle of the firearm from which it has been fired.

Flash Hole

1. A hole(s) pierced or drilled through the web in the primer pocket of a metallic cartridge case.
2. The hole in the end of a battery cup primer used in shotshells.
3. The hole in a percussion nipple.

Gauge

A term used in the identification of a shotgun bore. The number of round lead balls of bore diameter that equal one pound. Thus, 12 gauge is the diameter of a round lead ball weighing 1/12 of a pound.

Grain

1. A unit of weight (avoirdupois), 7000 grains equal one pound.
2. The grain unit is commonly used in American and English ammunition practice to measure the weight of components.

Gunpowder

Any of various powders used in firearms as a propellant charge.

Handloading

The process of assembling a cartridge case with primer, propellant and bullet or shot with hand operated tools.

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Headstamp

Numerals, letters and symbols (or combinations thereof) stamped into the head of a cartridge case or shotshell to identify the manufacturer, calibre, gauge or give additional information.

Line of Sight

The straight line from the eye through the sights to the target or point of aim.

Load

1. The combination of components used to assemble a cartridge or shotshell.
2. The placing of cartridges into a firearm magazine or chamber.

Load, Field

A shotshell loaded for hunting small game animals and birds.

Loading Density

The relationship of the volume of the propellant to the available case volume. Usually expressed as a percentage.

Long Rifle

1. Originally, the term was used in reference to long-barrelled flintlock rifles.
2. The name given one type of a calibre 22 rim-fire cartridge.

Meplat

A term describing the blunt tip of a bullet, specifically its diameter.

Minute of Angle

The distance subtended by an angle, which is 1/60 of one degree. At 100 yards, 1 MOA is approximately 1.047 inches.

Muzzle

The end of a firearm barrel from which the bullet or shot emerges

Muzzle Energy

A projectile's energy at the time it leaves the muzzle of the firearm.

Nitro-Cellulose

Also known as "cellulose hexanitrate," the principal ingredient of single-base and double-base gunpowders.

Obturation

The sealing of powder gases. Obturation is an important factor in three specific areas at the time that a cartridge has been fired in a chamber:

1. Sealing the cartridge case to the chamber wall;
2. Preventing leakage between the primer and its retaining wall in the cartridge case; and
3. Ensuring that gas does not pass between the bullet and bore throughout the entire bore travel, or ensuring that gas does not bypass the wad column in a shotgun load during its travel throughout the bore.

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Overall Length

Ammunition: The greatest dimension of a loaded cartridge (i.e. from face of the head to the tip of the bullet for centre-fire or rim-fire, or to the crimp for shotshells or blanks). Not to be confused with the uncrimped length of a shotshell.

Pellet

1. A common name for the small spherical projectiles loaded in shotshells. Also known as "shot."
2. A non-spherical projectile used in some air rifles and air pistols.

Point of Aim

The place or point on a target, which intersects the straight line generated by the alignment of the front and rear sights of a firearm.

Powder, Ball

A generally spherical type of smokeless powder first manufactured in 1933 by Western Cartridge Company. Ball powder is often further modified by a flattening process into forms known as Flattened Ball, Rolled Ball and Cracked Ball. Ball powder is sometimes found in an elongated form, which is called "irregular ball."

Powder Burning Rate

The speed with which a propellant burns. It is affected by both physical and chemical characteristics.

Powder Double Base

A propellant composed of colloided nitro-cellulose and nitro-glycerine as its base as opposed to single-base powder, which has colloided nitro-cellulose only as its base material.

Powder, Nitro-Cellulose

A smokeless propellant for ammunition whose principal ingredient is colloided nitro-cellulose. The nitrogen content of the nitro-cellulose is usually between 12.8% and 13.1%. Also known as Single-Base Powder.

Powder, Smokeless

A propellant containing mainly nitro-cellulose (single base) or both nitro-cellulose and nitro-glycerine (double base).

Pressure

In a firearm, the force developed by the expanding gases generated by the combustion of the propellant.

Pressure Curve

A graph of the relationship of chamber pressure to time or travel in a firearm when a cartridge is fired.

Primer

The ignition component of a cartridge.

## Attachment 3 to PD-56-2022

AMMUNITION GLOSSARY

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Primer, Berdan

An ignition component consisting of a cup, explosive mixture and covering foil. The anvil is an integral part of the cartridge case head in the bottom of the primer pocket. One or more flash holes are drilled or pierced through the bottom of the primer pocket into the propellant cavity of the case.

Primer, Boxer

An ignition component consisting of a cup, explosive mixture, anvil and covering foil disc, which together form the completed primer ready for assembly into the primer pocket of a cartridge case. A central flash hole is pierced through the bottom of the primer pocket into the propellant cavity of the case. Used in modern commercial centre-fire ammunition made in Canada and the United States.

Primer, Centre-Fire

A cartridge initiator which is assembled central to the axis of the head of the cartridge case and which is actuated by a blow to the centre of its axis, as opposed to rim-fire which must be struck on the circumference.

Primer Pocket

A cylindrical cavity formed in the head of a metallic centre-fire cartridge case, or in the head of a shotshell, to receive an appropriate primer or battery cup primer assembly.

Primer, Rim-Fire

A primer system in which the priming mixture is found in the circumferential rim cavity of a particular type of ammunition.

Projectile

An object propelled by the force of rapidly burning gases or other means.

Propellant

In a firearm, the chemical composition, which when ignited by a primer, generates gas. The gas propels the projectile(s). Also called Powder, Gunpowder: Powder, Smokeless.

Pyrodex

Trade Name: A substitute for black powder with similar burning characteristics, but safer and designed to produce less fouling.

Reloading Components

Primers, propellant powder, bullets, shot, wads and cartridge cases.

Ricochet

The deflection of projectile(s) after impact.

Rifle

A firearm having rifling in the bore and designed to be fired from the shoulder.

Rifling

Helical grooves in the bore of a firearm barrel to impart rotary motion to a projectile.

## Attachment 3 to PD-56-2022

AMMUNITION GLOSSARY

---

Sabot

1. A lightweight carrier in which a sub-calibre projectile(s) is centred to permit firing.
2. An enclosure to facilitate the firing of shot usually in a rifled barrel.

Sectional Density

The ratio of a bullet's weight to its diameter.

Shot, Steel

Soft steel pellets made specifically for use in shotshells.

Shotgun

A smooth bore shoulder firearm designed to fire shotshells containing numerous pellets or sometimes a single projectile.

Shotshell

A cartridge containing projectiles designed to be fired in a shotgun. The cartridge body may be metal, plastic or paper.

Slug

A term applied to a single projectile for shotshells.

Velocity

The speed of a projectile at a given point along its trajectory.



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Ministry of the Solicitor General

Ministère du Solliciteur général



Chief Firearms Office

Bureau du contrôleur des armes à feu

50 Andrew Street S., Ste 201  
Orillia ON L3V 7T5  
Tel.: 705-329-5522  
Fax.: 705-329-5623

50 Andrew Street S., Ste 201  
Orillia ON L3V 7T5  
Tél.: 705-329-5522  
Télééc.: 705-329-5623

October 1, 2021

**Memorandum to:** Sgt. David Keyes  
Supervisor of Shooting Clubs and Ranges  
Chief Firearms Office  
Province of Ontario

**Prepared by:** Mike Kingston #76  
Range Inspector

**Re:** Compliance Inspection  
Silverdale Sports Centre Approval #188

**Range Location:** 4948 Concession 4  
Township of West Lincoln  
St. Ann's, Ontario L0R 1Y0

**Mailing Address:** 4944 Concession 4  
Township of West Lincoln  
St. Ann's, Ontario L0R 1Y0

Business Licence #: Not applicable  
Liquor Licence #: Not applicable  
All measurements at this club are in: Yards/ Meters

---

**Range Operator/Contact:** Joan Miller  
4944 Concession 4  
Township of West Lincoln  
St. Ann's, Ontario L0R 1Y0  
Phone: (289)-213-7163  
Email: gunrange4u@yahoo.ca

Ministry of the Solicitor General

Ministère du Solliciteur général



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50 Andrew Street S., Ste 201  
Orillia ON L3V 7T5  
Tel.: 705-329-5522  
Fax.: 705-329-5623

50 Andrew Street S., Ste 201  
Orillia ON L3V 7T5  
Tél.: 705-329-5522  
Télé.: 705-329-5623

November 4, 2021

File Reference 677 50 25

Joan Miller  
4944 Concession 4  
Township of West Lincoln  
St. Ann's, Ontario  
L0R 1Y0

Dear Ms. Miller:

Re: Silverdale Sports Centre S.R.A. #188

---

On September 8, 2021, Range Inspector Mike Kingston from the Chief Firearms Office attended your shooting range location. The purpose of the inspection was to confirm your range has maintained compliance in accordance with the *Canadian Firearms Centre Range Design and Construction Guidelines (September 1999)*.

Enclosed you have been provided with an inspection report dated October 1, 2021, which confirms your range is in full compliance with the range *Guidelines*.

An amended range approval certificate is enclosed outlining the shooting disciplines currently approved at your range location. Please review the conditions on your shooting range approval. Thank you for your dedication to range safety. If you have any questions, please call Sgt. David Keyes at 1-800-731-4000-1-1 ext. 7600.

Yours truly,

A handwritten signature in black ink, appearing to read "A.J. Ferguson", is written over a circular stamp. The stamp contains the text "A.J. (Andrew) Ferguson" and "Superintendent - CFO Bureau Commander".

A.J. (Andrew) Ferguson  
Superintendent – CFO Bureau Commander  
Chief Firearms Officer for the Province of Ontario

/mk  
Encl.

On Wednesday September 8<sup>th</sup>, 2021, I attended the Silverdale Sports Centre to inspect their nine shooting ranges for compliance with the Canadian Firearms Centre, "Range Design and Construction Guidelines of September 1999" (here after referred to as the manual). I was met by the range contact Jim Miller, President who assisted me with my inspection. The range is in full compliance.

The last inspection of this club was completed in October 2020.

Facility Overview:

The Silverdale Sports Centre/Silverdale Gun Club is in rural St. Ann's in Lincoln Township in Niagara Region. Silverdale Sports Centre operates nine ranges, including trap, rifle, shotgun, and handgun ranges. Outdoor Rifle Range #3 and #4 received significant upgrades in 2020 with improved bullet catchers. Range #3 also had an intermediate overhead baffle installed down range. Further work is anticipated on additional ranges over the coming months. There is a classroom, an office/store and support facilities on site. The Centre is now a member only club with approximately 3000 members.

No public agencies use this facility.

Facility Deficiencies (Administrative):

Ranges #1 through #7 and #18 and #19 – No deficiencies were found.

Range Deficiencies (Safety Hazards):

Ranges #1 through #7 and #18 and #19 – No deficiencies were found.

Amendments to the Current Shooting Range Approval (dated October 21, 2020):

No amendements required.

Recommendations:

Continue improvements to backstops with bullet catcher initiative.

Conclusion:

The work commenced in 2020 to address errant rounds was curtailed in 2021 due to pandemic related issues. Silverdale has stockpiled a considerable amount of ballistic rubber in preparation of continuing remediation of additional backstop(s) on their outdoor ranges.

**This range is in full compliance.**

**Report submitted for review and approval.**

**Mike Kingston  
Range Inspector  
Chief Firearms Office**





## Shooting Range Approval

## Agrément de champ de tir

Approval is granted to - Agrément accordé à

**SILVERDALE SPORTS CENTRE**

**0188**

Shooting Range Name - Nom du champ de tir

Approval Number  
Numéro d'agrément

**4948 Concession 4, Township of West Lincoln, St. Anns, Ontario**

Shooting Range Address - Adresse du champ de tir

Issued under the authority of the *Firearms Act*. - Délivré en vertu de la *Loi sur les armes à feu*.

Superintendent A.J. (Andrew) Ferguson  
Chief Firearms Officer, Ontario  
Contrôleur des armes à feu, Ontario

**2021-11-04**

Effective Date (yyyy-mm-dd)  
Date d'entrée en vigueur (aaaa-mm-jj)

### Approved Shooting Activities - Activités de tir autorisées

**Range #1 10/25 Yard Supervised Training Range**

**Approval Includes: 25 yard Centre Fire Rifle allowed for the 3 west positions.**

**Approval Condition: Handgun and Rim Fire only on remaining positions.**

**Range #2 40/60/100 Yard Outdoor Rim Fire Rifle/Centre Fire Rifle/Shotgun (Slugs Only)**

**Approval Condition: While this range is in use a Range Safety Officer must be on duty at all times.**

**Range #3 200 Yard Outdoor Centre Fire Rifle/Rim Fire Rifle/Shotgun (Slugs Only)**

**Approval Condition: While this range is in use a Range Safety Officer must be on duty at all times.**

**Range #4 50 Yard Outdoor Centre Fire Rifle/Rim Fire Rifle/Shotgun (Slugs Only)**

**Range #5 50 Yard Outdoor Handgun/Rim Fire Rifle/Centre Fire Rifle/Shotgun (Slugs Only)**

**Range #6 12 Yard Outdoor Handgun/Rim Fire Rifle/Shotgun (Slugs Only)**

**Approval Includes: IPSC/IDPA/TDSA/Cowboy Action Shooting**

**Approval Conditions: While this range is in use a Range Safety Officer must be on duty at all times. No target placement on the range floor. All bullets must impact the backstop at midline or lower without striking the range floor. All targets are to be placed as close to the backstop as practical. No shooting greater than 45 degrees from the firing line to the backstop or side-backstop. No moving props permitted unless the Chief Firearms Office is notified in writing, 15 days prior to the IPSC competition using moving props.**

Shooting Range Name - Nom du champ de tir	Approval Number - Numéro d'agrément
<b>SILVERDALE SPORTS CENTRE</b>	<b>0188</b>

**Range #7 25 Yard Outdoor Handgun/Centre Fire Rifle/Rim Fire Rifle/Shotgun/Slug**

**Approval Includes: IPSC/IDPA/TDSA/Cowboy Action Shooting**

**Approval Conditions:** While this range is in use a Range Safety Officer must be on duty at all times. No target placement on the range floor. All bullets must impact the backstop at midline or lower without striking the range floor. All targets are to be placed as close to the backstop as practical. No shooting greater than 45 degrees from the firing line to the backstop or side-backstop. No moving props permitted unless the Chief Firearms Office is notified in writing, 15 days prior to the IPSC competition using moving props

**Range #18 Single 16 Yard Trap Field**

**Range #19 Single 16 Yard Trap Field**

#### Requirements/Obligations - Exigences/obligations

##### CONDITIONS

The Shooting Range shall ensure that the discharge of firearms does not endanger the safety of persons at the shooting range or in the portion of the surrounding area.

The Operator of a shooting range shall ensure:

- That every person who indicates an intention to use the shooting range for the first time is informed of the safety rules at that shooting range.
- That the shooting range shall at all times maintain insurance coverage of at least \$2 million of commercial general liability insurance with coverage on an occurrence basis.

##### REPORTS AND RECORDS

- ✓ The operator of an approved shooting range shall report any personal injury occurrence or unsafe discharge on a shooting range that is caused by the discharge of a firearm using the "Shooting Range – Personal Injury/Incident Report" form. The operator of an approved shooting range shall notify the local police immediately and the Chief Firearms Office of Ontario within twenty-four (24) hours of any such occurrence by Fax, at (705)329-5623.
- ✓ The range operator who proposes to make a change that affects the matters set out in the documentation submitted shall give advance notice to the Chief Firearms Officer within sufficient time to allow the CFO to evaluate it.
- ✓ The range operator shall supply the Chief Firearms Officer with the following documentation:
  - ✓ Notification of any change in the range shooting location
  - ✓ Notification of any change in the range operator, owner, or employee of the shooting range who handles firearms

Shooting Range Name - Nom du champ de tir	Approval Number Numéro d'agrément
<b>SILVERDALE SPORTS CENTRE</b>	<b>0188</b>

➤ **LIMITATIONS**

All steel targets must be bunkered for regular day to day use and shrouded for competition use.

All steel targets shall be shrouded or clad with a covering constructed of wood and is designed to protect exposed steel hinges, angled or plate steel, bases or other mechanisms used to operate the steel, so as to eliminate random ricochets from bullet strikes to that portion of the target array that is not intended as the striking surface of the target. This is to include bases, supports or stands used in conjunction with the targets.

Handgun approval shall include the discharging of prohibited handguns.

Other than for public agents, the use of prohibited firearms is strictly prohibited.

The range operator shall ensure that the shooting range is continuously maintained as approved by the Chief Firearms Office.

The range will be inspected at the discretion of the Chief Firearms Officer to ensure the range continues to meet public safety requirements and continued compliance with requirements referred to in the Shooting Clubs and Shooting Ranges Regulations.



# Range Rules

---

## **SILVERDALE GUN CLUB RANGE ORIENTATION AND RULES**

Welcome to Silverdale. As a member, you agree to and are responsible for following all Silverdale Gun Club Range Safety Rules at all times when using Silverdale Gun Club facilities.

**HOURS OF OPERATION:** 8 am to sunset (daily)

**STORE & OFFICE:** Monday to Friday 10 to 5 and Saturday & Sunday 9 to 5

**CONTACT INFORMATION:** **Office ph:** 905-957-7362 our phones are answered Monday to Friday 10 am to 5 pm. If the lines are busy leave your name and number clearly with a brief message. **For email:** General information for members and guests – [gunrange4u@yahoo.ca](mailto:gunrange4u@yahoo.ca) or [info@silverdalegunclub.com](mailto:info@silverdalegunclub.com)

**RANGE HOURS:** 8 am to 8 pm (or sunset) for members

## **SILVERDALE GUN CLUB – TERMS & AGREEMENT**

- Membership cost is \$500.00 for active and \$300.00 for senior, \$300.00 for students 25 years of age or younger with proof of school attendance
- All memberships expire on March 31st each year.
- Silverdale memberships are non-transferable, and you will agree not to loan out your membership card to another individual.
- You are responsible to notify Silverdale of any changes in your contact information.

## **CANCELLATION POLICY**

- Cancellations should be done by email or in writing, no cancellation will be complete over the phone.
- Full refunds will be given within 10 days of renewing or becoming a new member.
- After 10 days you will be refunded the balance of the year less a 3% processing fee and \$40.00 insurance cost.

- Members who cancel while on a payment plan will receive no refunds.
- No discounts will be given if the range is closed by order of the Chief Firearms Office or government.
- Cancellation of membership will result in having to reapply for a new membership the following year.
- Silverdale is not responsible for lost or stolen items while on the premises.
- Silverdale Gun Club reserves the right to terminate membership privileges, without refund, for an account overdue more than 60 days, or suspend/cancel a membership in its sole discretion for inappropriate behavior or failure to comply with the Range Rules and Regulations.

#### **ARRIVING AT THE RANGE:**

- Members must swipe membership card at the gate before proceeding downrange. Even when the gate is open.
- Members with guests register at the office, during office hours, or downrange with the RSO.
- If a safe table is available to uncase (trap ranges) do not place your ammo and firearm in the same case. Ammunition is never permitted on a safe table.
- Lefthanded, righthanded, and wheelchair accessible benches are available. Person needing left or wheelchair benches will take priority.

## **MEMBERSHIP CARDS**

- All membership cards will provide the Range Officers with the following info...
- Name – Membership # – ATT (permission to use restricted firearms) – Holster (qualified to use a holster) – RSO or MSO (range safety officer or a member safety officer) – Yearly renewal sticker
- Membership cards must always be worn while on the firing line.
- RSO will always ask to see your membership card, you should have it displayed from a lanyard or clip. Lanyards, clips and plastic card holders are always available in the office.
- When shooting you can turn your lanyard to place your membership card on your back so that the RSO does not have to disturb you.

# FLAG SYSTEM

## RED FLAG

- Shooting is permitted
- No one shall cross the firing line
- **Muzzle control must be maintained at all times**, straight up unloaded with the action open, when moving around the range or placing the gun in the gun rack.
- If your firearm has a magazine inserted (baseplate closed) and/or the action closed it is considered loaded and should be treated as such. **Never remove your hands from or pass a loaded firearm.**
- If you are leaving the vicinity of your bench for any reason your firearm is required to be put in the rack.

## GREEN FLAG

- No handling of firearms, ammunition, spotting scopes, etc. in any capacity. People are required to stand behind the yellow line if not moving downrange to post targets. If you have reduced mobility please notify the RSO on duty. In which case you will be required to turn around and face away from the range while remaining seated.
- People are permitted to go downrange to post targets
- No one is permitted on the firing line during a green flag. (with exceptions)
- Prior to flag change, **firearms should be unloaded, chambers cleared and checked. Transferred with actions open and muzzle up** to the gun rack. If unsure how to do correctly ask an RSO for a demonstration.
- If a firearm is too short to properly be held in the rear rack, it may be placed on the table in the same manner as a handgun as per the RSO discretion

## NO FLAG

- If you arrive and there is no flag, RANGE CLOSED for maintenance.
- Periodically ranges are booked by local law enforcement, hunter sight ins, and special training.
- For guaranteed range space you should book through our online booking system – [www.picktime.com/silverdalegunclub](http://www.picktime.com/silverdalegunclub). No shows will be banned from using the system in the future. Your booking will take priority over those who wish to drop in.

- If interested in renting a range for the day – email – [gunrange4u@yahoo.ca](mailto:gunrange4u@yahoo.ca) (Joan), cost for a range rental is \$300.00 for a full day, \$150 for 9 am to 1 pm or 1 pm to 5 pm. RSO expense may also be required.

## **RULES AND REGULATIONS**

### **CASING AND UNCASING FIREARMS**

- All firearms must be in a hard or soft case.
- Firearms (cased) can be brought onto the range on a red or green flag. If the flag is green you may place your firearm on an open bench and then step off the range until the flag turns red. This rule applies only on the rifle ranges. Safe tables are available on the handgun and trap ranges.
- Uncase your firearm on your shooting bench with the muzzle pointed downrange.
- Remove the lock, open the action and remove the magazine if inserted before taking your hands off your firearm
- Cases should be placed beside or under your bench or in your vehicle, not on the back of the gun rest.
- Trap ranges have specific rules, which will be found below

### **GENERAL RULES**

- Ear and eyewear is mandatory at all times while on the firing
- A flag system is in place at all times.
- NO sandals, open toes shoes, or flip flops are permitted on the range,
- No passing a loaded firearm – this rule you will find repeated as it is so important if you do not know the importance of this rule you should speak the RSO and ask them why.
- Do not leave your firearm unattended or with an unlicensed person
- No use of cellphones, MP3 players, or cameras while shooting or supervising a guest.
- Review all your pictures and videos clearly before posting on social media
- No shooting at wildlife.
- Deliberate damage to property will not be tolerated.
- You are responsible to clean up after yourself. Supplies are provided on each range.



## **NO PERSON IS PERMITTED TO RUN A BUSINESS ON THE PROPERTY OF SILVERDALE GUN CLUB...THIS INCLUDES AND IS NOT LIMITED TO:**

- Selling of reloads, bullets, ammunition, equipment, or firearms including any related firearm goods for profit. You are welcome to sell personal firearms and ammunition.
- No person shall charge another to use personal firearms or resale ammunition for profit.
- No person(s) are welcome to run courses or training for profit.
- No video recording or photography for the purpose of business to promote other ranges or retail stores.

## **MEMBERS AND GUESTS**

- Members are welcome to bring one licensed and one unlicensed guest, or 2 licensed per visit.
- All guests will register at the office and pay a \$20.00 per day pass fee, or with the RSO. CASH Only
- Guests are not welcome to bring restricted handguns onto the property
- You and your guest must share one shooting bench. It is your responsibility to supervise your guests (licensed and unlicensed).
- At no time should there be more than 2 people at the bench?
- You will be responsible for your guest's infraction and behavior while at the range.
- When not shooting extra guests should be behind the bench.

## **MEDICAL INJURIES**

- All firearm injuries should be reported to the range officer on duty or the head range officer immediately or as soon as possible. If medical attention is needed it takes priority over notifying anyone.
- First aid kits are provided on each range, for basic cuts and injuries. For major traumas call 911 immediately.

## **ALCOHOL/CANNABIS OR DRUGS**

- No alcohol, cannabis, or illegal/illicit drugs are permitted past the front gate at any time
- No person under the influence of alcohol or illegal/illicit drugs shall be permitted past the front gate



- Including prescription drugs that could hinder your performance and other safety while at the range.

## **TARGETS**

- Large splatter targets (\$) and paper targets will be available through the RSO's downrange.
- Large sighting targets and splatter burst targets are available on the range, ask the RSO
- AR500 only steel targets must be completely shrouded inside bunkers a minimum of 12 deep and angled forward so as to direct any splash' or ricochets into the ground.
- Rimfire is not permitted on AR500 targets but is allowed on ground-based spinners made exclusively for rimfire.
- Paper targets must be stapled to the colored backboards, not on the posts or cross boards. Placing any other object anywhere downrange, on the ground, posts, or cross boards will result in immediate expulsion for the day. Consideration of further action, including suspension, will be given.
- We encourage members and guests to report unusual or suspicious behavior.
- Do not place any target or object on top of posts or cross boards.
- Do not staple targets on the bunkers.
- Shooting at targets on the ground or berms is prohibited on all ranges.
- Shooters are required to use only the backboards directly in front of them and that correspond with the color on your bench (no cross-firing)

## **HOLSTERS**

- For the purpose of this section, the following shall apply:  
Head RSO (HRSO) – Sara Lanzalone – Club Holster Instructor (CHI) – Chris Rosart – Office – Joan Miller  
  
1) Holsters may only be used by members with a valid holster qualification/designation on their membership card. Accepted qualifications include Silverdale Club Level, Silverdale CQS, TDSA, IDPA, Black Badge (IPSC). Holster users must present their holster qualification/designation upon request by an RSO.  
  
2) Members who have completed holster training in relation to their job, such as law enforcement, CBSA, armed security, military, etc. may be issued a holster designation

upon presentation of proof of training to the HRSO, the CHI, or the Office. It is strongly advised that members in this category contact the CHI for a brief orientation on range etiquette in case of any procedural differences between 'agency training' and club rules. There is no cost for this orientation for members in this category.

3) Holsters are only permitted for use on the following ranges: 6, 7, and the competition ranges. The Teaching Range (Range 1) may be used only with prior permission from the Office or the Head RSO. Exceptions for other ranges may be made for club-sanctioned courses, classes, or matches at the Office's discretion.

4) Only hip or drop-leg holsters are permitted. No cross-draw, shoulder, chest, ankle, appendix, etc holsters are permitted at any time.

5) Pistols shall only be loaded (magazine inserted and/or round chambered ) while ACTIVELY engaging a target, immediately at the firing line.

6) No one shall ever have a loaded holstered pistol while someone is ahead of them

7) No one shall leave a range with a holstered pistol, loaded or otherwise. This means, no going to the bathroom, the parking lot, or your car, for any reason, with a holstered pistol.

8) Pistols MAY remain holstered on a green flag (magazine removed, empty chamber, entire cylinder empty for revolvers) and while you go downrange to change targets. RSOs may ask you to verify that your magazine is removed and your chamber is empty prior to the flag being changed to green. **YOU MUST NOT TOUCH YOUR HOLSTERED PISTOL ON A GREEN FLAG.** If you feel you may be unable to resist touching your holstered pistol on a green flag, it shall be removed and placed on the bench in a safe manner prior to the flag going green.

9) Holstered pistols must aim no further than a 1 foot radius from your side and/or ahead of your foot. "FBI" (rearward) canted holsters are not permitted.

10) Pistols must be drawn straight up, parallel to your leg/body, until the muzzle clears the top of the holster, at which point you will rotate the muzzle directly downrange. If shooting from behind a bench, you must also clear the top of the bench before rotating your pistol downrange. When shooting from behind a bench, there must be no space between your body and the bench. It is strongly recommended that holster users avoid shooting from behind tall benches that prevent downrange muzzle rotation after clearing

the holster, so as to avoid your pistol being aimed near to your body for longer than is necessary.

11) At no time may a holster user have their holstered pistol concealed from view. RSOs and other members must be able to clearly see that you have a pistol holstered, regardless of if your pistol is loaded or not. This means that any clothing that may potentially hang or drape over your holstered pistol, and conceal it, must be removed or securely retained to prevent this from occurring. If your holster is EMPTY, it is not against the rules for it to be concealed or otherwise obscured from view. PLEASE NOTE – Carrying a concealed pistol on Silverdale Gun Club property is a ZERO-TOLERANCE offense and will result in the immediate revocation of the user's holster privileges! Properly cased pistols shall not be considered 'concealed' for the purposes of this rule.

12) If your pistol has a manual safety, it must be engaged before and while it is holstered when a round is chambered (eg. 1911). If your pistol has a decocker in lieu of a manual safety, your pistol must be decockered before and while your pistol is holstered when a round is chambered (eg. Sig P226, HK P2000). Striker-fired (eg. Glock) and Double-Action-Only (eg. Sig P250) pistols may be holstered with a round in the chamber. Hammer-fired pistols without a manual safety or decocker, that are not DAO, shall not be carried in a holster with a loaded chamber (eg Tokarev TT-33). Revolvers shall be carried 'hammer down' on an empty chamber (the other chambers in the cylinder may be loaded).

13) It is strongly advised that members using a holster be aware of the nearest first aid kit and emergency phone numbers prior to using a holstered pistol

14) If clarification is required for any holster-related matters, the CHI can be contacted at [silverdalecqs@gmail.com](mailto:silverdalecqs@gmail.com) and every effort will be made to respond in a timely manner. The Office can also be contacted at [gunrange4u@yahoo.ca](mailto:gunrange4u@yahoo.ca)

15) Members wishing to take the Silverdale Club Level Holster Course should contact the Office or sign up on the 'Courses' page online

16) No one other than the CHI, the HRSO, OR a person explicitly authorized, in writing, by the Office, shall be permitted to teach a holster class on Silverdale Gun Club property

## **RAPID FIRE**

- Must have holster certification from any of our recognized providers, RSO may ask for proof that membership certification is current and up to date.

- Rapidfire is permitted with a handgun and rifles
- All other ranges are limited to 1 shot every 2-3 seconds for members and 1 shot every 5 seconds for guests
- Rapid-fire with a shotgun is NEVER PERMITTED
- Guests may never rapid fire.

## **SHOT SHELLS**

- No shot is to be used on any range other than the two trap fields.

## **AMMUNITION**

- No tracer, incendiary, or prohibited ammunition are permitted at anytime
- Armor-piercing rounds are never to be used
- Steel core (non-armor piercing) are permitted
- Black powder (or black powder substitutes) must not be placed on the shooting benches
- Unwanted or dud ammo should be discarded in the red dummy tubes located on all covered ranges

## **GENERAL**

- No smoking at the benches
- Driving on Silverdale property, particularly the laneway, at speeds in excess of 15 km an hour will be considered an infraction resulting in a written warning.
- One member, one licensed guest, and one unlicensed guest is the maximum size group permissible
- Members are fully responsible for their guests' behavior and conduct at all times.
- Trigger locks are used to prevent your finger from going into the trigger guard, it is not used to make the gun safe.

## **CONCLUSION**

We have done our best to outline our expectations in the hope that it will make your shooting experience as satisfying as possible. However, if you have any questions or uncertainty please stop what you are doing and ask one of the staff members for assistance.

**RANGE SUPERVISOR: SARA  
LANZALONE (SLANZALONE333@YAHOO.CA)**

## **THE RANGES**

## **RANGE #1-10'/25' HANDGUN/RIFLE**

- Mentor/Marksman private lessons.
- No rapid fire permitted
- Shooting clinics for those that are required to attend due to infractions or penalties.

## **RANGE #2 – 100 YARD**

- Shotguns (slug only) and Rifles only
- No rapid fire at anytime
- No shot permitted
- Bunker located in the center of the range for approved steel targets

## **RANGE #3 – 200 YARD**

- Shotguns (slug only) and rifles only
- No rapid fire at anytime
- No rimfire permitted to be shot at the steel gong.
- Benches to the right of the yellow sign are for shooting at the gong ONLY.

## **RANGE #4 – 50 YARD**

- Shotguns (slug only) and rifles permitted
- No Rapid fire

## **RANGE #5 – 50 YARD**

- Shotguns (slug only) and rifles permitted
- No rapid fire

## **RANGE #6 – 10 YARD HANDGUN ONLY**

- Pistol, pistol caliber carbines, rimfire rifle only
- All shooting is towards the back berm only
- Minimum engagement of 10 yards for hard targets.
- Rapid fire and holsters are permitted on this range at a distance no further than 10 meters and with appropriate qualifications

## **RANGE #7 – 25 YARD HANDGUN/RIFLE**

- Pistol only on the left side of the range
- Rifle benches on the right side of the range.

- Rapid-fire is permitted with pistol and rifle only
- No shot pellets

## **RANGE #17 & #18 -TRAP FIELDS**

- **At the Range;**
  - Leave your firearm and ammunition in your vehicle while you approach the Range
  - Gain the attention of the Range Safety Officer (RSO), who will be highly visible in their bright orange clothing, before entering the range. The RSO will instruct you as to whether you can enter immediately or must wait
  - When you are permitted to enter the range, you will remove your firearm from your vehicle and proceed as per RSO instructions. Your firearm must be in an appropriate size hard or vinyl gun case – no gun socks allowed. Do NOT store ammunition in your gun case along with your firearm.
  - Proceed directly to the \*safe table\* designated by the RSO – this is where you will uncase your firearm, which will always be pointed downrange. Muzzle control is essential There is NO ammunition allowed on the \*safe table\*, ever.
  - Transfer your uncased firearm to the gun rack in the safe manner outlined below – this is where you will store your gun when not shooting
  - Return your gun case to your vehicle, obtain your ammunition and return to the range – ammunition may be placed on any surface other than the \*safe table\*, or anywhere on or immediately beside the gun racks.
  - When directed, open and place a box of shells in the holder at your station then obtain your firearm from the gun rack and proceed, in a safe manner, to your designated shooting station – shell pouches may be used instead
  - Have fun shooting our trap range but please, read the do's and don'ts on the next page to ensure safety, consideration, and understanding for all.
- **Rules and Tips for Safe shooting at Silverdale;**
- Shotgun only. #7 1/2, #8 and #9 size shot only
- No hunting loads (i.e. turkey loads)
- Loading and setup of the trap range is to be done by RSO
- Never have your firearm loaded until you are on station, ready to shoot a target. Only load one shell into the chamber and only when it is your turn to shoot, never before your turn.

- Firearms are always pointed straight up while transferring/moving, including “break action” guns – hold break-action guns by the forestock while pointing them straight up. Over the shoulder, carry is discouraged on the range
- Do not touch or handle any firearm in the gun rack or anywhere else on the range other than the safe table and shooting station and only on the RED flag
- If you bring a guest, you are responsible for their conduct whether they are licensed or not. Licensed Guest may handle firearms without your direct and immediate supervision, but you will still be responsible for their conduct
- Unlicensed guests MUST be always directly supervised by you when they are handling the firearm – you must be able to reach the firearm or the shooter without moving your feet. You must keep your hands free of any item, such as cell phones or cameras while supervising.
- Unlicensed guests will complete their session with you at their side then transfer the gun back to the safe rack. You may now take that same firearm from the rack, back to the line, and join in the shooting yourself.
- Do not ever transfer a firearm between yourself or any other shooter, guest or not while at the shooting line. Keep your hands off your guest’s gun unless you are “rescuing” it – use verbal direction to help guests master the process
- Keep your firearm pointed down range or straight up while waiting your turn to shoot at the line – do not point a gun at the ground even while loading
- Do not rest your firearm, break action or pump, on your foot or any other part of your body, or on shell holder, while waiting your turn or loading a shell.
- No cell phone use, smoking, or other activity is allowed while shooting
- Always stay forward, directly on the firing line – do not get behind any other shooters while in possession of your firearm.
- Clean up all your shell casings – flag must be GREEN when crossing firing line to get shells

## **RANGE # 8 TO 12 COMPETITION RANGES**

- Under construction

## **ARCHERY RANGE**

- Located behind the garage at the front of the property.

- This an Ontario Archery Association designed range.
- Remove your targets when done shooting

## **Silverdale has ZERO TOLERANCE**

### **For the following ...**

- Muzzle direction other than downrange or straight up.
- Sweeping others with your firearm.
- Allowing an unlicensed guest to shoot or handle a firearm unsupervised.
- Passing a loaded firearm to another person including a guest.
- Leaving a loaded firearm unattended in any location including on the benches.
- Handling an uncased firearm, magazines, ammunition, or attempting to shoot on a green flag.
- Leaving the firing line to go downrange on a red flag.
- Abusive, argumentative, or disrespectful behavior directed towards any range officer, staff, member, or Silverdale guest.

**Breach of any of the above could result in your immediate removal from Silverdale property plus possible further action.**



**Gerrit Boerema**

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**From:** sebastian s [REDACTED]  
**Sent:** March 23, 2022 9:19 AM  
**To:** Gerrit Boerema  
**Subject:** Re: FW: Notice of Second Hearing for Zoning Bylaw Amendment - Silverdale Sports Centre - File No. 1601-019-19  
**Attachments:** image481480.PNG

HI, I'm direct neighbor to the gun range I live at XXXX Regional Rd 20. I don't agree with the further development of the gun rage. There already have been built additional ranges with out any planning. The property in question is not zoned as gun range use so this would be a brand new facility. I have walked through the forest directly behind the gun range before and found multiple bullets there, I even have couple holes on my property from long time ago. Right now as the range operates it's very difficult to spend any time outside due to loud noise, and it's seven days a week nonstop, if this was to be approved it would be impossible to spend anytime outdoor due to very loud noise. I strongly feel this gun range shouldn't be open seven days a week, it would be nice to enjoy some peaceful days

SB






On Thu, Feb 10, 2022, 9:35 AM Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)> wrote:

Good Morning Fred and Sebastian,

I am sending you the attached notice of a second public meeting for Silverdale gun club as you both submitted comments and spoke at the first public meeting.

If you have any questions or wish to get a link to the meeting let me know.

Gerrit,



**Gerrit Boerema**

**Planner II**

Tel: 905-957-3346 ext.5133  
Email: [gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)  
Web: [www.westlincoln.ca](http://www.westlincoln.ca)

## Attachment 4 to PD-56-2022

The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

COVID 19 Update January 27, 2022 – Starting January 31st, the Township of West Lincoln is proceeding with implementing the Province's steps to cautiously and gradually ease Public Health measures. Please read the latest update on our [website](#)

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**From:** Gerrit Boerema

**Sent:** December 12, 2019 11:54 AM

**To:** Cara Lampman <[cllampman@npca.ca](mailto:cllampman@npca.ca)>; Jessica Abrahamse <[jabrahamse@npca.ca](mailto:jabrahamse@npca.ca)>; Alderman, Aimee <[Aimee.Alderman@niagararegion.ca](mailto:Aimee.Alderman@niagararegion.ca)>; Development Planning Applications <[devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca)>; Busnello, Pat <[pat.busnello@niagararegion.ca](mailto:pat.busnello@niagararegion.ca)>

**Subject:** Notice of Hearing for Zoning Bylaw Amendment - Silverdale Sports Centre - File No. 1601-019-19

Good Afternoon,

Please find attached and in the dropbox link below the notice and application for Silverdale Sports Centre Zoning Bylaw Amendment. Comments are due January 28, 2020.

<https://www.dropbox.com/sh/48tkcsvf42s9fg4/AADH5ZjqOup0WmDD7rSOC4DFa?dl=0>

If you have any questions please let me know.

Your hard copies and fees are in the courier.

Gerrit,

**Gerrit Boerema**

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**From:** Fred Vrugteveen [REDACTED]  
**Sent:** March 21, 2022 3:59 PM  
**To:** Gerrit Boerema  
**Cc:** Craig Rohe; Beverly Hendry; Dave Bylsma; William Reilly; Cheryl Ganann; Harold Jonker; Shelley Bradaric; Albert Witteveen - Niagara Region; Jason Trombetta; Mike Rehner  
**Subject:** RE: West Lincoln Report - PD-26-2022 - Silverdale Gun Club Technical Report  
**Attachments:** Silverdale Gun Range Expansion.docx

Good Afternoon Gerrit

I am unable to attend as I am in another meeting tonight

Are you able to read my below comments as well as my attached letter from 2 years ago into the record

As a direct neighbour of this facility (I live at 4981 Regional Rd 20) I don't believe this development should be supported for the following reasons:

1. 5 ranges were built illegally and put into use without planning or CFO consent
2. If there is a need for additional shooting ranges in west Lincoln I recommend that they be built inside of buildings to prevent stray bullets and to reduce the noise impact on the neighbouring community
3. The proposed development is on an adjacent property that was joined to the current property by provision of the policy for agricultural lands. the assembly of agricultural lands for non-agricultural uses is not what should be pursued or supported. The underlying intent of this policy is to support agriculture, and in my opinion this expansion is very large and will have a negative impact on the agricultural area and adjacent residential dwellings. This development should be treated as an entirely new gun range from a development perspective
4. The range has not implemented adequate safety measures on outdoor ranges to prevent stray bullets from leaving there property Over the past 20 years and for many years before us, stray bullets have left the range and struck our property, many improvements have been made but not enough to guarantee that all bullets stay on range property.
5. At the very least all of the ranges should point in the same direction as the current ranges to prevent further conflict with additional neighbours with bullets that leave the range now being spread over a much larger area
6. This operation should not be a 7 day per week operation to allow the rest of the neighbourhood the benefit of enjoying the outdoors when the weather is nice... it should be closed Sunday's and Mondays for us to enjoy some quiet days
7. the fallout area (the area were bullet land if when they leave the range) for the ranges should meet the current design requirements for a new range
8. the people of west Lincoln should be provided with a noise study and a noise impact study on what happens when we have double the volume of guns shooting at this location

Thank you,

Fred Vrugteveen  
[REDACTED]  
[REDACTED]

**From:** Gerrit Boerema <gboerema@westlincoln.ca>  
**Sent:** March 18, 2022 4:39 PM  
**To:** Gerrit Boerema <gboerema@westlincoln.ca>  
**Subject:** West Lincoln Report - PD-26-2022 - Silverdale Gun Club Technical Report

Good Afternoon,

Please find attached PD-26-2022 \_ Silverdale Gun Club Technical Report to be presented to Planning Committee Monday March 21, 2022 starting at 6:30PM. If you would like to attend the meeting virtually please let me know.

Gerrit,



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

COVID 19 Update March 1, 2022 – Beginning March 1st, the Township of West Lincoln is continuing to implement next steps in the Province's Next Phase of Reopening.

Good Evening

My name is Fred Vrugteveen and my family, and I reside at 4981 Regional Rd. 20 St. Ann's. This property is directly south of the Silverdale Sports Centre, they shoot at us! We are an active family that lives on a 42-acre farm property that is one third forested and is a provincially significant wetland. We are legal gun owners and our family enjoys sport shooting and hunting as well. I am also a business owner and I own and operate Niagara Pallet with my family. We are avid supporters of the continued growth of businesses in our local community. Unfortunately due to other obligations I have I am not able to attend tonight's meeting to address my concerns in person

We oppose the proposed rezoning and bylaw amendment on several issues

- The portion of the property that the by law amendment is being requested for, is a farm property that was adjoined to the 4948 Conc 4 Rd. property and in light of this, the application should be for a rezoning of a new property for use as a gun range not as a zoning amendment to an existing use that has been grandfathered to the 4948 Conc. 4 Rd. location.
- It should be noted that the 5 ranges cited in the application were built and used illegally from 2013 to 2018. We are not confident that we can expect the operators of the Silverdale Sports Centre to follow the rules of building and operating a safe and legal gun range when they have blatantly disregarded the safety of the entire community but especially their neighbours with this illegal construction
- It should be noted that infrequently adjoining property owners find spent rounds of ammunition of varying calibres that have damaged the north faces of our buildings. Our property alone experienced this on at least 50 occasions since 2004. There have been significant improvements to the range, and they may exceed the minimum requirements for range construction, but they are still unable to guarantee that they can keep all the bullets they shoot on there own property. Adding more ranges will add more shooters which will add more shots which will result in more instances of rounds being shot beyond the range property and into neighbouring properties.
- The current range design may meet or exceed the CFO's requirements for range construction concerning baffles and back stop heights but they are unable to keep all rounds fired from the range from leaving the range property and entering neighbouring properties due to shooters over shooting the back stops or shots being deflected over the back stops. The RCMP range design manual from 1999 cites range safety areas of a minimum of 1000 meters to over 6000 meters from the firing line. The current range design has the firing line less than 350 meters from the edge of the property. So, I don't believe that the current range meets the RCMP requirements and the new ranges will not meet them as well.
- Additional ranges will mean additional shooters. We have adequate shooting capacity in our community for our community to shoot currently. The range expansions are meant to encourage shooters from other cities and will burden us with the noise, additional traffic on a gravel road and the danger of a shooting range with more shots being fired.
- Additional ranges with the same lack of safety will mean an increase in the frequency of bullets leaving the range property

- Property owners adjacent to the range currently do not receive quiet enjoyment of our properties and we will enjoy our properties less as we experience more shooters making more noise

In addition to my concerns cited above I believe that all gun ranges in the west Lincoln Township should post a security to the Township of West Lincoln to remediate damage caused by the use of the gun ranges to neighboring properties and they should also be required to provide an insurance confirmation to the Township for additional liability with the Township of West Lincoln as named insured

The township of west Lincoln has a responsibility to protect the safety of our community and all our citizens and expanding or adding another gun range does not do that. Additionally, the current requirements for ranges must be reviewed to ensure that all ranges in the township exceed the requirements of the RCMP manual for Range Safety areas and provide the level of safety we should expect in our community. Our current by laws regulating gun ranges requires an extensive review to insure that we are doing all that we are able to in our bylaws as the construction and use of gun ranges appears to be an area of regulation that isn't completely understood by our township.

Thank you,

Fred Vrugteveen

**Gerrit Boerema**

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**From:** Nikolas Wensing <nwensing@npca.ca>  
**Sent:** June 2, 2022 1:48 PM  
**To:** Gerrit Boerema  
**Subject:** Re: Silverdale Gun Club Meeting

Hello Gerrit,

Yes, after reviewing my previous comments once more your suggestion sounds reasonable. Previous NPCA comments requested revisions to the provided plans to reflect the second EIS Addendum. These revisions can be reviewed by NPCA staff after a future site plan submission is circulated to the NPCA.

As such, NPCA staff are satisfied with the Zoning By-law Amendment moving forward in the meantime.

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)

Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. The NPCA main office is open by appointment only with limited staff, please refer to the [Staff Directory](#) and reach out to the staff member you wish to speak or meet with directly.

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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>

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**From:** Gerrit Boerema <gboerema@westlincoln.ca>  
**Sent:** Wednesday, May 25, 2022 1:39 PM  
**To:** Nikolas Wensing <nwensing@npca.ca>  
**Subject:** RE: Silverdale Gun Club Meeting

Hi Nikolas,

Would the NPCA be supportive of the zoning amendment at this time and review the updated drawings as part of a future site plan submission? That way the NPCA still can comment on the site plan, but the zoning can move forward?

Gerrit,



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**From:** Nikolas Wensing <[nwensing@npca.ca](mailto:nwensing@npca.ca)>  
**Sent:** April 20, 2022 10:46 AM  
**To:** Young, Katie <[Katie.Young@niagararegion.ca](mailto:Katie.Young@niagararegion.ca)>; Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>  
**Subject:** Re: Silverdale Gun Club Meeting

Hello Gerrit,

My apologies for not getting back to you sooner, I have reviewed our most recent comments on this file. I note that while the NPCA was supportive of the EIS that had been provided for our review, we had asked for several of the design drawings to be updated to reflect the most recent EIS submission.

The NPCA would also like to request further details regarding the requested meeting. What is the applicant interested in discussing?

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)



## Attachment 5 to PD-56-2022

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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:** Young, Katie <[Katie.Young@niagararegion.ca](mailto:Katie.Young@niagararegion.ca)>

**Sent:** Wednesday, April 6, 2022 2:45 PM

**To:** Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>; Nikolas Wensing <[nwensing@npca.ca](mailto:nwensing@npca.ca)>

**Subject:** RE: Silverdale Gun Club Meeting

Hi Gerrit,

I've sent this along to other staff to determine availability. Did IBI Group indicate any specifics of what they were interested in discussing? The Regional comments provided were in a position to be supportive of the additional information provided for the AIA and EIS, so it would be helpful to understand any specifics of what they would like to discuss.

Thank you,

**Katie Young, MSc (PI)**

**Development Planner**

Planning and Development Services Department

Niagara Region | [www.niagararegion.ca](http://www.niagararegion.ca)

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

P: 905-980-6000 ext. 3727 Toll-free: 1-800-263-7215

E: [katie.young@niagararegion.ca](mailto:katie.young@niagararegion.ca)

---

**From:** Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>

**Sent:** Wednesday, April 6, 2022 2:05 PM

**To:** Young, Katie <[Katie.Young@niagararegion.ca](mailto:Katie.Young@niagararegion.ca)>; Nikolas Wensing <[nwensing@npca.ca](mailto:nwensing@npca.ca)>

**Subject:** Silverdale Gun Club Meeting

**CAUTION EXTERNAL EMAIL:** This email originated from outside of the Niagara Region email system. Use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hi Katie and Nikolas,

IBI Group who represents Silverdale Gun Club has requested a meeting to go over the most recent agency comments on their proposal.

Are you, and whomever needs to be included within the Region and NPCA available April 19 at 10AM or April 20 at 2PM?

Gerrit,



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**COVID 19 Update March 1, 2022 – Beginning March 1st, the Township of West Lincoln is continuing to implement next steps in the Province's Next Phase of Reopening.**

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## **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**

March 9, 2022

Region File No.: D.18.12.ZA-19-0136

Gerrit Boerema  
Planner II  
Township of West Lincoln  
318 Canborough Street  
Smithville, ON L0R 2A0

Dear Mr. Boerema:

**Re: Regional and Provincial Comments  
Proposed Zoning By-Law Amendment  
Township File No.: 1601-019-19  
Applicant/Agent: IBI Group  
Owner: Silverdale Sports Centre  
4948 & 4944 Concession 4 Road  
Township of West Lincoln**

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Regional Planning and Development Services staff have reviewed the proposed Zoning By-Law Amendment, which proposes legalizing four existing outdoor gun ranges and the expansion of four additional gun ranges. The amendment is to change a portion of the current zoning of Agriculture "A" to Agriculture "A-7" with a special exception to permit a portion of 4948 Concession 4 Road as a gun range. The approximate area of the proposed expansion and rezoning is 2.8 hectares.

Several preconsultation meetings have been held to discuss the proposed rezoning to address the five gun ranges that had previously been established on the subject lands and different iterations of the development proposal. Regional staff previously provided comments on the first submission (dated January 28, 2020) and the second submission (dated May 31, 2021). This letter is reflective of the information provided with the third submission, and includes the following information:

- Response to Comments regarding Addendum to Agricultural Impact Assessment ("AIA") dated October 26, 2021, prepared by Colville Consulting Inc.
- Response to Agency Comments Environmental Impact Study ("EIS") Addendum (dated January 24, 2022, prepared by Natural Resource Solutions Inc.)

The following comments are offered from a Provincial and Regional perspective to assist the Committee in considering the application. Regional comments related to the site plan application will be addressed separately.

## **Provincial and Regional Policies**

The subject lands are located within a Prime Agricultural Area under the *Provincial Policy Statement* (“PPS”), identified as Prime Agricultural Area in the Provincial Agricultural System under *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (“Growth Plan”), and designated as Good General Agricultural Area in the *Regional Official Plan* (“ROP”).

Provincial and Regional policies recognize agricultural land as a valuable asset that must be properly managed and protected. Non-agricultural uses are generally directed to settlement areas and discouraged in agricultural areas as they may have an adverse impact on the agricultural and natural resources in the area.

The *Growth Plan* contains policies for where agricultural and non-agricultural uses interface outside of settlement areas. The policies requires land use compatibility to be achieved, or where avoidance is not possible, minimizing and mitigating adverse impacts on the Agricultural System. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed. This should be based on an agricultural impact assessment.

As such, an Agricultural Impact Assessment (“AIA”) was requested to address land use compatibility and identify mitigation measures. An AIA and Addendum AIA (“Addendum”) prepared by Colville Consulting Inc., dated October 2019 and March 5, 2020 respectively, were submitted in order to identify and evaluate the impacts of the non-agricultural use (gun club) on the surrounding Agricultural System. In the Regional comment letter (dated May 31, 2021), Regional staff identified the need to have the AIA better aligned with the Province’s Draft Agricultural Impact Assessment Guidelines (“AIA Guidelines”). Additionally, concerns were raised regarding the study area, assessment of impacts and alternative locations, net impacts, and the recommendations and conclusions reached.

To address Regional concerns, Colville Consulting Inc. has provided a letter (dated October 26, 2021) in response to Regional comments regarding the AIA and Addendum. The letter includes a checklist of the Region’s Agricultural Impact Assessment Scoping Criteria and detail on how the checklist has been satisfied through the AIA and Addendum. Where information was not addressed through the AIA or Addendum, comments to satisfy gaps in the report have been provided.

### Study Area

The AIA Guidelines from the Ontario Ministry of Agriculture, Food and Rural Affairs (“OMAFRA”) identify a primary and secondary study area. The primary area for non-

agricultural uses is to follow the guidance for settlement area expansions and the amount of land area identified as necessary to accommodate growth, also referred to as the subject lands. The secondary area for non-agricultural uses varies and should include key infrastructure, assets, and services that could be removed or impacted by the non-agricultural use. In general the secondary area can range from 1km – 1.5km.

The primary study area outlined for the proposal is two separate parcels, 4948 Concession 4 Road and the neighbouring easterly parcel owned by Silverdale Gun Club (approximately 41.51 hectares). The secondary area identified in the AIA was a 1km radius surrounding the primary study area. The Addendum identifies that in order to address Regional comments with respect to alternative locations, a 1.5- 5km radius was reviewed. Regional staff are satisfied with the study areas reviewed and addressed through the AIA and Addendum.

#### Assessment of Impacts and Alternative Locations

The AIA Guidelines outline an assessment of how to avoid, minimize, and mitigate impacts to the agricultural system that are to be addressed as part of the AIA in order to inform recommendations. Consideration should also be given to the potential local and regional impacts of removing the primary study area lands; on agricultural lands, operations, and the agri-food sector within the surrounding area.

The AIA addressed direct impacts (agricultural land, agricultural infrastructure, agricultural land improvements, and potential effects on the agricultural system) and indirect impacts (potential impacts to adjacent farm operations). Additional analysis has been provided for assessing alternative locations.

The evaluation provided by the consultant concludes the following:

- Identifying a new location for the gun club in the prime agricultural area would have a greater negative impact, as all alternative locations are prime agricultural area in West Lincoln and therefore alternative sites were not identified.
- Soil mapping identifies the lands on and adjacent to the primary study area as heavy textured, poorly drained soils (CLI Class 3).
- There are several active and “retired” farm operations in the secondary study area, and that the proposed expansion will have no impact on those operations or retire any farm infrastructure.
- In terms of land improvements, several areas within the secondary study area have tile drainage improvements, however the proposed expansion will avoid impacting these areas.
- There are several livestock operations in the secondary study area, however the proposed land use is in compliance with the MDS I formulae.
- The primary study area is not located within Niagara’s Specialty Crop Area. The primary study area consists of low priority agricultural lands and no other reasonable location would have lower priority.

Regional staff are satisfied with the additional information provided.

### Net Impacts, Recommendations, and Conclusion

The net impacts identified through the AIA consisted solely of the loss of CLI Class 3 agricultural lands from the primary study area. Measures to ensure potential impacts are mitigated included erecting fencing and signage, managing surface waters, and maintenance of earthen berms and vegetative buffers.

The AIA and Addendum outline that a limited amount of land will be removed from the agricultural land base for expanding the gun ranges, which consists of CLI Class 3 lands. The conclusions reached identify that there will be no direct or indirect impacts to agricultural operations or agricultural practices as a result of the proposed expansion.

Regional staff acknowledge that the checklist provided with the submission is consistent with what Regional staff requested. Regional staff are satisfied with the work completed and the recommendations reached. Staff will provide recommended conditions of approval when the future Site Plan application is circulated to ensure that the mitigation measures identified in the AIA and Addendum are implemented.

### **Core Natural Heritage System**

The subject lands contain portions of the Region's Core Natural Heritage System ("CNHS") and are also identified by the *Growth Plan* as being part of the Provincial Natural Heritage System ("PNHS"). The CNHS consists of an Environmental Protection Area ("EPA") comprised of portions of the Saint Anns Slough Forest Provincially Significant Wetland ("PSW") and Area of Natural and Scientific Interest ("ANSI"), and an Environmental Conservation Area ("ECA") comprised of Significant Woodland. As well, one of the tributaries that traverses the properties through the PSW is identified as providing Important (Type 2) Fish Habitat. These EPA and ECA components as well as Fish Habitat are also considered Key Natural Heritage Features and/or Key Hydrologic Features ("KNHs"/"KHF") by the *Growth Plan*.

As such, an Environmental Impact Study ("EIS") was requested to confirm that the proposed development will not have negative impacts on the CNHS. An EIS and EIS Addendum prepared by Natural Resource Solutions Inc. (NRSI), dated October 2019 and February 2021 respectively, were submitted to describe and assess the natural heritage features known to occur on the subject lands, as well as to identify and assess any natural heritage features currently not mapped in the ROP. Regional Environmental Planning staff have reviewed both documents and are satisfied that all Regional concerns have been sufficiently addressed. Staff note that the Site Plan has been subject to multiple iterations to configure the development components to avoid encroachment into KNHFs/KHFs and their associated vegetation protection zones to the extent possible. The final Site Plan iteration avoids significant adverse impacts and as such, provided the recommended mitigation measures are effectively implemented, a net ecological benefit to the ecological and hydrological features is anticipated.

Staff offer no objection to the proposed Zoning By-law Amendment provided all Regional CNHS features and associated buffers, as recommended in the EIS and EIS Addendum, are placed into an appropriately restrictive environmental zone. Staff note that the Draft Zoning By-law circulated with the application appears to have adequately identified the extent of environmental zones in Schedule 'A'.

Staff will provide recommended conditions of approval when the future Site Plan application is circulated to ensure that the recommendations and mitigation measures identified in the EIS and EIS Addendum are implemented.

## **Stormwater Management**

Regional stormwater management comments are maintained from the Regional Comments letter dated May 31, 2021 and will be addressed through the future Site Plan submission.

## **Waste Collection**

Regional waste collection comments are maintained from the Regional Comments letter dated May 31, 2021 and will be addressed through the future Site Plan submission.

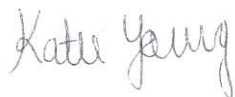
## **Conclusion**

Regional Planning and Development Service staff are satisfied with the additional information provided for the AIA, AIA Addendum, EIS, and EIS Addendum and do not object to the proposal, in principle, subject to the satisfaction of any local requirements. Regional staff will provide recommended conditions of approval when the future Site Plan application is submitted to ensure the recommendations and mitigation measures identified through the AIA, AIA Addendum, EIS, and EIS Addendum are implemented.

Please send copy of the staff report and notice of Council's decision on this application.

If you have any questions related to the above comments, please contact the undersigned at [Katie.Young@niagararegion.ca](mailto:Katie.Young@niagararegion.ca), or Cheryl Selig, Manager of Development Planning at [Cheryl.Selig@niagararegion.ca](mailto:Cheryl.Selig@niagararegion.ca).

Kind regards,



Katie Young  
Development Planner

cc: Adam Boudens, Senior Environmental Planner/Ecologist

Cara Lampman, Manager, Environmental Planning  
Cheryl Selig, MCIP, RPP, Manager (A), Development Planning  
Erik Acs, MCIP, RPP, Manager, Community Planning  
Pat Busnello, MCIP, RPP, Director (A), Development Approvals



March 9, 2022

Gerrit Boerema, Planner II  
318 Canborough St. P.O. Box 400  
Smithville, ON L0R 2A0

**VIA EMAIL ONLY**

**NPCA FILE NO.: PLZBLA202100583**

**SUBJECT: NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA) COMMENTS FOR ZONING BY-LAW AMENDMENT AND SITE PLAN APPROVAL APPLICATIONS AT 4948 AND 4944 CONCESSION 4 ROAD IN THE TOWNSHIP OF WEST LINCOLN – FILE NO. 1601-019-19**

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The NPCA has reviewed the information provided in the second Environmental Impact Study (EIS) Addendum prepared by Natural Resource Solutions Inc. (NRSI), issued in response to NPCA comments on the first EIS Addendum by NRSI, dated February 2021, which was submitted in support of the proposed Zoning By-law Amendment and Site Plan Approval applications at the subject lands, 4948 and 4944 Concession 4 Road, West Lincoln ARN 260202001023800 and 260202001023900. As part of the Township's review process, the NPCA has been circulated the application for review due to the presence of Regulated Areas on the property. Based on our review, we offer the following comments.

#### **NPCA Policies**

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 the Administration of Ontario Regulation 155/06 and the Planning Act (NPCA policies) provides direction for managing NPCA regulated features.

The NPCA's Regulation Mapping indicates that numerous NPCA regulated Watercourses, Provincially Significant Wetlands (PSW), and Unevaluated Wetlands are located on the subject lands.

1. The additional information provided in the second EIS Addendum is satisfactory to address previous NPCA comments. However, the NPCA will require that the following plans be submitted for NPCA review and approval to reflect the second EIS Addendum submission:
  - a. An updated Grading Plan which indicates the scope, nature and location of the two proposed shooting berms, and all site alterations associated with the proposed shooting berms on the subject lands.
  - b. Sediment and Erosion Control Plan(s) which clearly indicate setbacks to NPCA regulated features on the subject lands.
  - c. Detailed Restoration and Enhancement Plan(s) as outlined in the most recent submission of the EIS Addendum.
  - d. A Monitoring Plan.
    - i. NPCA staff request that this plan outline monitoring of the Headwater Drainage Features (HDF) through the proposed shooting berms. Should negative impacts to HDFs resulting from gun range activities be observed (debris, lack of vegetation etc.), adaptive management will be required.
  - e. A Construction Sequencing and Phasing Plan which outlines the sequence of major project activities.



## Conclusion

To conclude, the NPCA is satisfied that the additional information provided in the second EIS Addendum is satisfactory to address previous NPCA comments. However, the NPCA is not able to support the proposed Zoning By-law Amendment and Site Plan Approval applications until the NPCA has reviewed and approved the above-mentioned plans. The NPCA would like to suggest that the proposed Zoning By-law Amendment and Site Plan Approval applications be deferred until we have had the opportunity to review the requested information mentioned above. The applicants should be made aware that any works (development or site alterations) which are proposed within or adjacent to the above noted NPCA regulated features will require work permits from this office. All proposals and plans shall be circulated to the NPCA for review and approval prior to the commencement of any works on site. Should the applicant apply for a permit from the NPCA, all applicable permit fees will be required through the permitting process.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Nikolas Wensing'.

Nikolas Wensing, Watershed Planner  
Niagara Peninsula Conservation Authority

**Gerrit Boerema**

---

**From:** Lyle Killins <lkillins@live.com>  
**Sent:** February 18, 2022 11:19 AM  
**To:** Gerrit Boerema  
**Subject:** Re: Notice of Second Hearing for Zoning Bylaw Amendment - Silverdale Sports Centre - File No. 1601-019-19

Hello Gerrit

Please be advised the correspondence provided by Mr .Robert A. Passmore, PEng. dated January 24,2022 has been reviewed as it relates to Part 8,Ontario Building Code. When considered in relation with the Hydrogeological Study provided WSP Group dated October 31,2019, it would appear that the requirements as defined in the O.B.C. could be fulfilled. Thus,no objection to the Zoning Bylaw Amendment as currently proposed as it relates to the O.B.C. Part 8.

Required building permit applications will be upon receipt at this office continue to be reviewed to ensure Code compliance.

We trust the preceding serves as required, however should additional information and or clarification be needed please contact this office at 905-957-3346.

Respectfully submitted.

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

BCIN# 11112

---

**From:** Gerrit Boerema <gboerema@westlincoln.ca>  
**Sent:** February 14, 2022 10:08 AM  
**To:** Lyle Killins <lkillins@live.com>  
**Subject:** RE: Notice of Second Hearing for Zoning Bylaw Amendment - Silverdale Sports Centre - File No. 1601-019-19

Hi Lyle,

I didn't include this to the general group, but it is septic related.

Gerrit,

	<b>Gerrit Boerema</b>
	<b>Planner II</b>
	Tel: 905-957-3346 ext.5133 Email: <a href="mailto:gboerema@westlincoln.ca">gboerema@westlincoln.ca</a> Web: <a href="http://www.westlincoln.ca">www.westlincoln.ca</a>
	

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## Attachment 5 to PD-56-2022

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COVID 19 Update January 27, 2022 – Starting January 31st, the Township of West Lincoln is proceeding with implementing the Province's steps to cautiously and gradually ease Public Health measures. Please read the latest update on our [website](#)

**From:** Lyle Killins [mailto:[lkillins@live.com](mailto:lkillins@live.com)]

**Sent:** February 10, 2022 11:13 AM

**To:** Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>

**Subject:** Re: Notice of Second Hearing for Zoning Bylaw Amendment - Silverdale Sports Centre - File No. 1601-019-19

Thank you Gerrit

I will review and report back.

Stay safe

Lyle

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**From:** Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>

**Sent:** February 10, 2022 9:32 AM

**To:** 'Alderman, Aimee' <[Aimee.Alderman@niagararegion.ca](mailto:Aimee.Alderman@niagararegion.ca)>; 'Development Planning Applications' <[devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca)>; 'Busnello, Pat' <[pat.busnello@niagararegion.ca](mailto:pat.busnello@niagararegion.ca)>; Nikolas Wensing <[nwensing@npca.ca](mailto:nwensing@npca.ca)>; DL-Council Members <[DL-CouncilMembers@westlincoln.ca](mailto:DL-CouncilMembers@westlincoln.ca)>; Joanne Scime <[jscime@westlincoln.ca](mailto:jscime@westlincoln.ca)>; Jessica Dyson <[jdyson@westlincoln.ca](mailto:jdyson@westlincoln.ca)>; Lisa Kasko-Young <[lyoung@westlincoln.ca](mailto:lyoung@westlincoln.ca)>; 'Sue Mabee' <[Sue.Mabee@dsbn.org](mailto:Sue.Mabee@dsbn.org)>; [Clark.Euale@ncdsb.com](mailto:Clark.Euale@ncdsb.com) <[Clark.Euale@ncdsb.com](mailto:Clark.Euale@ncdsb.com)>; Young, Katie <[Katie.Young@niagararegion.ca](mailto:Katie.Young@niagararegion.ca)>; CP Proximity-Ontario <[CP\\_Proximity-Ontario@cpr.ca](mailto:CP_Proximity-Ontario@cpr.ca)>; [Ron.Etchen@mpac.ca](mailto:Ron.Etchen@mpac.ca) <[Ron.Etchen@mpac.ca](mailto:Ron.Etchen@mpac.ca)>; [tedc@metisnation.org](mailto:tedc@metisnation.org) <[tedc@metisnation.org](mailto:tedc@metisnation.org)>; [consultations@metisnation.org](mailto:consultations@metisnation.org) <[consultations@metisnation.org](mailto:consultations@metisnation.org)>; [pontdj@hotmail.com](mailto:pontdj@hotmail.com) <[pontdj@hotmail.com](mailto:pontdj@hotmail.com)>; [jocko@sixnations.com](mailto:jocko@sixnations.com) <[jocko@sixnations.com](mailto:jocko@sixnations.com)>; [hdi@bellnet.ca](mailto:hdi@bellnet.ca) <[hdi@bellnet.ca](mailto:hdi@bellnet.ca)>; [traceyghdi@gmail.com](mailto:traceyghdi@gmail.com) <[traceyghdi@gmail.com](mailto:traceyghdi@gmail.com)>; [fawn.sault@mncfn.ca](mailto:fawn.sault@mncfn.ca) <[fawn.sault@mncfn.ca](mailto:fawn.sault@mncfn.ca)>; [megan.devries@mncfn.ca](mailto:megan.devries@mncfn.ca) <[megan.devries@mncfn.ca](mailto:megan.devries@mncfn.ca)>; [peter.epler@mncfn.ca](mailto:peter.epler@mncfn.ca) <[peter.epler@mncfn.ca](mailto:peter.epler@mncfn.ca)>; [lonnybomberry@sixnations.ca](mailto:lonnybomberry@sixnations.ca) <[lonnybomberry@sixnations.ca](mailto:lonnybomberry@sixnations.ca)>; [tanyahill-montour@sixnations.ca](mailto:tanyahill-montour@sixnations.ca) <[tanyahill-montour@sixnations.ca](mailto:tanyahill-montour@sixnations.ca)>; [executivedirector@nrnc.ca](mailto:executivedirector@nrnc.ca) <[executivedirector@nrnc.ca](mailto:executivedirector@nrnc.ca)>; [executivedirector@fenfc.org](mailto:executivedirector@fenfc.org) <[executivedirector@fenfc.org](mailto:executivedirector@fenfc.org)>; Jennifer Bernard <[jbernard@westlincoln.ca](mailto:jbernard@westlincoln.ca)>; Dennis Fisher <[dfisher@westlincoln.ca](mailto:dfisher@westlincoln.ca)>; John Bartol <[jbartol@westlincoln.ca](mailto:jbartol@westlincoln.ca)>; John Schonewille <[jschonewille@westlincoln.ca](mailto:jschonewille@westlincoln.ca)>; Tiana Dominick <[tdominick@westlincoln.ca](mailto:tdominick@westlincoln.ca)>; Lyle Killins <[lkillins@live.com](mailto:lkillins@live.com)>; Beverly Hendry <[bhendry@westlincoln.ca](mailto:bhendry@westlincoln.ca)>; Ray Vachon <[rvachon@westlincoln.ca](mailto:rvachon@westlincoln.ca)>; Fred vanderVelde <[fredv@royallepage.ca](mailto:fredv@royallepage.ca)>; West Lincoln Chamber <[westlincolnchamber@bellnet.ca](mailto:westlincolnchamber@bellnet.ca)>; Jared Marcus <[Jared.Marcus@IBIGroup.com](mailto:Jared.Marcus@IBIGroup.com)>

**Subject:** Notice of Second Hearing for Zoning Bylaw Amendment - Silverdale Sports Centre - File No. 1601-019-19

Good Morning,

Please find attached the notice of Public Meeting for Silverdale Gun Club and the addendums to the Agricultural Impact Assessment and the Environmental Impact Assessment.

If you have any questions please let me know.

Gerrit,

**Gerrit Boerema**



**Planner II**

Tel: 905-957-3346 ext.5133

Email: [gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)

Web: [www.westlincoln.ca](http://www.westlincoln.ca)



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COVID 19 Update January 27, 2022 – Starting January 31st, the Township of West Lincoln is proceeding with implementing the Province's steps to cautiously and gradually ease Public Health measures. Please read the latest update on our [website](#)

**From:** Gerrit Boerema

**Sent:** December 12, 2019 11:54 AM

**To:** Cara Lampman <[cllampman@npca.ca](mailto:cllampman@npca.ca)>; Jessica Abrahamse <[jabrahamse@npca.ca](mailto:jabrahamse@npca.ca)>; Alderman, Aimee <[Aimee.Alderman@niagararegion.ca](mailto:Aimee.Alderman@niagararegion.ca)>; Development Planning Applications <[devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca)>; Busnello, Pat <[pat.busnello@niagararegion.ca](mailto:pat.busnello@niagararegion.ca)>

**Subject:** Notice of Hearing for Zoning Bylaw Amendment - Silverdale Sports Centre - File No. 1601-019-19

Good Afternoon,

Please find attached and in the dropbox link below the notice and application for Silverdale Sports Centre Zoning Bylaw Amendment. Comments are due January 28, 2020.

<https://www.dropbox.com/sh/48tkcsvf42s9fg4/AADH5ZjqOup0WmDD7rSOC4DFa?dl=0>

If you have any questions please let me know.

Your hard copies and fees are in the courier.

Gerrit,

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**BY-LAW NO. 2022- ##**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2017- 70, AS  
AMENDED, OF THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS THE TOWNSHIP OF WEST LINCOLN COUNCIL IS EMPOWERED TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, 1990;**

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:**

1. THAT Schedule 'A' Map 'D8' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Concession 4, Part Lot 16, PIN 46079-0111(LT) formerly in the Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, located on Concession 4 Road, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'D8' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural 'A' zone to an Agricultural 'A-7 (H-9)' zone with a site specific exception and Holding zone.
3. THAT Map 'D8' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural 'A' zone to an Environmental Protection 'EP' zone with a site specific exception and Holding zone.
4. THAT Part 13 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.1, Table 28:
  1. H-9  
Permitted Uses:  
*Private club, limited to a gun club, provided that no residential use shall be permitted except for an existing dwelling, unless the gun club ceases and all related buildings and structure are removed.*  
Regulations:  
Holding Provision shall not be removed until such time that the subject property being PIN: 46079-0111(LT) is merged on title with PIN:46079-0110 (LT) and there is an approved site plan on the resulting properties.
5. THAT all other provisions of By-law 2017-70 continue to apply.
6. AND THAT this By-law shall become effective from and after the date of passing thereof.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
27<sup>th</sup> DAY OF JUNE 2022.**

**MAYOR DAVE BYLSMA**

**JOANNE SCIME, CLERK**

DRAFT

## **EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2022-XX**

### **Location:**

This By-law involves a parcel of land located on the south side of Concession 4 Road, legally known as Concession 4, Part Lot 16, formerly in the Township of Gainsborough, now in the Township of West Lincoln, PIN: 46079-0111(LT).

### **Purpose & Effect:**

The rezoning application to rezone a portion of the subject lands from an Agricultural 'A' zone to an Agricultural 'A-7' (H-9) zone with a site specific exception to permit a private gun club and a Holding provision to ensure that the property is merged with the abutting westerly parcel and a site plan is completed prior to the 'A-7' zoning provisions coming into effect.

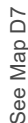
### **Public Consultation:**

Two Public Meetings were held on Monday February 10<sup>th</sup> 2020 and Monday, March 21<sup>st</sup>, 2022. Two written submissions were made prior to each public meeting from members of the public. These written submissions were considered by Council in the decision making.

File: 1601-019-19

Applicants: Silverdale Sports Centre & Joan Miller Trustee.

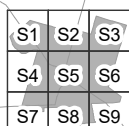




See Map D9

## Agricultural 'A' to A-7 (H-9)

See Map E7



- Page 382 of 396

Zoning By-law No.2017-70

Map

# D8

Last Updated: January 2021

**DATE:** June 13, 2022

**REPORT NO:** PD-57-2022

**SUBJECT:** **Recommendation Report - Development Agreement  
Authorization - Giro Estates 5482 Twenty Mile Road (File No.  
2100-015-21)**

**CONTACT:** Gerrit Boerema, Planner II  
Brian Treble, Director of Planning & Building

**OVERVIEW:**

- An application for a development agreement has been submitted by Upper Canada Consulting on behalf of the ownership group of 5482 Twenty Mile Road.
- On May 12, 2021, three severance applications were granted provisional consent approval on a 3.4 hectare parcel of land located in the Hamlet of St. Anns with frontage on Twenty Mile Road and Meadow Court, municipally addressed as 5482 Twenty Mile Road.
- A condition within each of the provisional consent approvals was that the owner enter into a Development agreement with the Township to govern the development on the property and to specifically address:
  - Improvements to Meadow Court cul-de-sac to allow for three additional entrances
  - Grading and drainage on the subject lands
  - Implement the Hydrogeological Study regarding private septic servicing
  - Implement the findings of the Environmental Impact Study
  - Construct privacy fencing along the lot boundaries of 2480 and 2481 Meadow Court.
- A development agreement has been drafted and there are only a number of minor issues remaining with the engineering submission, therefore Township Planning Staff are recommending that the Mayor and Clerk be authorized to enter into a development agreement with the Giro family (registered owners of the property) and any mortgagees.

**RECOMMENDATION:**

1. That, Report PD-57-2022 "Recommendation Report, Development Agreement Authorization Giro Estates 5482 Twenty Mile Road, File No. 2100-015-21" dated June 13, 2022, BE RECEIVED; and,
2. That, Committee and Council authorize the Mayor and Clerk to enter into a development agreement with Albino Giro, Marcus Bruno Giro, Stephan Lino Giro,

Nathan Joseph Giro-Norton, Palmira Giro-Norton, Anthony Daniel Giro-Norton, and any mortgagees, once all development details have been worked out to the satisfaction of the Director of Planning and Building.

**ALIGNMENT TO STRATEGIC PLAN:**

**Theme #**

- **Strategic Responsible Growth**

**BACKGROUND:**

In February of 2021 Upper Canada Consultants, on behalf of the Giro family, submitted three applications for consent to create new lots on 5482 Twenty Mile Road. 5482 Twenty Mile Road is located in the Hamlet of St. Anns and is bound by Twenty Mile Road to the north, Meadow Court to the east and the Twenty Mile Creek to the South. The subject property is 3.4 hectares in area.

The three severance applications were provisionally approved in May of 2021 and are subject to the completion of a number of conditions. Once fully approved, the subject land will contain five residential lots varying in area from 0.42 hectares (Lots 1, 2, 3 & 4) and 1.72 hectares (Lot 5 including floodplain lands).

One of the conditions required in each of the severance applications is the requirement for the owner to apply for, and obtain approval of a development agreement to govern the developments of these five lots.

**CURRENT SITUATION:**

Upper Canada Consultants, on behalf of the Giro family, has submitted a development agreement application for the subject property accompanied with grading and drainage plans and upgrades to the cul-de-sac on Meadow Court. The condition of consent approval required a development agreement to address the following items:

- a. The requirement for entrance permits for new driveway entrances, including the requirement for a paved apron;
- b. The Meadow Court Cul-de-sac be improved and widened to a Township standard, including the requirement of a Geotechnical Study, to the satisfaction of the Township of West Lincoln Public Works Department;
- c. A grading & drainage plan, sediment and erosion control plan be submitted to the Township of West Lincoln, including all on and off site works, to the satisfaction of the Township Public Works Department;
- d. Implementation of the recommendations within the Hydrogeological Study, completed by Terra-Dynamics consulting, concerning private services, to the satisfaction of the Township of West Lincoln Planning Department and the Niagara Region Planning Department;
- e. Implementation of the mitigation measures within the Environmental Impact Study, completed by LCA Environmental Consultants;
- f. Privacy fencing along the lot boundaries of 2480 and 2481 Meadow Court, but not extending into the floodplain;
- g. The planting of one tree in the front yard of each new lot; and
- h. The collection of securities to guarantee the works required, including, but not limited to a \$10,000 lot grading deposit.

Upper Canada Consultants have provided plans which address the above conditions and a draft development agreement has been prepared which further addresses the conditions of the provisionally approved consent.

There are a few minor issues that still need to be addressed through a final engineering submission, however, at this time staff recommend that Committee and Council authorize the Mayor and Clerk to enter into a Development Agreement with the Giro family once these last few minor issues are addressed, to the satisfaction of the Director of Planning and Building.

#### **FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this report. Security deposits and an administration fee will be required prior to the completion of the development agreement, to ensure that the subject lands are developed in accordance with the approved plans.

#### **INTER-DEPARTMENTAL COMMENTS:**

This application has been circulated to the Region of Niagara, the NPCA and the Township Public Works Departments. The Region of Niagara and NPCA have requested a number of conditions be added to the Development Agreement regarding archaeological and environmental considerations. The Township Public Works Department has a number of minor revisions needed to the plans prior to their sign off. These comments have been provided to the applicants.

#### **CONCLUSION:**

Township Planning Staff are recommending Committee and Council to authorize the Mayor and Clerk to enter into a development agreement with the Giro family and any mortgagees (if applicable) to fulfil a condition of consent and to permit development on the subject lands.

#### **ATTACHMENTS:**

1. Severance Sketch
2. Giro Estates Grading Plan
3. Draft Development Agreement Authorization bylaw

**Prepared & Submitted by:**



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**Gerrit Boerema**  
**Planner II**



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**Brian Treble**  
**Director of Planning & Building**

**Approved by:**



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**Bev Hendry**  
**CAO**



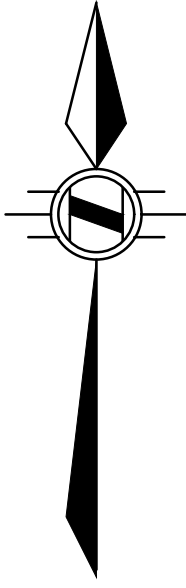
SKETCH FOR LAND DIVISION  
OF PART OF  
LOT 22  
CONCESSION 6  
GEOGRAPHIC  
TOWNSHIP OF GAINSBOROUGH  
IN THE  
TOWN OF LINCOLN  
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:500 METRIC

S.D. McLAREN, O.L.S. - 2020

TWENTY MILE ROAD  
(REGIONAL ROAD 69, LIMIT CONFIRMED BY PLAN BA-1573)  
(26.215m WIDTH)  
CENTRELINE OF PAVEMENT

KEY MAP



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METRIC NOTE:  
DISTANCES AND COORDINATES  
SHOWN ON THIS PLAN ARE IN  
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BY DIVIDING BY 0.3048

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■ MONUMENT FOUND  
IB IRON BAR  
PB ROUND IRON BAR  
CP PLASTIC BAR  
SB CONCRETE PIN  
SSB STANDARD IRON BAR  
824 A.T. McLAREN, O.L.S.  
895 D.A. LANE, O.L.S.  
1639 R.S. KIRKUP, O.L.S.  
1412 M.J. THORNTON, O.L.S.  
1497 J.P. NOUWENS, O.L.S.  
M2 MEASURED  
CLF CHAIN LINK FENCE  
PWF POST AND WIRE FENCE  
P1 PLAN 30M-370  
P2 PLAN 30M-219  
P3 PLAN RD 140  
P4 PLAN 30M-5122

BEARING NOTE:  
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED  
REFERENCE POINTS A AND B, BY REAL TIME NETWORK  
OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY  
MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997993

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LANDS TO BE SEVERED

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AREA=0.42± HECTARES  
LANDS TO BE SEVERED

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AREA=0.42± HECTARES  
LANDS TO BE RETAINED

LOT 4  
AREA=0.42± HECTARES  
LANDS TO BE SEVERED

LOT 5  
AREA=1.73± HECTARES  
(0.42± NOT INCLUDING FLOOD PLAIN)  
LANDS TO BE RETAINED

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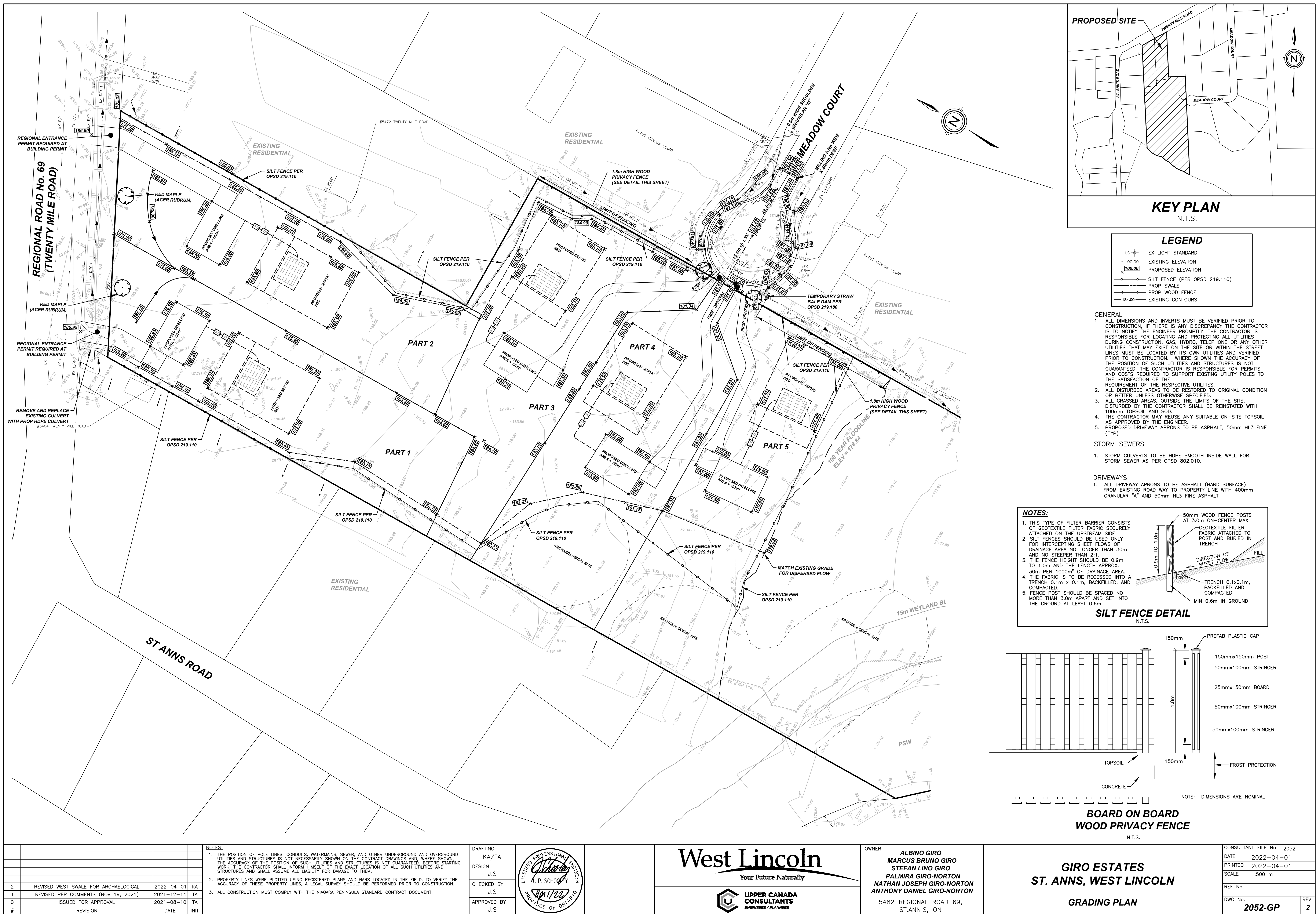
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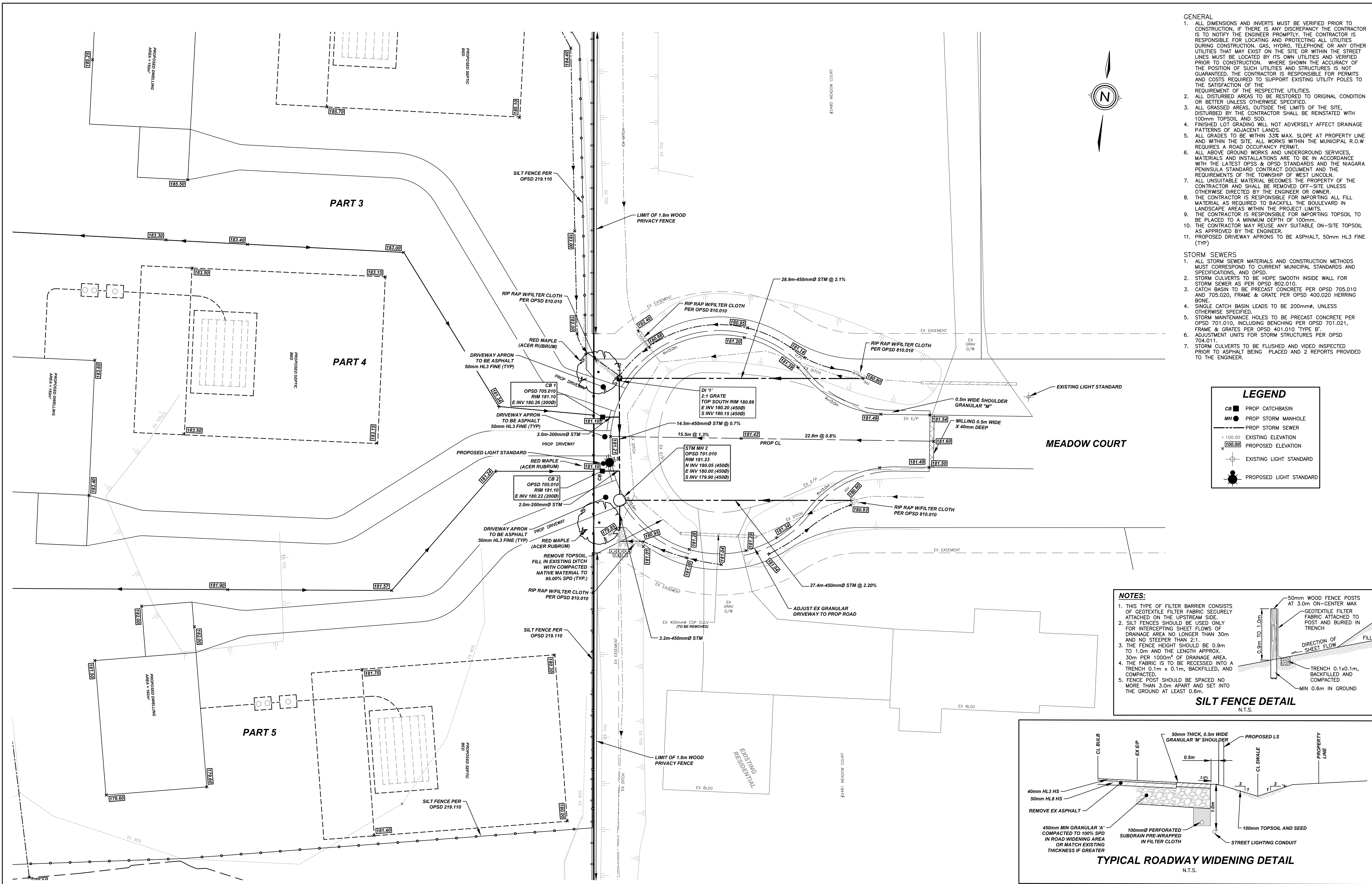
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- GENERAL
1. ALL DIMENSIONS AND INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION, IF THERE IS ANY DISCREPANCY THE CONTRACTOR IS TO NOTIFY THE ENGINEER PROMPTLY. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES DURING CONSTRUCTION. GAS, HYDRO, TELEPHONE OR ANY OTHER UTILITIES THAT MAY EXIST ON THE SITE OR WITHIN THE STREET LINES MUST BE LOCATED BY ITS OWN UTILITIES AND VERIFIED PRIOR TO CONSTRUCTION. WHERE SHOWN THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR PERMITS AND COSTS REQUIRED TO SUPPORT EXISTING UTILITY POLES TO THE SATISFACTION OF THE REQUIREMENT OF THE RESPECTIVE UTILITIES.
  2. ALL DISTURBED AREAS TO BE RESTORED TO ORIGINAL CONDITION OR BETTER UNLESS OTHERWISE SPECIFIED.
  3. ALL GRASSED AREAS, OUTSIDE THE LIMITS OF THE SITE, DISTURBED BY THE CONTRACTOR SHALL BE REINSTATED WITH 100mm TOPSOIL AND SOD.
  4. FINISHED LOT GRADING WILL NOT ADVERSELY AFFECT DRAINAGE PATTERNS OF ADJACENT LANDS.
  5. ALL GRADES TO BE WITHIN 33% MAX. SLOPE AT PROPERTY LINE AND WITHIN THE SITE. ALL WORKS WITHIN THE MUNICIPAL R.O.W. REQUIRES A ROAD OCCUPANCY PERMIT.
  6. ALL ABOVE GROUND WORKS AND UNDERGROUND SERVICES, MATERIALS AND INSTALLATIONS ARE TO BE IN ACCORDANCE WITH THE LATEST OPSS & OPSD STANDARDS AND THE NIAGARA PENINSULA STANDARD CONTRACT DOCUMENT AND THE REQUIREMENTS OF THE TOWNSHIP OF WEST LINCOLN.
  7. ALL UNSUITABLE MATERIAL BECOMES THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED OFF-SITE UNLESS OTHERWISE DIRECTED BY THE ENGINEER OR OWNER.
  8. THE CONTRACTOR IS RESPONSIBLE FOR IMPORTING ALL FILL MATERIAL AS REQUIRED TO BACKFILL THE BOULEVARD IN LANDSCAPE AREAS WITHIN THE PROJECT LIMITS.
  9. THE CONTRACTOR IS RESPONSIBLE FOR IMPORTING TOPSOIL TO BE PLACED TO A MINIMUM DEPTH OF 100mm.
  10. THE CONTRACTOR MAY REUSE ANY SUITABLE ON-SITE TOPSOIL AS APPROVED BY THE ENGINEER.
  11. PROPOSED DRIVEWAY APRONS TO BE ASPHALT, 50mm HL3 FINE (TYP)

- STORM SEWERS
1. ALL STORM SEWER MATERIALS AND CONSTRUCTION METHODS MUST CORRESPOND TO CURRENT MUNICIPAL STANDARDS AND SPECIFICATIONS, AND OPSD.
  2. STORM CULVERTS TO BE HDPE SMOOTH INSIDE WALL FOR STORM SEWER AS PER OPSD 802.010.
  3. CATCH BASIN TO BE PRECAST CONCRETE PER OPSD 705.010 AND 705.020, FRAME & GRATE PER OPSD 400.020 HERRING BONE.
  4. SINGLE CATCH BASIN LEADS TO BE 200mmØ, UNLESS OTHERWISE SPECIFIED.
  5. STORM MAINTENANCE HOLES TO BE PRECAST CONCRETE PER OPSD 701.010, INCLUDING BENCHING PER OPSD 701.021, FRAME & GRATES PER OPSD 401.010 "TYPE B".
  6. ADJUSTMENT UNITS FOR STORM STRUCTURES PER OPSD 704.011.
  7. STORM CULVERTS TO BE FLUSHED AND VIDEO INSPECTED PRIOR TO ASPHALT BEING PLACED AND 2 REPORTS PROVIDED TO THE ENGINEER.

**LEGEND**

- CB ■ PROP CATCHBASIN
- MH ● PROP STORM MANHOLE
- PROP STORM SEWER
- + 100.00 EXISTING ELEVATION
- + 100.00 PROPOSED ELEVATION
- ⊙ EXISTING LIGHT STANDARD
- ⊙ PROPOSED LIGHT STANDARD

**NOTES:**

1. THIS TYPE OF FILTER BARRIER CONSISTS OF GEOTEXTILE FILTER FABRIC SECURELY ATTACHED ON THE UPSTREAM SIDE.
2. SILT FENCES SHOULD BE USED ONLY FOR INTERCEPTING SHEET FLOWS OF DRAINAGE AREA NO LONGER THAN 30m AND NO STEEPER THAN 2:1.
3. THE FENCE HEIGHT SHOULD BE 0.9m TO 1.0m AND THE LENGTH APPROX. 30m PER 1000m² OF DRAINAGE AREA.
4. THE FABRIC IS TO BE RECESSED INTO A TRENCH 0.1m x 0.1m, BACKFILLED, AND COMPACTED.
5. FENCE POST SHOULD BE SPACED NO MORE THAN 3.0m APART AND SET INTO THE GROUND AT LEAST 0.6m.

**SILT FENCE DETAIL**  
N.T.S.

**TYPICAL ROADWAY WIDENING DETAIL**  
N.T.S.

<p>NOTES:</p> <ol style="list-style-type: none"><li>1. THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWER, AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.</li><li>2. PROPERTY LINES WERE PLOTTED USING REGISTERED PLANS AND BARS LOCATED IN THE FIELD TO VERIFY THE ACCURACY OF THESE PROPERTY LINES. A LEGAL SURVEY SHOULD BE PERFORMED PRIOR TO CONSTRUCTION.</li><li>3. ALL CONSTRUCTION MUST COMPLY WITH THE NIAGARA PENINSULA STANDARD CONTRACT DOCUMENT.</li></ol>				<p>DRAFTING KA/TA DESIGN J.S. CHECKED BY J.S. APPROVED BY J.S.</p>		<p>West Lincoln Your Future Naturally</p> <p>UPPER CANADA CONSULTANTS ENGINEERS / PLANNERS</p>	<p>OWNERS <b>ALBINO GIRO</b> <b>MARCUS BRUNO GIRO</b> <b>STEFAN LINO GIRO</b> <b>PALMIRA GIRO-NORTON</b> <b>NATHAN JOSEPH GIRO-NORTON</b> <b>ANTHONY DANIEL GIRO-NORTON</b> 5482 REGIONAL ROAD 69, ST. ANN'S, ON</p>		<p><b>GIRO ESTATES</b> <b>ST. ANNS, WEST LINCOLN</b> <b>SERVICING AND GRADING PLAN</b></p>		<p>CONSULTANT FILE No. 2052 DATE 2022-04-01 PRINTED 2022-04-01 SCALE 1:200 m REF No. DWG No. <b>2052-SGP</b> REV <b>2</b></p>	
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# Post Top CY18T4/CY13T4/CY11T4

## Ordering Template

MODEL	LENS	DIST.	WATT	CCT	VOLT	REDUCER	OPTIONS	COLOR	TEXTURE	OP.FIN.
CY18T4A	VS3AR	2	34W	3K	120	NONE	NONE	BK	TX	MG
CY18T4B	VS3AP	3	50W	4K	208	R28	PROG	DG	SM	
CY18T4C		3M	68W		240	R30	PC	MA		
CY13T4A		4			277			SI		
CY13T4B		5			347			BG		
CY13T4C		2HS			480			GM		
CY11T4A		3HS						PG		
CY11T4B		3MHS						WH		
CY11T4C		4HS								
CY11T4D										

\* NOT AVAILABLE FOR 480V

CY18T4A-VS3AR-4HS-34W-4K-120-PROG-PC

## ORDERING CODE

## References

LENS	COLOR
VS3AR	GLOBE ACRYLIC RIBBED
VS3AP	GLOBE ACRYLIC POND

DISTRIBUTION	CCT
HS	INTERNAL HOUSE SHIELD
SEE PHOTOMETRIC PAGE FOR DETAILS	

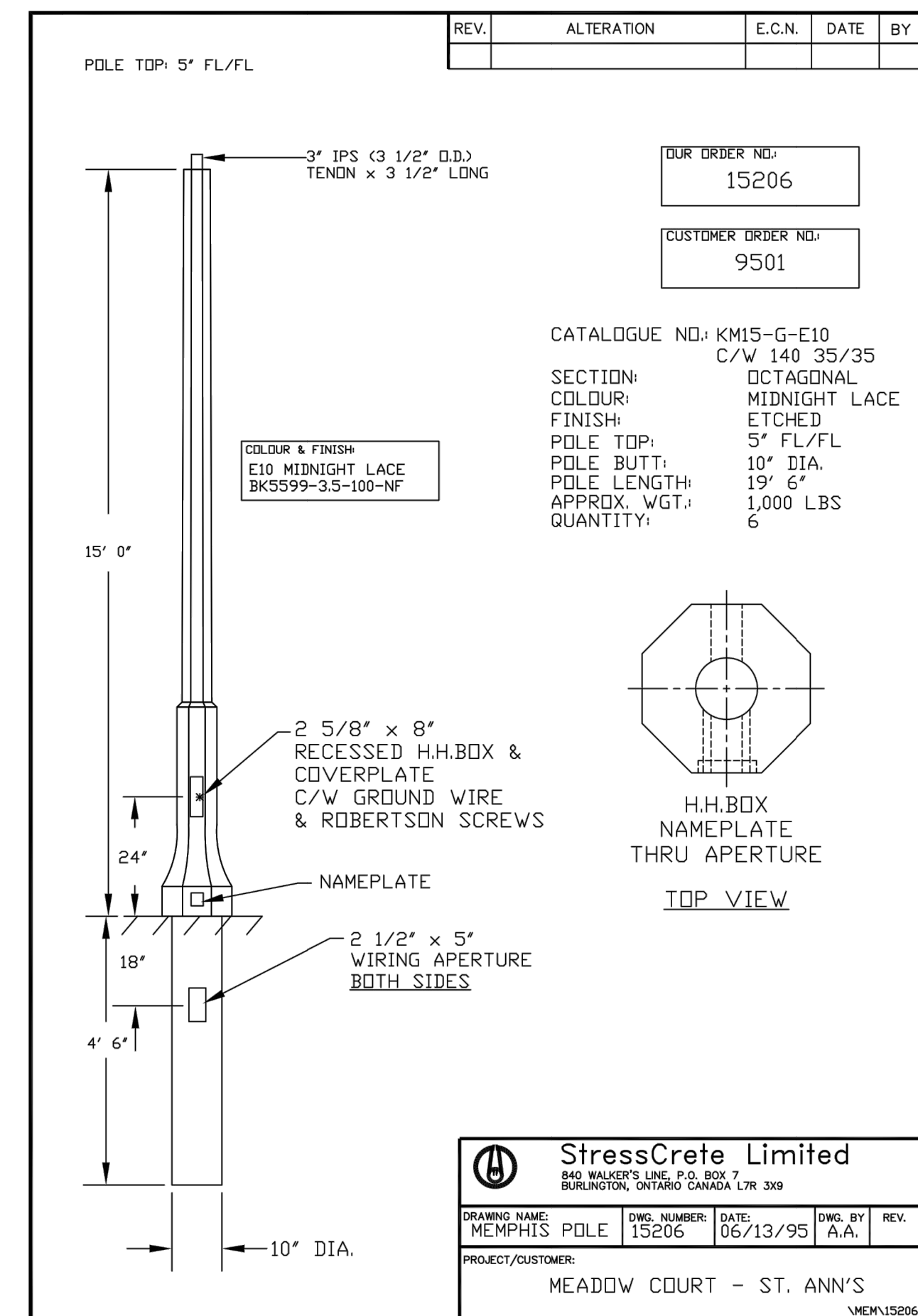
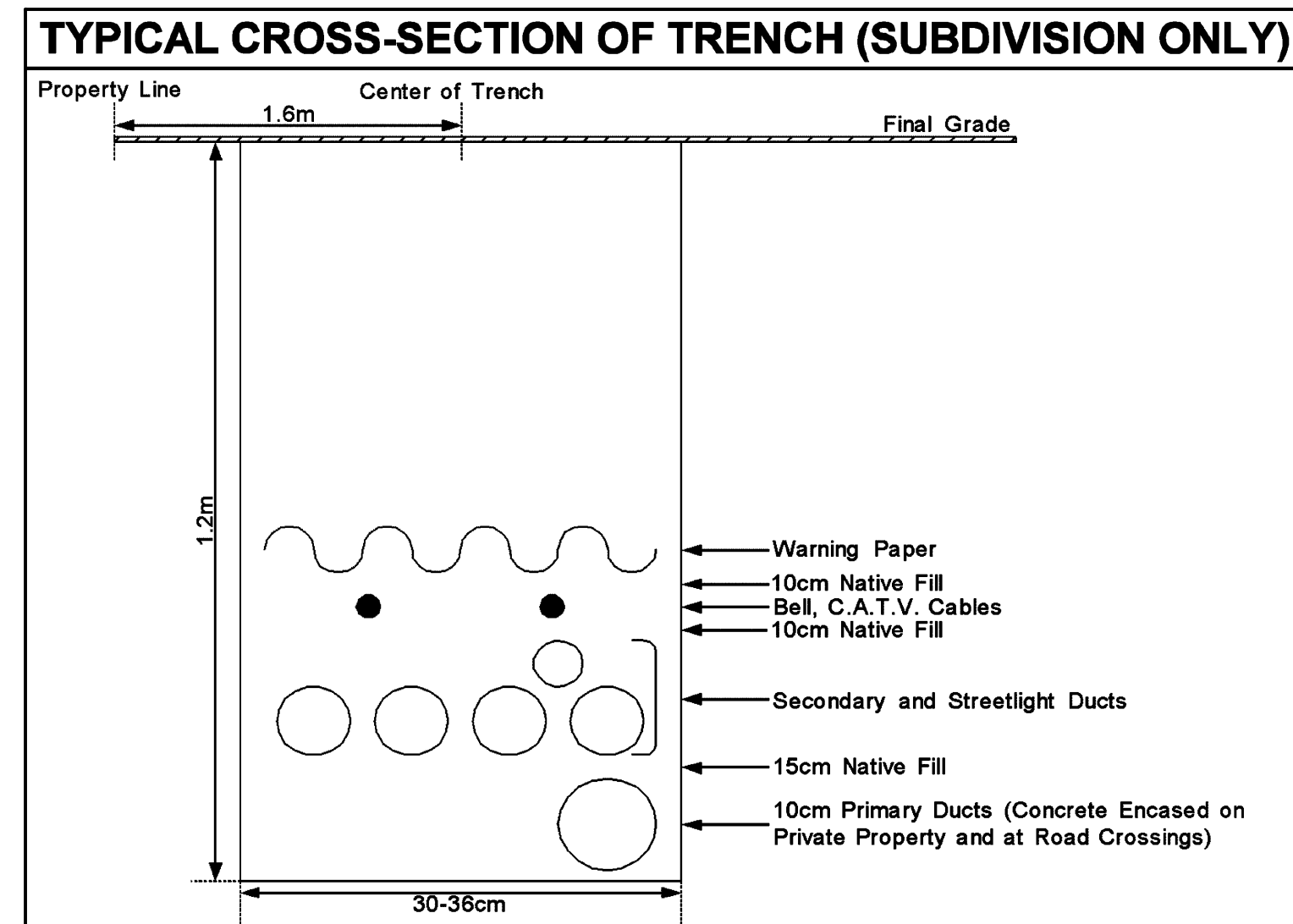
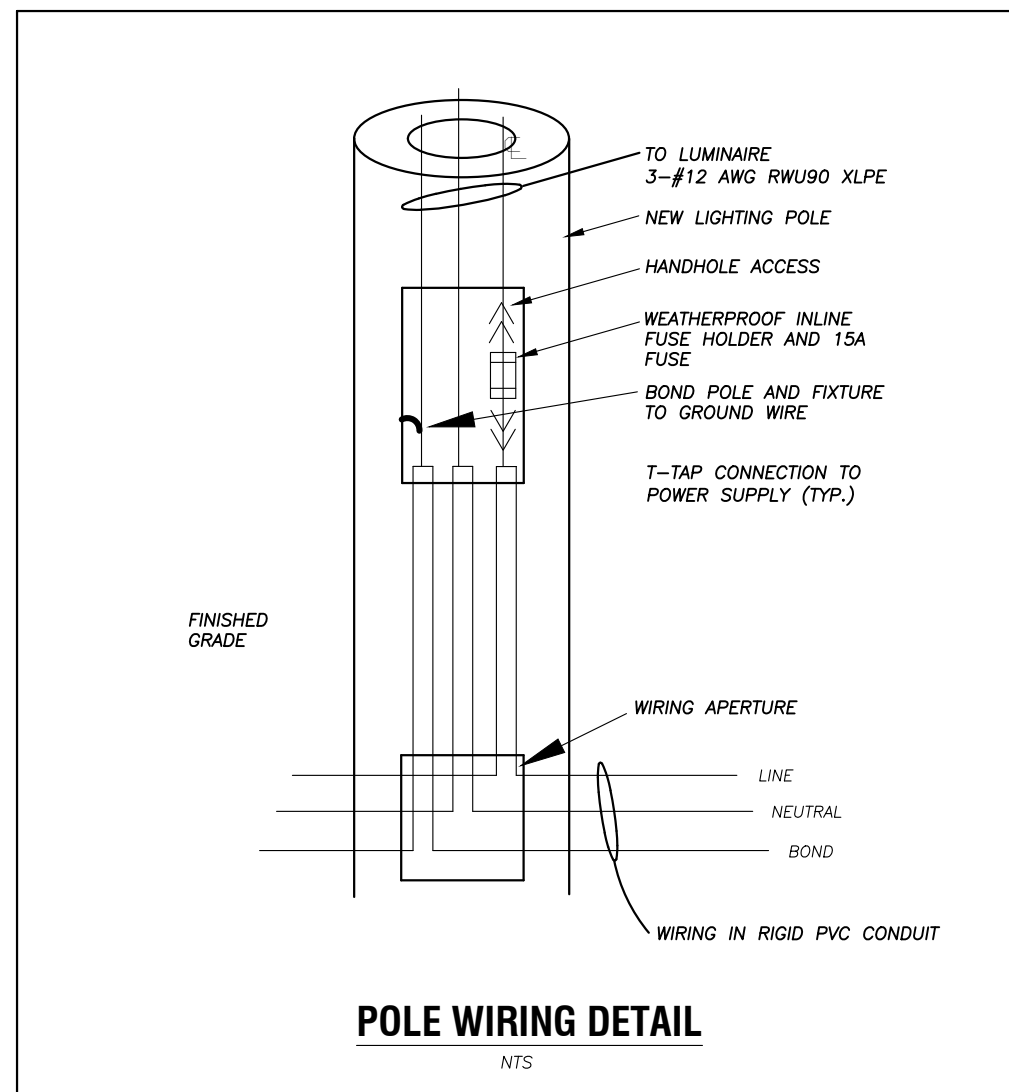
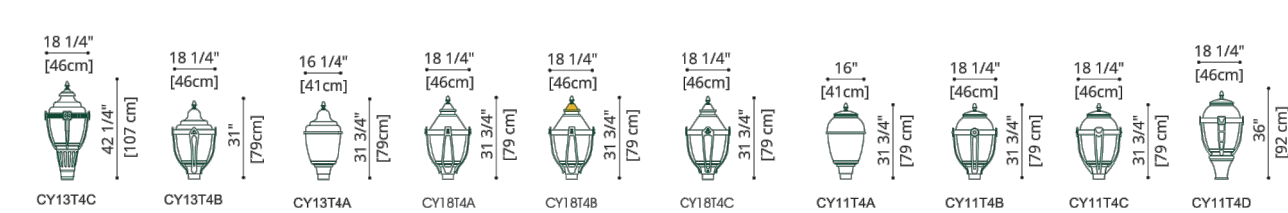
WATT	TEXTURE
3K	3000K
4K	4000K

REDUCER	OP.FIN. (OPTIONAL FINISH)
NONE	TEXTURED
R28	SMOOTH
R30	

OPTIONS	OP.FIN. (OPTIONAL FINISH)
NONE	TEXTURED
PROG*	SMOOTH
PC	
BUTTON-TYPE PHOTOCELL	

\*CONTACT FACTORY FOR WIRELESS APPLICATIONS AND FOR MORE DETAILS

## Luminaire



## NOTES

- ALL WORK IS TO BE PERFORMED IN ACCORDANCE WITH:
  - ONTARIO ELECTRICAL SAFETY CODE - LATEST EDITION
  - TOWN OF LINCOLN STREET LIGHTING DESIGN AND CONSTRUCTION GUIDELINES
- PROVIDE SHOP DRAWINGS FOR LUMINAIRES AND POLES TO ENGINEER FOR REVIEW PRIOR TO PURCHASE.

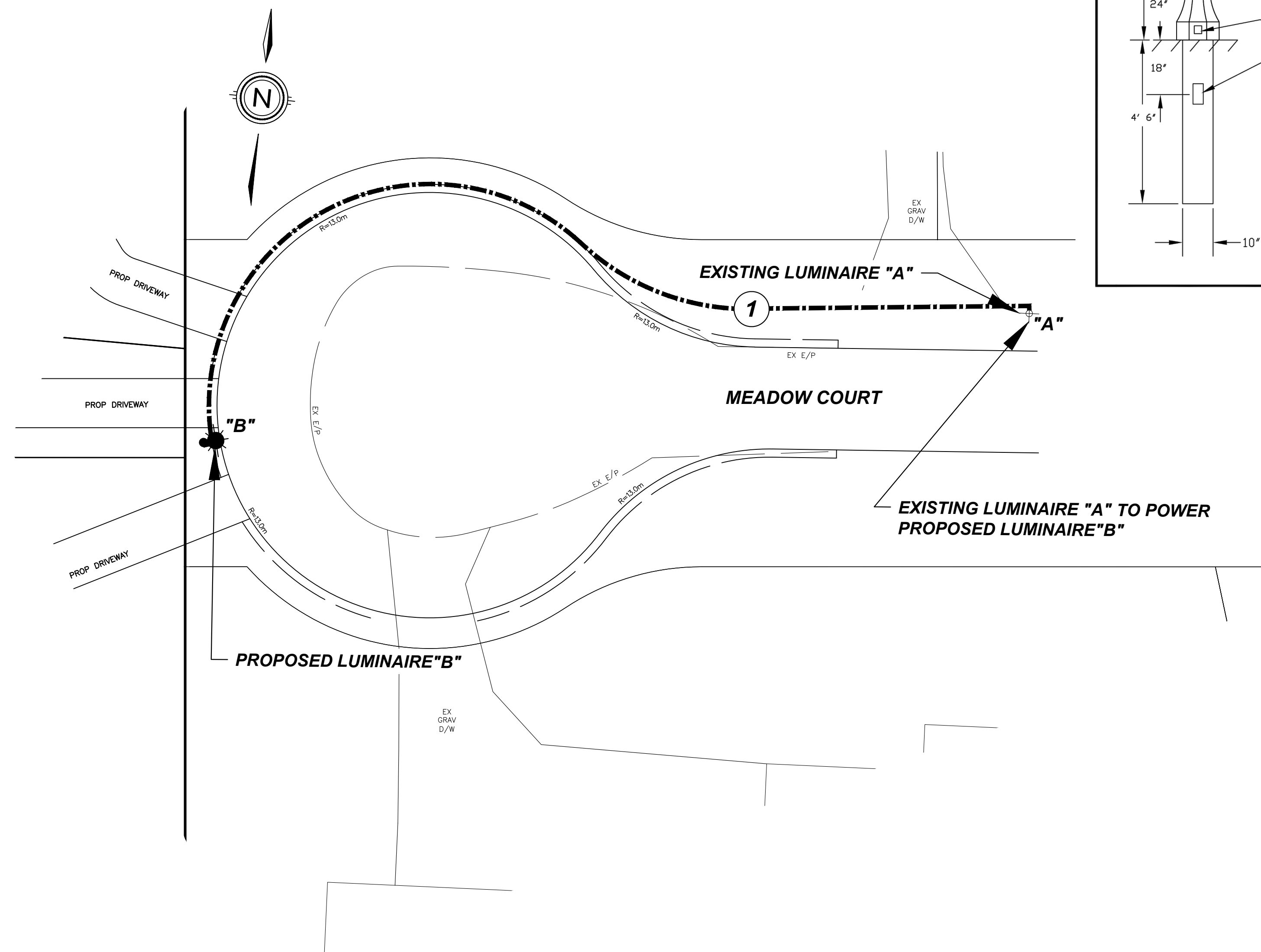
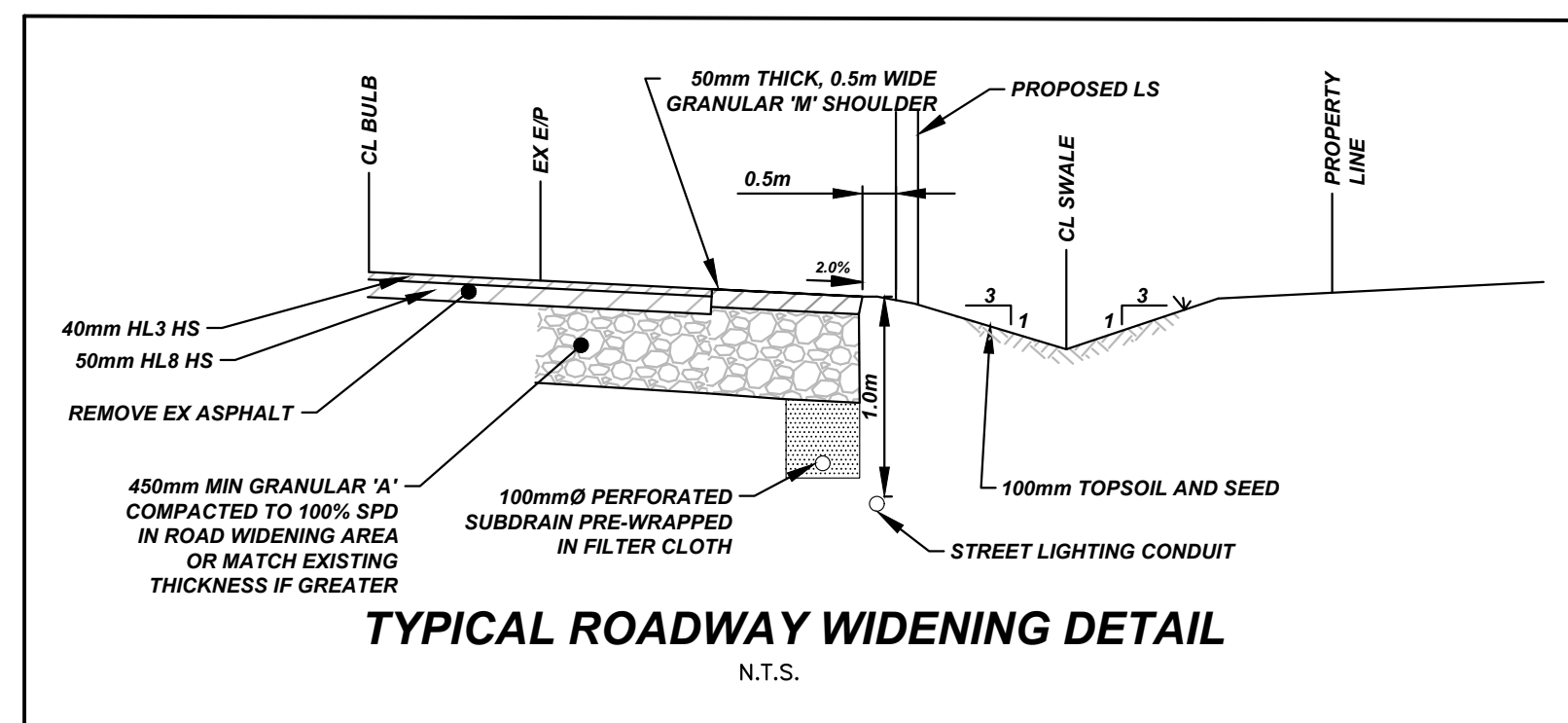
## LEGEND

STREETLIGHT CABLE: 2-#6 CU RWL-90 C/W #6AWG CU RWL-90 BOND IN CONTINUOUS 50mm PVC CONDUIT IN COMPLETE ACCORDANCE WITH ESA STANDARDS & SPECIFICATIONS.

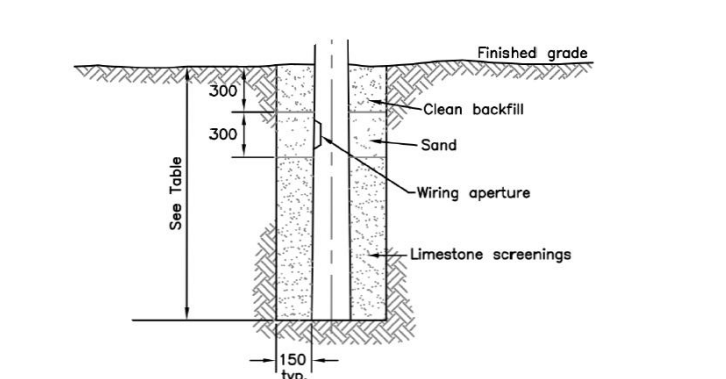
"A" EXISTING LUMINAIRE AND POLE

"B" PROPOSED LUMINAIRE AND POLE

1 NUMBER OF STREETLIGHT CABLES/CONDUITS IN TRENCH



- BACKFILL AUGERED HOLES WITH LIME STONE SCREENINGS WELL TAMPERED TO WITHIN 150mm OF THE CENTRE OF THE WIRING APERTURE
- ENVELOPE ALL DIRECT BURIED CIRCUIT WITH 300mm OF SAND
- ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE SHOWN



ROAD SECTION	OVERALL LENGTH	BURIAL DEPTH	TAPERED ELLIPTICAL ALUMINUM BRACKETS	LUMINAIRE C/W P.C.
Local Residential	9.85m	1.67m	1.82m	126 42W LED 120V
Arterial Collector	11.97m	1.97m	2.44m	128 65W LED 120V

## NOTES:

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## DRAFTING

KA/TA

DESIGN

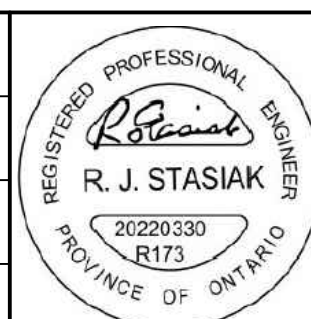
R.S.

CHECKED BY

J.S.

APPROVED BY

R.S.



**West Lincoln**  
Your Future Naturally

**R. STASIAK ENGINEERING INC.**

9 WHITE CREST CT., ST. CATHARINES, ONTARIO L2N 6Y1  
905-931-3652  
rstasiak@rseng.ca

## OWNER

**ALBINO GIRO**  
**MARCUS BRUNO GIRO**  
**STEFAN LINO GIRO**  
**PALMIRA GIRO-NORTON**  
**NATHAN JOSEPH GIRO-NORTON**  
**ANTHONY DANIEL GIRO-NORTON**

5482 REGIONAL ROAD 69,  
ST. ANN'S, ON

**GIRO ESTATES**  
**ST. ANNS, WEST LINCOLN**

**STREET LIGHT DESIGN / DETAILS**

## CONSULTANT FILE No. 173

DATE 2022-04-01

PRINTED 2022-04-01

SCALE 1:200 m

REF No.

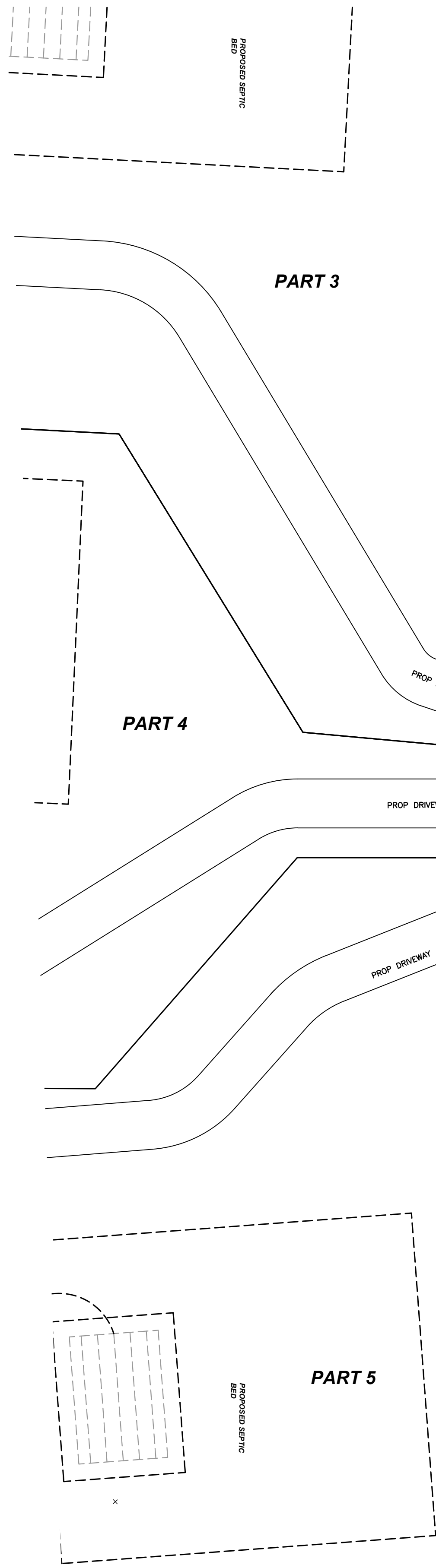
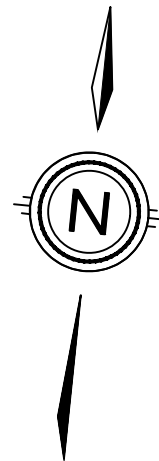
DWG No.

R-173-LIGHT

REV

0





R172 Giro Estates  
Photometric Evaluation  
Proposed Cul de Sac with Additional Luminaire  
Prepared by: R. Stasiak Engineering Inc.  
2021 12 20

Note:  
New Type B luminaire to be complete with dimming option,  
to allow for field lighting level adjustment.

Luminaire Schedule									
Symbol	Qty	Label	Arrangement	Description	Tag	LLF	Luminaire Lumens	Luminaire Watts	Total Watts
⬤ "B"	1	PRESTIGE-CY18T4x-VS3AR-4HS-34	Single	CY18T4x-VS3AR-4HS-34W-4K	B	0.900	3391	38	38
⬤ "A"	1	PRESTIGE-CY11T4x-VS3AR-3-34W-	Single	CY11T4x-VS3AR-3-34W-4K	A	0.900	4200	38	38

Calculation Summary						
Label	CalcType	Units	Avg	Max	Min	Avg/Min
Proposed cul de sac	Illuminance	Lux	3.11	12.2	0.4	7.78

ANSI/IES RP-8-00 Roadway Lighting Standard  
Lighting Design Criteria for Streets  
Illuminance Method - Lux  
Classification - Local  
Pedestrian Activity - Low  
Eavg 3.0, Eavg/Lmin 6.0

#	REVISION	DATE	INIT
0	ISSUED FOR APPROVAL	2022-04-01	K.A

NOTES:

1. THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWER, AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
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DRAFTING  
KA/TA  
DESIGN  
R.S.  
CHECKED BY  
J.S.  
APPROVED BY  
R.S.



# West Lincoln

Your Future Naturally

## R. STASIAK ENGINEERING INC.

9 WHITE CREST CT., ST. CATHARINES, ONTARIO L2N 6Y1  
905-931-3652  
rstasiak@rseng.ca

R-173

OWNER  
**ALBINO GIRO**  
**MARCUS BRUNO GIRO**  
**STEFAN LINO GIRO**  
**PALMIRA GIRO-NORTON**  
**NATHAN JOSEPH GIRO-NORTON**  
**ANTHONY DANIEL GIRO-NORTON**  
5482 REGIONAL ROAD 69,  
ST.ANN'S, ON

## GIRO ESTATES

### ST. ANNS, WEST LINCOLN

#### PHOTOMETRIC PLAN

CONSULTANT FILE No.	173
DATE	2022-04-01
PRINTED	2022-04-01
SCALE	1:200 m
REF No.	
DWG No.	R-173-PHOTO
REV	0

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**BY-LAW NO. 2022-XX**

**A BY-LAW TO AUTHORIZE A DEVELOPMENT AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN, ALBINO GIRO, MARCUS BRUNO GIRO, STEPHAN LINO GIRO, NATHAN JOSEPH GIRO-NORTON, PALMIRA GIRO-NORTON, ANTHONY DANIEL GIRO-NORTON, AND ANY MORTGAGEES FOR LANDS DESCRIBED AS CONCESSION 6, PART LOT 6, PART 1 OF 30R3739 IN THE FORMER TOWNSHIP OF GAINSBOROUGH, NOW IN THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS** the Corporation of the Township of West Lincoln deems it expedient to enter into a Development Agreement with Albino Giro, Marcus Bruno Giro, Stephan Lino Giro, Nathan Joseph Giro-Norton, Palmira Giro-Norton, Anthony Daniel Giro-Norton, and any Mortgagees, for lands legally described as Concession 6, Part Lot 6, Part 1 of 30R-3739 in the former Township of Gainsborough, now in the Township of West Lincoln;

**AND WHEREAS** approval and authority for such agreement is required;

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:**

1. THAT the Council of the Corporation of the Township of West Lincoln enter into a Development Agreement with Albino Giro, Marcus Bruno Giro, Stephan Lino Giro, Nathan Joseph Giro-Norton, Palmira Giro-Norton, Anthony Daniel Giro-Norton, and any Mortgagees, for lands legally described as Concession 6, Part Lot 6, Part 1 of 30R-3739 in the former Township of Gainsborough, now in the Township of West Lincoln;
2. THAT the Mayor and Clerk be and each of them is hereby authorized to sign the said Development Agreement and any other document or documents necessary to implement the intent of this By-law and the said Development Agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto and deliver the same to the appropriate parties.
3. THAT a copy of the said Development Agreement and any supplementary Agreements, when executed by the said parties shall be attached hereto as "Schedule A", and shall form part of this By-law, upon registration on title.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
27<sup>th</sup> DAY OF JUNE 2022.**

---

**DAVE BYLSMA, MAYOR**

---

**JOANNE SCIME, CLERK**

**DATE:** June 13, 2022

**REPORT NO:** PD-61-2022

**SUBJECT:** **Recommendation Report – External Assistance to become Compliant with Bill 109**

**CONTACT:** Brian Treble, Director of Planning & Building

**OVERVIEW:**

- As Planning/Building/Environmental Committee is aware, on April 14<sup>th</sup>, 2022, The Provincial Government gave Royal Assent to a Bill (Bill 109) that resulted in many changes that were promoted as streamlining or expediting the planning approval process, with the goal of obtaining planning/housing approvals quicker.
- Many parts of Bill 109 come into effect on July 1, 2022. Most municipalities will not comply.
- In order to be proactive, staff have reached out to a private sector planning firm that we have worked closely with in the past. Staff have asked this firm to assist in guiding us on how to become Bill 109 compliant.
- Staff have reached out to Dan Currie of MHBC Planning for a proposal on what they can offer to assist West Lincoln on becoming Bill 109 complaint. MHBC Planning are a firm that knows our staff and our procedures well and it was also their firm that helped West Lincoln review and improve the site plan approval process in the past as well.
- Staff have received a proposal as attached to this report and propose to authorize that they assist in identifying improvements that we should initiate and that their cost be charged to the external consultant line of the planning operating budget.
- Staff will report back on their findings in a future report.

**RECOMMENDATION:**

1. That, Report PD-61-2022, regarding “Recommendation Report – Recommendation Report – External Assistance to become Compliant with Bill 109”, dated June 13<sup>th</sup>, 2022, be RECEIVED; and,
2. That, staff be authorized to utilize the services of MHBC Planning to assist with Bill 109 compliance.

## **ALIGNMENT TO STRATEGIC PLAN:**

### **Theme #3**

- Strategic, Responsible Growth

## **BACKGROUND:**

Bill 109 was circulated by the Province for public input on March 30, 2022. Comments were due by April 29, 2022. The Bill received Royal Assent on April 14, 2022 with much of the bill coming into full force and effect on July 1, 2022. From what staff can see, some 32 comments have been received as of April 29, 2022.

## **CURRENT SITUATION:**

Bill 109 amends five Provincial acts including the Planning Act and has implications on, among other things, the processing and approval of development applications at the Township of West Lincoln.

The purpose of hiring MHBC to assist with this review would be to determine which items of Bill 109 would be related to changes in Provincial legislation and summarize those changes and implications to the Township. This will give the Township of West Lincoln, more specifically the Planning Department, a clearer view of what needs to be changed/adjusted.

Township staff are preoccupied each day trying to process files and keep files moving and don't have a lot of resources available to implement changes that might be significant enough to comply with Bill 109. For example, our previous staff report noted that based on a random inspection of site plan files, we only achieved the Provincial timeline on one file.

## **FINANCIAL IMPLICATIONS:**

Having an external consultant undertake work to assist Township Planning staff to become compliant with Bill 109 is estimated to cost \$6500 which staff propose to charge to the external consultant line of the Planning Operating budget.

## **INTER-DEPARTMENTAL COMMENTS:**

Staff have reached out for help because others will know what is happening across the industry and secondly, to MHBC Planning because they know us and our procedures very well.

## **CONCLUSION:**

In order to be proactive, staff are seeking external assistance to improve our planning approval processes to be more compliant with Bill 109. Staff propose that the cost of this external assistance be charged to the external consultant line of the planning operating budget.

## **ATTACHMENTS:**

1. Proposal from MHBC Planning

**Prepared & Submitted by:**



---

**Brian Treble**  
**Director of Planning & Building**

**Approved by:**



---

**Bev Hendry**  
**CAO**



KITCHENER  
WOODBRIDGE  
LONDON  
KINGSTON  
BARRIE  
BURLINGTON

June 3, 2022

Mr. Brian Treble, Director of Planning  
Township of West Lincoln  
318 Canborough Street  
Smithville, ON L0R 2A0

Dear Mr. Treble:

**RE: Bill 109: *More Homes for Everyone Act*, 2022  
OUR 08234 'AC'**

---

Please accept this letter as a scope of work and cost estimate to provide the Township with professional planning advice and recommendations on the implementation of Bill 109: *More Homes for Everyone Act*, 2022.

Bill 109 amends five Provincial acts including the Planning Act and has implications on, among other things, the processing and approval of development applications. The purpose of the project will be for MHBC to review the Bill 109 and the related changes to Provincial legislation and summarize those changes and implications to the Township in a report.

### **Scope of Work**

1. Review Bill 109 and amendments to the Planning Act and other legislation.
2. Identify implications on the Township. Provide a draft report and recommendations.
3. Review the draft report findings and recommendations with Township staff.
4. Finalize report and submit to Township staff.

### **Cost**

Our cost to complete the scope of work outlined above is \$6,500 plus HST. This cost estimate includes one (1) in-person meeting with staff at the Township offices. If that meeting occurs via Zoom or other virtual format, the total cost invoiced will be less. This cost estimate does not include time and costs associated with preparation of or assistance with a staff report to Township Council or attendance at Township Council. If desired, we can provide an updated estimate for that scope of work.

Should you have any questions on the scope of work or cost estimate, please contact me.

Yours truly,

**MHBC**

A handwritten signature in cursive script that reads "Dan Currie".

Dan Currie, MA, MCIP, RPP, CAHP  
DC:wc