West Lincoln
Your Future Naturally

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
COMMITTEE OF ADJUSTMENT AGENDA

Wednesday, August 17, 2022, 7:00 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

*****ZOOM MEETING -** Contact acooper@westlincoln.ca before 4 pm on the day of the meeting for an invitation if you would like to participate.

Pages

1. **CHAIR**
   The Chair will call to Order the evening's proceedings.

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

3. **REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT**
   Not at this time.

4. **APPLICATIONS**

   a. A22/2022WL - Ike and Heather Groenwold — 3
   Property Address: 6802 Silver Street - A minor variance application has been applied for to permit an accessory building to be located 100 metres from the main building, whereas Table 1-1 of the Township's Zoning By-Law states that accessory buildings shall not be located further than 50 metres from the main building.

   b. A23/2022WL - Cory Bosma — 12
   Property Address: 4959 Elcho Road - A minor variance application has been applied for to permit an addition to an existing house including a second storey and a covered porch, that does not meet the required front yard setback of 15 metres. A
   portion of the existing house is approximately 9 metres from the front property line. The proposal is to extend
   the deficient front yard setback for a ground floor and second storey addition with a setback of no less than 9
   metres to the front property line, whereas 15 metres is required. A 2.4 metre (8 feet) covered porch is also
   proposed with a setback of 6.8 metres from the front property line, whereas the bylaw only permits a

projection of up to 1.5 from the required 15 metre front yard setback (13.5 metres from the front property line).

c. A24/2022WL - Otto and Nancy Huizinga 34
Property Address: 6400 Canborough Road - A minor variance application has been applied for to permit a dairy barn expansion on the subject property at a reduced Minimum Distance Separation (MDS) II setback to three neighbouring dwellings. A MDS II setback of 157 metres is being requested from the proposed dairy expansion to the house located directly south on 6400 Canborough Road (south), also owned by the applicants, and a setback of 200 metres to the houses located at 6416 Canborough Road and 6310 Canborough Road. The required MDS II setback is 228 metres.

5. MINUTES FOR APPROVAL

6. NEW BUSINESS

Introduction of new Secretary-Treasurer, Stephanie Pouliot.

7. ADJOURNMENT

That, this Committee does now adjourn at the hour of _____ pm

REPORT
TOWNSHIP
COMMITTEE OF ADJUSTMENT

DATE: August 17th, 2022

REPORT NO: COA-026-22

SUBJECT: **Recommendation Report**
Application for Minor Variance by Ike and Heather Groenwold
6802 Regional Road 65
File No. A22/2022WL

CONTACT: Madyson Etzl, Planner II

OVERVIEW:

- **A minor variance application has been submitted by Ike and Heather Groenwold for the property located at 6802 Silver Street (Regional Road 65)**
- **6802 Regional Road 65 is a 34.78 acre agricultural parcel which contains a single detached dwelling, agricultural related home industry buildings, and a storage yard. The parcel was previously rezoned to A-85, Agricultural with a site specific provision to recognize the Home Industry on the property.**
- **The applicant is requesting an increase of the minimum distance an accessory building can be built from the main dwelling of 50 metres, for a total setback of up to 100 metres from the main dwelling whereas Table 1-1 in the Townships Zoning Bylaw requires a maximum setback of 50 metres.**
- **The applicant is requesting this variance to permit a proposed 167 square metre coverall building for personal storage purposes located to the south of the existing buildings and storage yard.**
- **The applicant is requesting the additional distance so the proposed building is located away from the Environmental Regulated portions of the property as well as to be separated from the applicant's business buildings and storage area and for the applicant to be able to utilize the existing berms which were placed in their specific locations as requested per Niagara Peninsula Conservation Authority.**
- **After reviewing the four tests of a minor variance planning staff recommend approval of the requested variance.**

RECOMMENDATION:

1. THAT, the application for Minor Variance made by Ike and Heather Groenwold as outlined in Report COA-026-22 to permit an accessory building to be located up to 100 metres from the main building whereas accessory buildings should not be located further than 50 metres from the main building, BE APPROVED.

BACKGROUND:

The subject lands, being 6802 Silver Street (Regional Road 65) are located to the south

side of Silver Street (Regional Road 65), east of Caistor Gainsborough Townline Road, and west of Port Davidson Road. The property is 14 hectares or 34.78 acres in area and contains a single detached dwelling and accessory buildings which are related to the applicants business. The dwelling was constructed in 1984 and the main accessory building was constructed in 1982, and additions to this building were completed in 1991

This application for a minor variance has been applied for to permit an additional accessory building to be located up to 100 metres from the property's main dwelling, whereas Table 1-1 of the Townships Zoning By-law states that "the nearest point of a wall of the accessory building must be located within 50 metres of the main building. The applicants are proposing to construct a 167 square metre coverall building (with no footings) for the applicant's personal storage/agricultural storage. The applicant is requesting the 50 metre additional distance to allow for the structure to be located away from the environmentally regulated lands in which the Niagara Peninsula Conservation Authority have previously identified on the property as well as to be separated from the existing business buildings.

CURRENT SITUATION:
Planning Staff have completed an analysis of the proposed Minor Variance application and can provide the following evaluation:

Does the proposal maintain the general intent and purpose of the Official Plan?
Yes
The subject property is designated as Good General Agriculture and Natural Heritage System in the Township's Official Plan. Agricultural areas are intended to be protected for long-term agricultural production including crops and livestock operations. Impacts of non-farm uses within the agricultural area should be minimized and made compatible with surrounding agricultural activities.

The property is also part of the Natural Heritage System. The specific portions of the Natural Heritage System that exist on this property are Environmental Conservation Area (Valley Shoreline and Significant Woodlands) and Environmental Protection Area (Floodplain and Provincially Significant Wetlands). Development shall comply with the Natural Heritage policies of the Township's Official Plan. Where detailed natural heritage and natural hazard mapping is not currently available, development applications may be required to complete necessary studies and analysis prior to development approval. In addition, all development will be subject to Regulation 155/06 of the Niagara Peninsula Conservation Authority when a development is within or adjacent to the lands that are subject to their regulations.

The applicants propose a 167 square metre coverall structure is not located within the lands that are designated Natural Heritage System on the subject property. The Niagara Peninsula Conservation Authority and the Niagara Region have no concerns with the location of the proposed coverall building. Therefore the proposal does maintain the intent of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?
Yes
The subject property is zoned Agricultural with a site specific exception A-85' the site specific exception permits a Home Industry with the following regulations.

A-85
"As per the parent zone, plus:
Home industry, including modular transport business being a business that transports mobile offices and modular buildings and may include the repair of transport trucks which are used in the business and the repair of chassis to be connected to a mobile office of modular building to facilitate transport of the unit, but shall not include the manufacture of office trailers or modular buildings.

As per the parent zone, except: Minimum lot area:
14.1m Minimum front yard: 9m for existing dwelling;
Minimum westerly interior side yard: 4.9m for existing dwelling;
4.8m for existing buildings to be used for the home industry;
Maximum lot area used for home industry: 7,500m2 in the irregular shaped area extending from the northwest corner of the lot along the front lot line for 40m and having a depth of not more than 150m;"

The proposed 167 square metre building is 50 metres further at a total distance of up to 100 metres from the main building whereas Table 1-1 of the Townships Zoning By-law states that accessory buildings should be located no further than 50 metres from the main building on the property. The proposed coverall building meets all other required setbacks in the Agricultural zone for a Type 3 building. As the Agricultural zone permits for accessory buildings used for storage purposes and it is evident that the structure cannot be placed anywhere closer to the main dwelling due to existing buildings, ponds, storage yards, the driveway access for the business vehicles and environmental regulations. Planning staff also feel that even with the proposed location the applicant will still maintain the clustered appearance of buildings on the property with a limited impact on the farm lands and as such, planning staff feel that this proposed 167 square metre garage meets the intent of the zoning by law.

Is the proposal desirable for the appropriate development or use of the land?
Yes
The applicant is proposing to construct a 167 square metre accessory building on the property located at 6802 Silver Street (Regional Road 65). The building is proposed to be located up to 100 metres from the existing main dwelling whereas 50 metres is required from the nearest wall of the main building to nearest wall of the accessory buildings.

The accessory building is proposed to be used for the applicant's agricultural storage, separate from the applicant's business storage buildings and outside area. Building locations are intended to be clustered so that farmers are able to maximize their yield

through careful crop planning, planting, monitoring, and harvesting, all using the most advanced equipment. Surrounding properties are also zoned agricultural with single detached dwellings and are also being cash cropped.

Planning staff are of the opinion that this building aids in the applicants use for additional storage. Therefore staff feel that this is appropriate development of the land and that the building location is appropriate in this specific situation.

Is the proposal minor in nature?
Yes
The subject application is proposing to construct a 167 square metre accessory building that is located further than 50 metres from the main dwelling. The purpose of the Townships Zoning By-law 2017-70 requiring accessory buildings to be located within 50 metres is to ensure that the Township of West Lincoln is planning and developing in clusters to preserve agricultural land.

The chosen location for the accessory building is to allow for the building to be located away from the environmentally regulated areas on the property as well as use the existing berms. It is not a part of the applicants business and therefore they wanted to keep it in a separate location than the business buildings and outdoor storage areas.

Planning staff note that as this property is a larger agricultural property, that is about 34.3 acres in size with the business and residential area taking up approximately 2.4 acres of the total acres and the remainder of the land being farmed and being environmentally regulated planning staff can support this proposal being minor. The proposal has no negative impact on neighbouring properties. For the reasons above and as detailed in this report, staff is of the opinion that this variance is minor in nature.

FINANCIAL IMPLICATIONS:
There are no financial implications associated with this report.

INTER-DEPARTMENTAL COMMENTS:
Notification was mailed to all applicable agencies and departments on August 4th 2022.

The Niagara Region provided comments (attached) and have no objections to the proposed application.

Township Building, Public Works, Septic System Inspector or Niagara Peninsula Conservation Authority did not have any comments regarding this application.

PUBLIC COMMENTS:
Notification was mailed to all neighbouring properties within a 60m radius of the subject lands on August 4th 2022. A notice was posted to the Township's website on the same day, and a Yellow sign was posted on the property a minimum of 10 days before the

hearing.

No comments from the public were received at the time of writing this report.

CONCLUSION:
A Minor Variance application has been submitted by Ike and Heather Groenwold for the property municipally known as 6802 Silver Street (Regional Road 65). The minor variance application was submitted to permit an agricultural accessory building to be located up to 100 metres from the main dwelling whereas Table 1-1 of the Townships Zoning By-Law requires that accessory buildings shall be no further than 50 metres. Planning staff are of the opinion that this application meets all four tests of a minor variance, and as such, can recommend approval of this application.

ATTACHMENTS:

1. Site Plan Sketch
2. Agency Comments

Prepared by:

Madyson Etzl
Planner II

Brian Treble, RPP, MCIP
Director of Planning and Building

6802 SILVER ROAD - TOWNSHIP OF WEST LINCOLN

TOTAL PROPERTY = 14.0761 ha.
ZONED AGRICULTURAL

COMPOSITION OF FEATURES AND USE:

RESIDENTIAL & HOME INDUSTRY		1.5603 ha.
RESIDENTIAL AREA	1.0892 ha.	
HOME INDUSTRY AREA	0.4710 ha.	
AGRICULTURAL PRODUCTION		5.0925 ha.
WOODED		5.7777 ha.
ENVIRONMENTAL / IDLE		1.6453 ha.

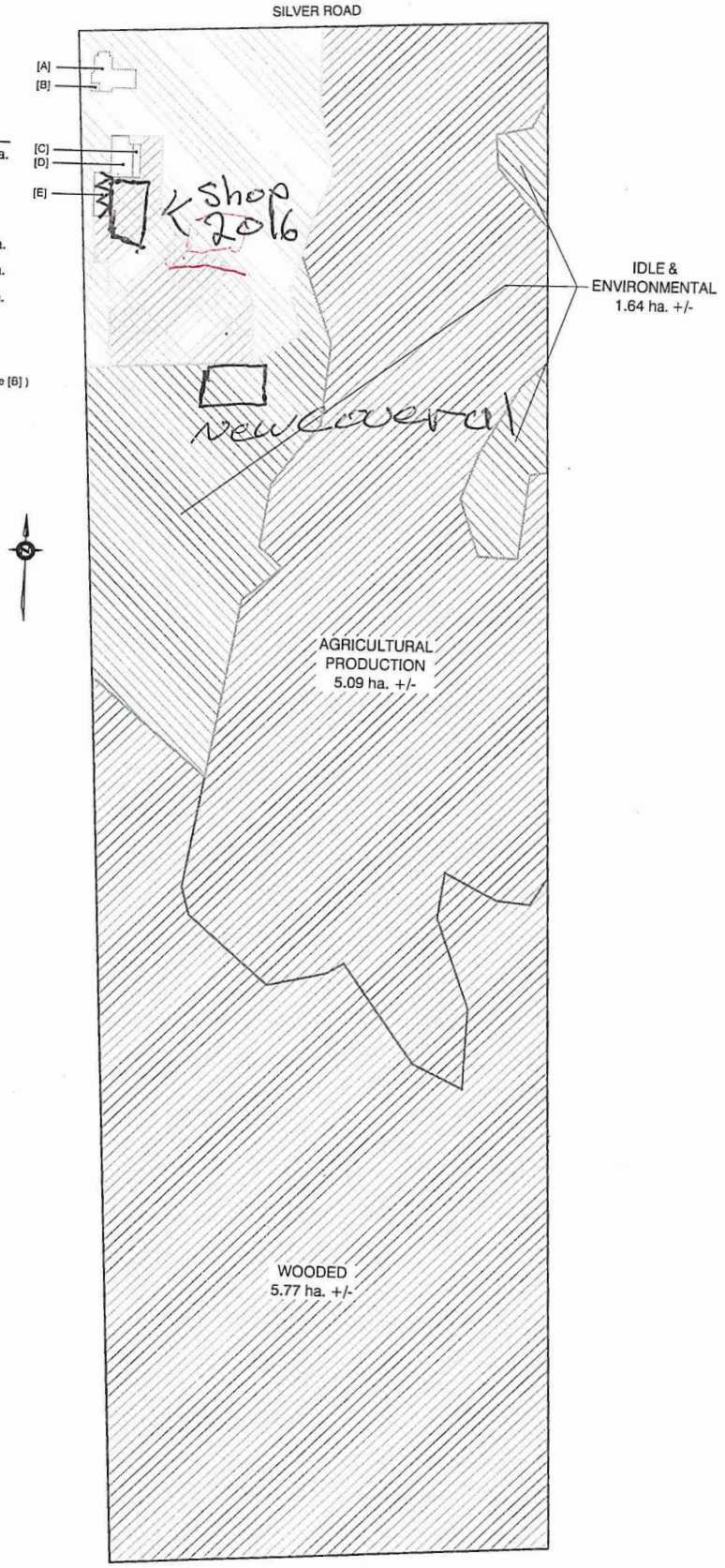
BUILDINGS
The site buildings include:

2550 sq.ft. Residential Bungalow Dwelling.
(2406 sq.ft. Residential Use [A] / 144 sq.ft. Home Industry Office [B])

550 sq.ft. Residential Storage [C]

1880 sq.ft. Workshop for Home Industry [D]

1440 sq.ft. Equipment Storage for Home Industry [E]



UPPER CANADA CONSULTANTS
August 24, 2011

Niagara Region

Planning and Development Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
(905) 980-6000 Toll-free:1-800-263-7215

Via Email

August 10, 2022

Region File: D.17.12.MV-22-0092

Madyson Etzl
Planner II
Township of West Lincoln
318 Canborough Street
Smithville, ON L0R 2A0

Dear Ms. Etzl:

Re: Regional and Provincial Comments
Proposed Minor Variance
Township File: A22/2022WL
Applicant/Owner: Ike & Heather Groenwold
6802 Silver Street
Township of West Lincoln

Regional Planning and Development Services staff has reviewed the above-noted Minor Variance Application for 6802 Silver Street located in the Township of West Lincoln. Staff received circulation from the Township on August 2, 2022. The proposal is to construct an accessory building 100 metres (m) from the main building, whereas Table 1-1 of the Township's Zoning By-law (No. 2017-70), as amended, states that accessory building shall not be located further than 50 m from the main building.

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

Provincial and Regional Policies

The property is designated "Prime Agricultural Area" within the *Provincial Policy Statement, 2020* ("PPS"), "Prime Agricultural Area" in the "Provincial Agricultural System" within the *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* ("Growth Plan"), and "Good General Agricultural Area" in the *Regional Official Plan* ("ROP").

Provincial and Regional policies recognize that agricultural land is a valuable asset that must be properly managed and protected. The permitted uses and activities for Prime

Agricultural Areas / Good General Agricultural Areas is primarily agriculture, agriculture-related, and on-farm diversified uses. Compatible uses such as forestry and conservation of plant and wildlife is also permitted.

The proposed accessory building (coverall) is an agricultural use, therefore, subject to the below comments, Regional staff is satisfied that the proposal is consistent with the PPS and conforms to Provincial and Regional policies.

Natural Heritage

The subject property is impacted by the Region's Core Natural Heritage System ("CNHS"), consisting of the Beaver Creek West Lincoln Provincially Significant Wetland Complex ("PSW"), Significant Woodland, and Type 2 (Important) Fish Habitat. The portion of the property containing the PSW and Significant Woodland is also mapped as part of the Growth Plan Provincial Natural Heritage System (NHS). As such, the PSW and Significant Woodland are considered Key Natural Heritage Features ("KNHF") and Key Hydrologic Features ("KHF") and the natural heritage policies identified in the Provincial Growth Plan apply accordingly.

Growth Plan policies typically require the completion of a Natural Heritage Evaluation ("NHE") when development and/or site alteration is proposed within 120 m of a KNHF/KHF. Regional policies similarly require the completion of an Environmental Impact Study ("EIS") when development and/or site alteration is proposed within 120 m of PSW, 50 m of Significant Woodland and within 15 m of Type 2 Fish Habitat.

However, Growth Plan policies provide NHE exemptions for new structures for agricultural uses and agriculture-related uses, provided that a minimum 30 m VPZ is provided from KNHF/KHF. One drawing provided with the Application ("6802 Silver Street") shows the proposed coverall structure to be within the PSW VPZ, while the other drawing ("6802 Environmental Regulations") shows the structure outside of the PSW VPZ. Provided that the coverall structure is located outside of the 30 m PSW VPZ, staff offers no environmental requirements for the Minor Variance Application.

Archaeological Potential

The PPS and ROP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, Section 2.6.2 of the PPS and Policy 10.C.2.1.13 of the ROP state that development and site alteration is not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved.

Based on the Ministry of Heritage, Sport, Tourism and Culture Industries' ("MHSTCI") Criteria for Evaluating Archaeological Potential, the subject lands exhibit the potential for the discovery of archaeological resources as there is a stream within 300 m of the site. Additionally, the Beaver Creek Wetland Complex is located on the southern half of the site.

Based on correspondence from the Township (dated August 8, 2022), there will be no footings for the construction of the coverall structure. Additionally, based on a review of available aerial imagery, it appears the area of the proposed coverall has been extensively disturbed as defined by the Province.

As such, Regional staff do not offer any archaeological assessment requirements for the proposed Minor Variance Application. The Applicant is advised that any future *Planning Act* Application for the property may require an Archaeological Assessment in order to satisfy Provincial and Regional policies relative to the identification and protection of archaeological resources

Regional Permit Requirements

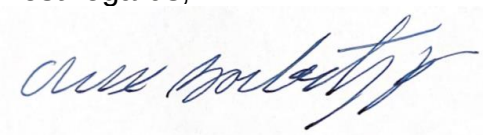
Regional staff acknowledge that the Minor Variance Application is not proposing any construction works within the Regional Road 65 (Bismark Road/Silver Street) road allowance. Prior to any future construction works or entrance alteration taking place within the Regional Road allowance, the Applicant would be required to obtain a Regional Construction Encroachment and/or Entrance Permit from Niagara Region's Transportation Services Division, Public Works Department. Permit Applications can be submitted online at: https://niagararegion.ca/living/roads/permits/default.aspx

Conclusion

In conclusion, Regional Planning and Development Services staff does not object to the proposed Minor Variance Application, in principle, as it is consistent with the PPS and conforms to Regional and Provincial policies. Township staff should be satisfied that the proposed development meets any applicable local requirements and provisions.

If you have any questions related to the above comments, please contact the undersigned at Alex.Boekestyn@niagararegion.ca, or Katie Young, Development Planner, at Katie.Young@niagararegion.ca. Please send a copy of the staff report and notice of the Committee's decision on this Application.

Best regards,



Alex Boekestyn
Development Planning Student, Niagara Region

cc: Katie Young, Development Planner, Niagara Region
Alexander Morrison, MCIP, RPP, Senior Development Planner, Niagara Region
Lori Karlewicz, Planning Ecologist, Niagara Region
Robert Alguire, Development Approvals Technician, Niagara Region

REPORT
TOWNSHIP
COMMITTEE OF ADJUSTMENT

DATE: August 17th, 2022

REPORT NO: COA-025-22

SUBJECT: **Recommendation Report**
Application for Minor Variance by Cory Bosma
4959 Elcho Road
File No. A23/2022WL

CONTACT: Gerrit Boerema, Planner II

OVERVIEW:

- **A minor variance application has been submitted by Mr. Cory Bosma, owner of 4959 Elcho Road.**
- **4959 Elcho Road is a 0.8 hectare (2 acre) small holding that is zoned Agricultural 'A' and contains a dwelling and two accessory buildings.**
- **The dwelling and the accessory buildings were built between 1948 and 1950 according to the Municipal Property Assessment Corporation (MPAC)**
- **The existing dwelling is approximately 9 metres from the front property line, deficient of the required front yard setback of 15 metres. As the dwelling was constructed prior to the Township's initial zoning bylaw in 1979, the existing house is most likely legal non-conforming, or grandfathered.**
- **Any alterations that do not meet the current zoning bylaw regulations or further extend the degree of non-conformity requires approval through a minor variance or zoning amendment.**
- **The owners have proposed an addition to the house which involves squaring off the ground floor resulting in an addition to the front of the house, adding a second storey to the dwelling and adding a covered porch on the front and east side of the house.**
- **As the ground floor addition, second storey addition and the covered porch are all within the required front yard setback of 15 metres, the applicants have applied for a minor variance to permit a front yard setback of no less than 9 metres for the dwelling and no less than 6.8 metres for the covered porch.**
- **After reviewing the four tests of a minor variance planning staff recommend approval of the requested variance.**

RECOMMENDATION:

1. THAT, the application for Minor Variance made by Mr. Cory Bosma as outlined in Report COA-025-22, to permit an addition to an existing dwelling with a front yard setback of no less than 9 metres for the existing width of the dwelling, and a covered porch with a front yard setback of no less than 6.8 metres for the existing

width of the dwelling plus 2.5 metres, BE APPROVED.

2.

BACKGROUND:

The subject lands, being 4959 Elcho Road, are located on the north side of Elcho Road, approximately halfway between Collver Road and Heaslip Road. The property is 0.8 hectares or 2 acres in area and contains a dwelling and two accessory buildings. The dwelling and accessory buildings were built between 1948 and 1950 according to MPAC. The dwelling is approximately 9 metres from the front property line, deficient of the 15 metre front yard setback required in the Agricultural 'A' zone in the current zoning bylaw.

As the existing dwelling was constructed prior to the passing of the Township's first zoning bylaw in 1979, it most likely can be considered legal non-conforming, however, Section 3.5 d) of the zoning bylaw requires that any expansions or alterations must meet the current required zoning regulations and must not further extend the degree of non-conformity.

The applicants are proposing a ground floor addition to the dwelling within the required front yard to square off the ground floor of their dwelling. The owners are also proposing to add a second storey addition located within the required front yard at a setback of approximately 9 metres from the front property line. Finally, they have applied to construct a covered porch along the front of the dwelling and east wall, further extending the non-conformity resulting in a front yard setback of approximately 7 metres for the covered porch.

As the proposed additions and covered porch do not meet the current zoning requirements and extend the degree of non-conformity, the applicants have applied for a minor variance to permit relief from the front yard setback requirement.

CURRENT SITUATION:

Planning Staff have completed an analysis of the proposed Minor Variance application and can provide the following evaluation:

Does the proposal maintain the general intent and purpose of the Official Plan?
Yes

The subject property is designated as Good General Agriculture in the Township's Official Plan. The Good General Agricultural Area policies are found in Section 4 of the Official Plan. Agricultural areas are intended to be protected for long-term agricultural production including crops and livestock operations. Impacts of non-farm uses within the agricultural area should be minimized and made compatible with surrounding agricultural activities.

Although the subject property has an agricultural designation, it has historically functioned as a small holding with no agricultural use. This application will slightly

enlarge the existing dwelling and has no further impact on agricultural production on the property or in the area. As such, the minor variance meets the general intent of the Township's Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law? Yes

The subject property is zoned Agricultural 'A'. The Agricultural 'A' zone requires dwellings to have a front yard setback of 15 metres from the front property line. The existing dwelling, built around 1950, has a front yard setback of approximately 9 metres.

The Township's zoning bylaw, in Section 3.5 d) recognizes that the existing dwelling is most likely legal non-conforming with regards to the front yard setback as it was originally constructed prior to the Township's first zoning bylaw. Section 3.5 d) of the bylaw states that nothing in the bylaw shall prevent the enlargement of a building that does not comply with the zoning bylaw provided it meets four clauses.

d) This By-law shall not apply to prevent the enlargement, repair or renovation of a *building* or *structure* that does not comply with the provisions of this By-law, provided:

i. The *building* or *structure* was legally *erected* or *altered* in accordance with the By-laws in force at the time of construction; and,
ii. The enlargement, repair or renovation does not further increase the extent or degree of non-compliance; and,
iii. The *building* or *structure* complies with all other applicable provisions of this By-law.
iv. In the case of enlargement the addition complies with all applicable provisions of this bylaw (By-law 2019-63)

The second clause requires that the enlargement does not further increase the extent of degree of non-compliance and clause iv. states that the addition is required to comply with the current provisions of the bylaw. This is to say that any proposed additions to a legal non-conforming dwelling needs to meet the required setbacks of the bylaw.

As the proposed ground floor addition, added second storey and new covered front porch does not meet the required 15 metre front yard setback, a variance is required to permit the deficient setback.

The proposed addition is proposed at a distance of no less than 9 metres, which essentially the same setback of the existing dwelling, and a front yard setback of 6.8 metres for the front porch, which is proposed to extend approximately 8 feet from the existing front wall of the building. Covered porches are permitted to encroach up to 1.5 metres into the front yard setback, but that would result in a minimum setback of 13.5 metres from the front property line.

All other provisions of the zoning bylaw appear to be met with respects to setbacks and lot coverage.

As the deficient front yard setback is already established by the exiting house, and a covered porch encroachment is approximately 2.5 metres (8 feet), the variance requested is generally in keeping with the intent of the zoning bylaw. The proposed reduced setback also does not appear to cause any traffic related concerns and the Township Public Works Department has no objections. As such, the proposed Minor Variance meets the general intent of the Township's Zoning Bylaw.

Is the proposal desirable for the appropriate development or use of the land?
Yes
The subject property is a small rural residential holding already containing a dwelling which is located within the required front yard setback. The dwelling has existed for over 70 years. There are no new permitted uses proposed as part of this minor variance. The proposed ground floor and second floor addition, as well as the proposed 8 foot covered porch addition will not significantly change the subject property and can be considered appropriate development.

Is the proposal minor in nature?
Yes
The existing house is located approximately 9-10 metres from the front property line and the majority of the house addition proposes to maintain that same front yard setback. An eight foot covered porch is also proposed which would extend further into the required setback. As the porch is open construction, and the house and driveway are located on a straight stretch of Elcho Road, there are no concerns from Public Works regarding sight lines or impacts to traffic, which are generally a part of the reasoning behind the required front yard setback. The requested variances will not increase concerns or overly increase impacts beyond what is existing already. As such, staff believe that this application is minor in nature.

FINANCIAL IMPLICATIONS:
There are no financial implications associated with this report.

INTER-DEPARTMENTAL AND PUBLIC COMMENTS:
Notification was mailed to all applicable agencies, departments and members of the public within 60 metres of the subject property on July 25th, 2022. No comments have been received from members of the public. The Niagara Peninsula Conservation Authority, Township Septic Inspector, the Township Public Works Department and the Region of Niagara had no objections to the minor variance.

CONCLUSION:
A Minor Variance has been submitted by Mr. Cory Bosma for his property located at 4959 Elcho Road. The minor variance is to permit a ground floor and second floor

addition which does not meet the required front yard setback. The variance is also required for a proposed covered porch that also does not meet the front yard setback.

Planning staff have reviewed this application against the four tests of a Minor Variance and against the applicable planning policies and recommend support of a front yard setback of no less than 9 metres for the main dwelling additions and no less than 6.8 metres for a covered porch in front and east of the dwelling.

ATTACHMENTS:

1. Location Map
2. Site Plan Sketch
3. Building Permit Drawings
4. Agency Comments

Prepared by:

Gerrit Boerema	**Brian Treble, RPP, MCIP**
Planner II	**Director of Planning and Building**

Location Map
4959 Elcho Road

0 50 100 200 Meters

West Lincoln
Your Future Naturally

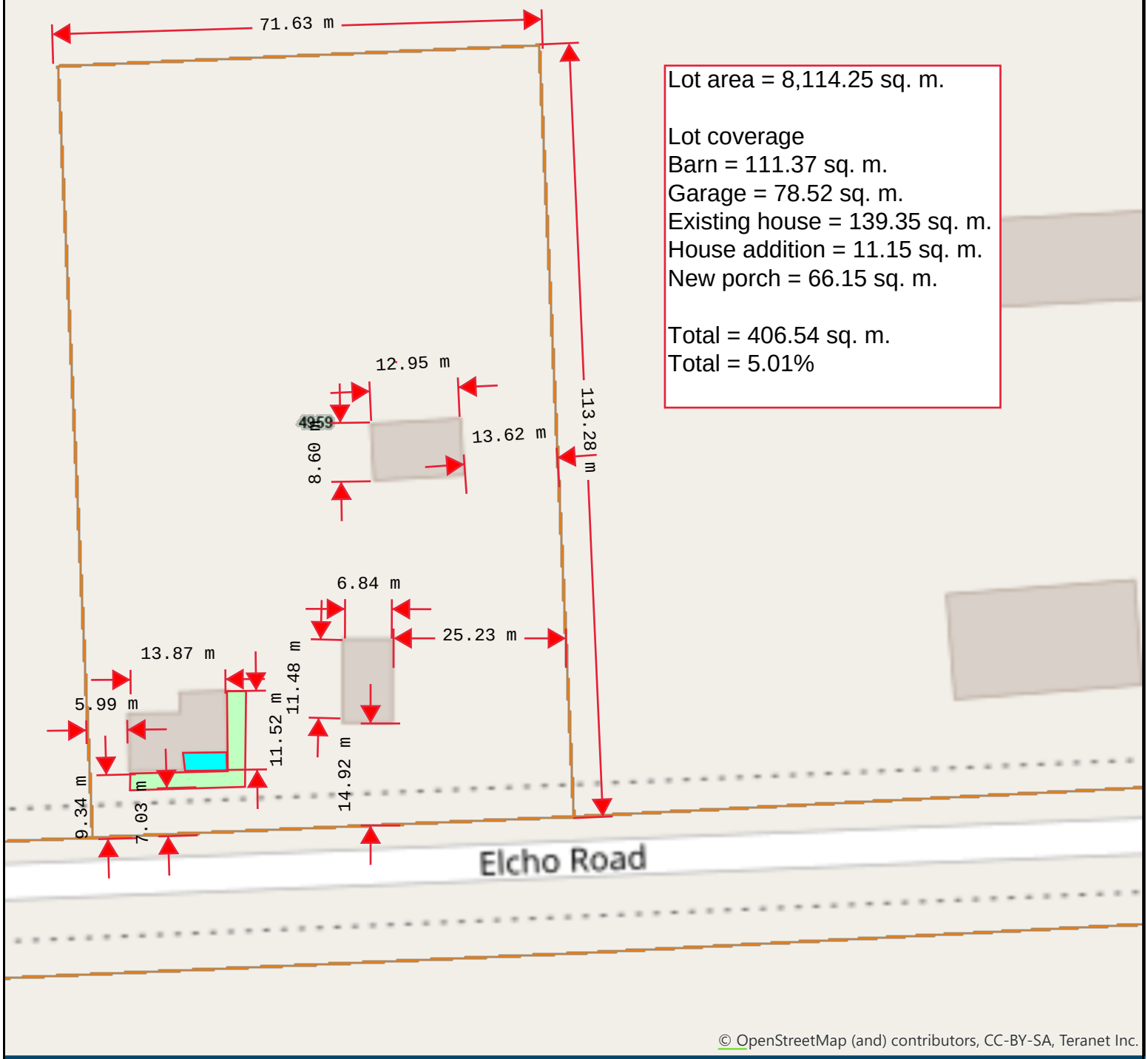
Legend

Subject Property

Document Path: X:\wl-GIS\5. ZONING BY-LAW MAPPING\ZBL2017-70\ZoningMap\Schedule A - ZBA\2022\4959 Elcho Road - Bosma\4959 Elcho Road.mxd

July 2022

Attachment 2 to COA-25-22



Lot area = 8,114.25 sq. m.

Lot coverage
Barn = 111.37 sq. m.
Garage = 78.52 sq. m.
Existing house = 139.35 sq. m.
House addition = 11.15 sq. m.
New porch = 66.15 sq. m.

Total = 406.54 sq. m.
Total = 5.01%

Niagara Region NAVIGATOR

Niagara Navigator

Legend

- Immunization Sites
- Address Points
- Assessment Parcels

0 0.01 0.02 0.04 0.06 0.08 km

Date: 2022-07-21 Time: 7:30 AM

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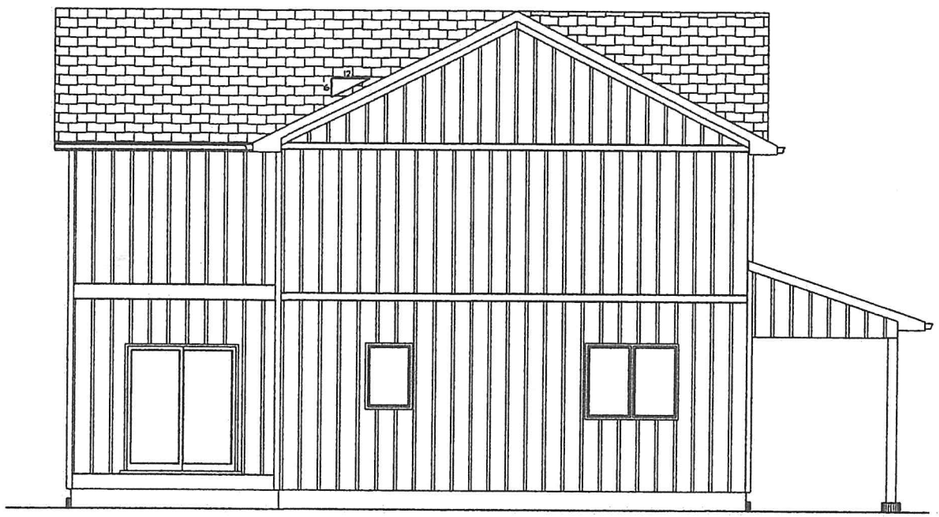
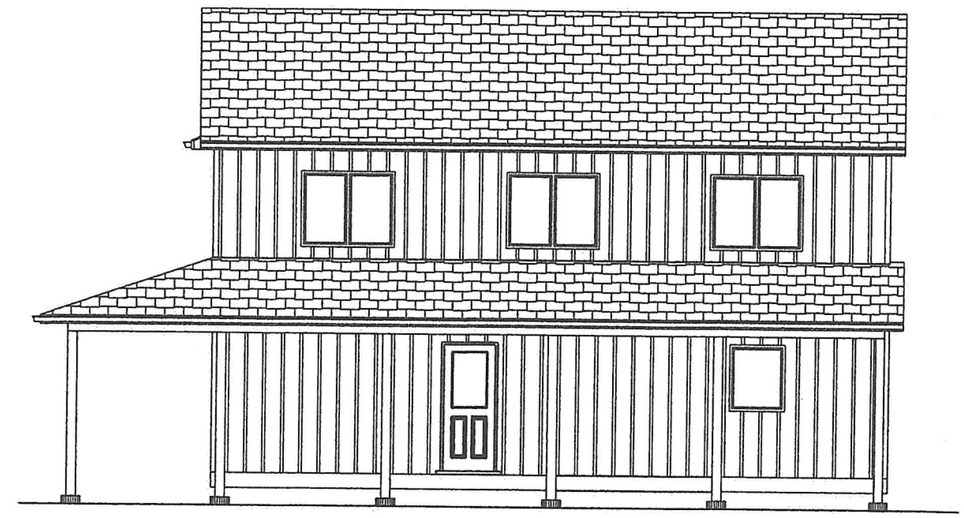
Rear Elevation 1/8 = 1'-0"

Front Elevation 1/8 = 1'-0"

project: CORY AND RUTH BOSMA		
drawing: FRONT AND REAR ELEVATIONS		
sheet S1	scale 1/8" = 1'-0"	date: JUNE 2022

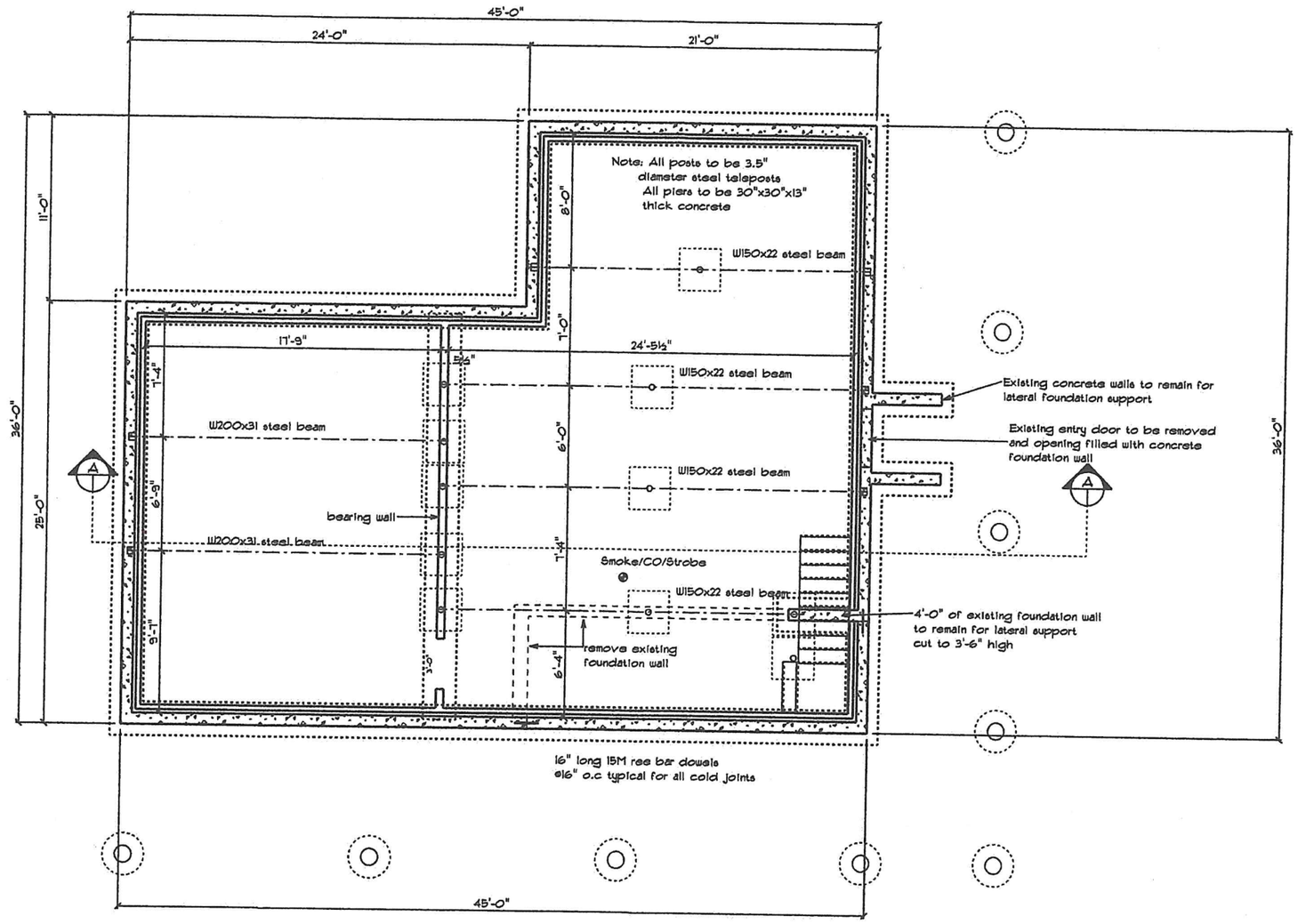


West Elevation 1/8 = 1'-0"



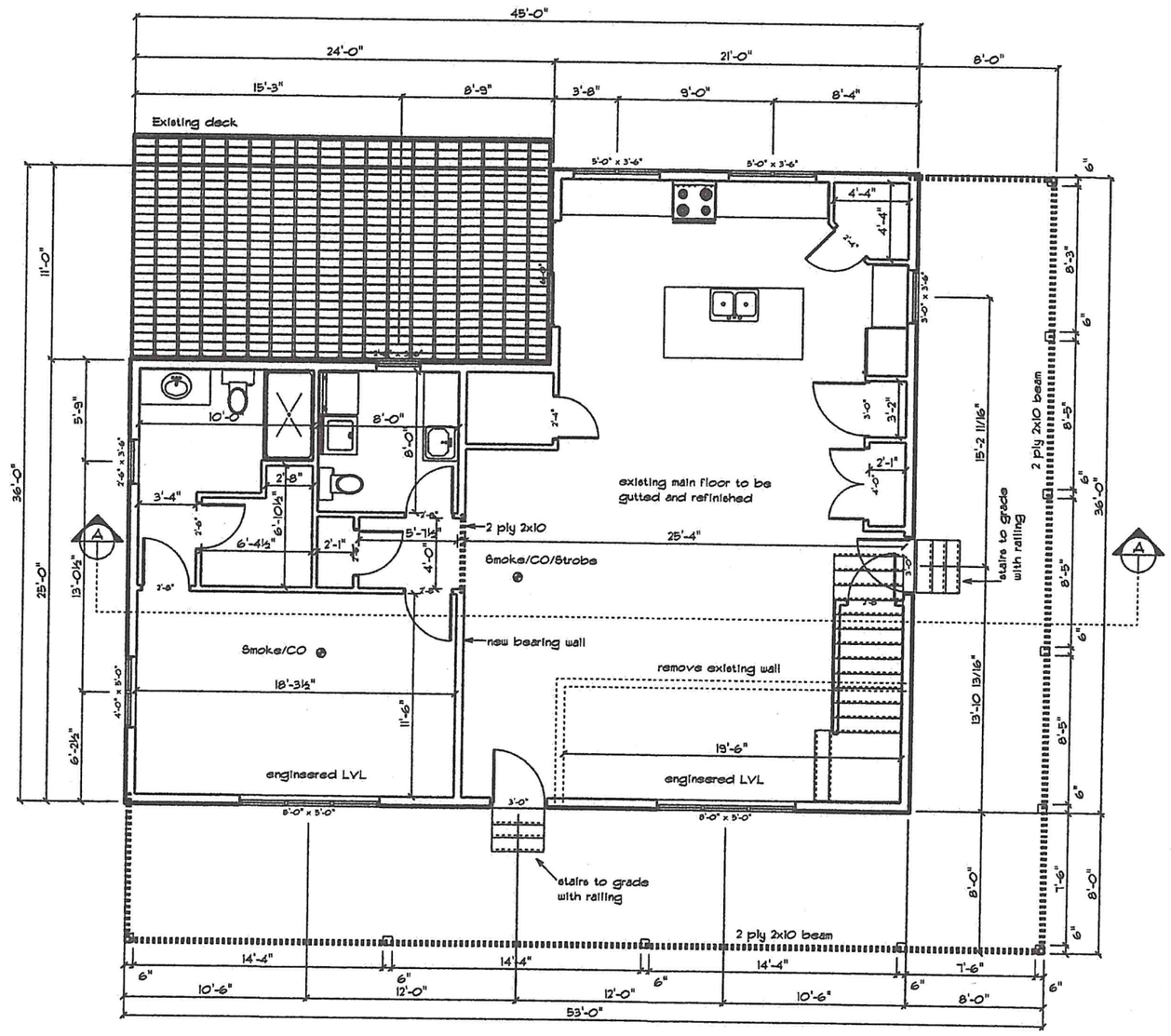
East Elevation 1/8 = 1'-0"

project: CORY AND RUTH BOSMA		
drawing: SIDE ELEVATIONS		
sheet S2	scale 1/8" = 1'-0"	date: JUNE 2022



Foundation floor plan 1/8" = 1'-0"

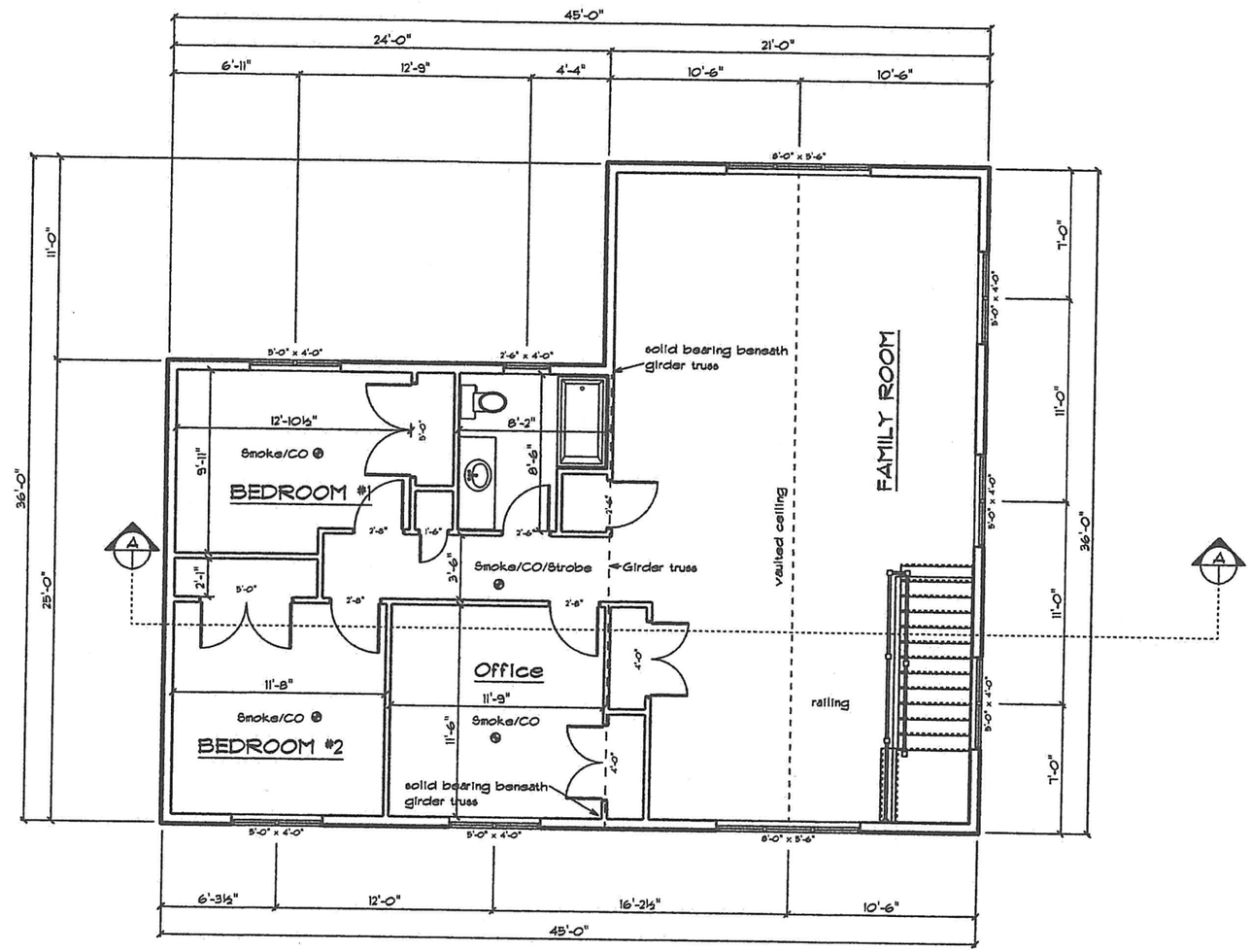
project: CORY AND RUTH BOSMA		
drawing: FOUNDATION		
sheet S3	scale 1/8" = 1'-0"	date: JUNE 2022



Note: all exterior wall headers to be 2 ply 2x10 unless noted otherwise

Main floor plan 1/8" = 1'-0"

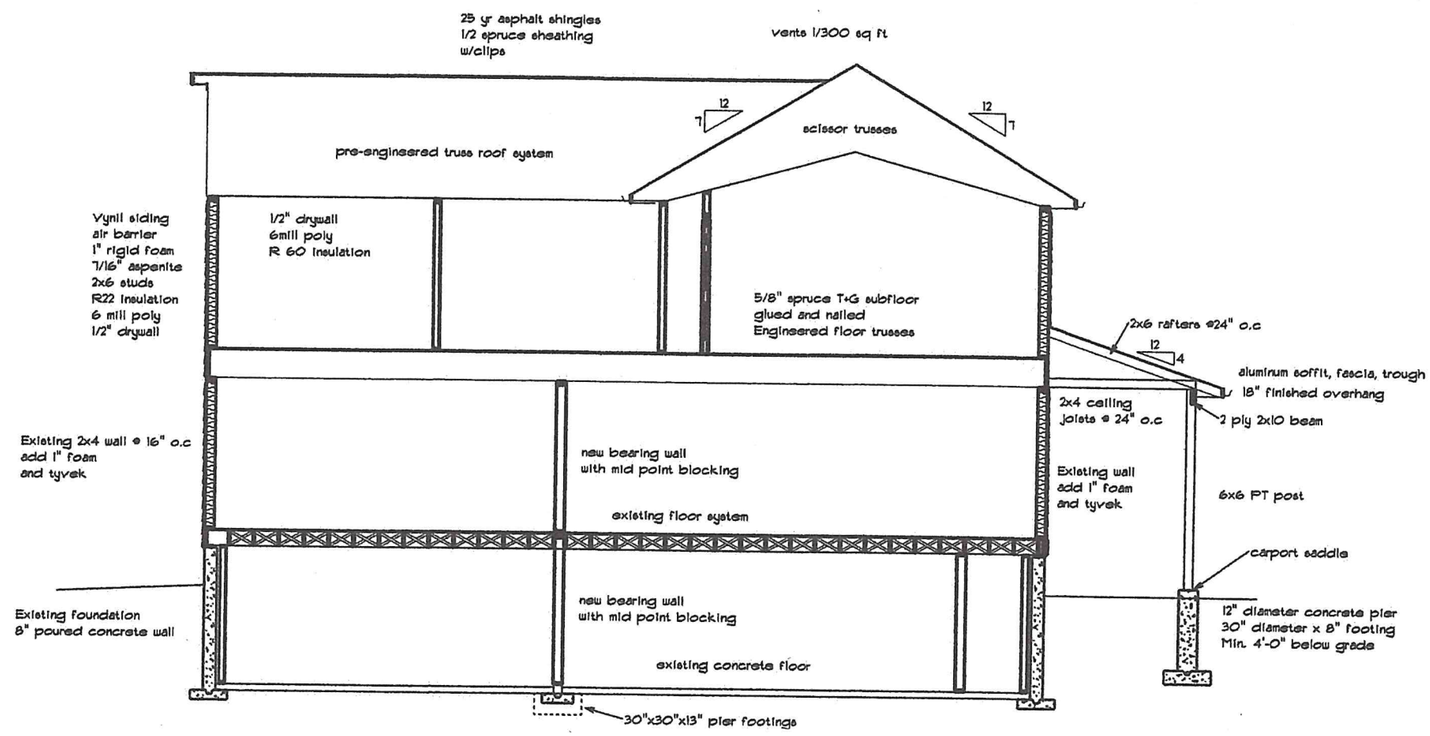
project: CORY AND RUTH BOSMA		
drawing: MAIN FLOOR		
sheet S4	scale 1/8" = 1'-0"	date: JUNE 2022



Note: all exterior wall headers to be 2 ply 2x10 unless noted otherwise

Second floor plan 1/8" = 1'-0"

project: CORY AND RUTH BOSMA		
drawing: SECOND FLOOR		
sheet S5	scale 1/8" = 1'-0"	date: JUNE 2022



Cross-Section A 1/8" = 1'-0"

project: CORY AND RUTH BOSMA		
drawing: CROSS SECTION A		
sheet S6	scale 1/8" = 1'-0"	date: JUNE 2022

Gerrit Boerema

From: Nikolas Wensing <nwensing@npca.ca>
Sent: July 29, 2022 10:29 AM
To: Gerrit Boerema
Cc: Paul Leithwood
Subject: Regarding Application A23-2022WL - Minor Variance Application - 4959 Elcho Road - Bosma
Attachments: 4959 Elcho Road, West Lincoln.pdf; 1. Notice of Hearing - A232022WL.pdf

Hello Gerrit,

I am emailing you regarding the Minor Variance application at 4959 Elcho Road. I have attached the provided notice, as well as the NPCA's mapping of the subject property. I note the presence of an unmapped Flood Hazard on the property to the north.

In some cases, the NPCA can support additions to existing buildings near Flood Hazards. However, before the NPCA can confirm if this proposed addition meets Section 4.2.5 of our policy *Additions to Existing Buildings,* We will request that a Site Plan which shows the extent of the proposed additions be submitted to the NPCA for review and approval. Please let Paul and myself know if there is a Site Plan available.

Sincerely,

Nikolas Wensing, B.A., MPlan
Watershed Planner
Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor, Welland, ON, L3C 3W2
905-788-3135, ext. 228
nwensing@npca.ca
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.

Updates regarding NPCA operations and activities can be found at Get Involved NPCA Portal, or on social media at [facebook.com/NPCAOntario]facebook.com/NPCAOntario & twitter.com/NPCA_Ontario.

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

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

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

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are hereby notified that any disclosure of this communication, or any of its contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.

4959 Elcho Road, West Lincoln

7/29/2022, 10:15:59 AM

SWOOP 2020 Imagery
- Red: Band_1
- Green: Band_2
- Blue: Band_3

Roads

Corporate Watershed Divide NPCA

NPCA APPROXIMATE REGULATION LANDS

Wetland Allowance

Regulation Wetlands
- Evaluated-Other
- Evaluated-Provincial
- NPCA Regulation Wetland

OWES WETLANDS
- Non-Provincially Significant Wetland

1:2,257

0 0.02 0.04 0.07 mi

0 0.03 0.06 0.11 km

NPCA
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS

Gerrit Boerema

From: Lyle Killins <lkillins@live.com>
Sent: August 8, 2022 9:52 AM
To: Gerrit Boerema
Subject: Re: Application A23-2022WL - Minor Variance Application - 4959 Elcho Road - Bosma

Hello Gerrit
The addition to the south of the dwelling will not impact the sewage system proposed to the north.Thus , no objection to this application as proposed.
Lyle killins C.P.H.I (c)
BCIN# 11112

From: Gerrit Boerema <gboerema@westlincoln.ca>
Sent: July 25, 2022 12:34 PM
To: Nikolas Wensing <nwensing@npca.ca>; Young, Katie <Katie.Young@niagararegion.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; John Schonewille <jschonewille@westlincoln.ca>; Jessica Kroes <jkroes@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; Busnello, Pat <pat.busnello@niagararegion.ca>; Dunsmore, Susan <Susan.Dunsmore@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>; Beverly Hendry <bhendry@westlincoln.ca>; Brian Treble <btreble@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; Lyle Killins <lkillins@live.com>; baardab@gmail.com <baardab@gmail.com>; D & G <petsrus2@gmail.com>; vandyke.dj@gmail.com <vandyke.dj@gmail.com>; consultations@metisnation.org <consultations@metisnation.org>; jocko@sixnationsns.com <jocko@sixnationsns.com>; fawn.sault@mncfn.ca <fawn.sault@mncfn.ca>; lonnybomberry@sixnations.ca <lonnybomberry@sixnations.ca>; executivedirector@fenfc.org <executivedirector@fenfc.org>; executivedirector@nrnc.ca <executivedirector@nrnc.ca>; Mike DiPaola <mdipaola@westlincoln.ca>; Lisa Kasko-Young <lyoung@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; Ray Vachon <rvachon@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>
Cc: DL-Council Members <DL-CouncilMembers@westlincoln.ca>
Subject: Application A23-2022WL - Minor Variance Application - 4959 Elcho Road - Bosma

Good Afternoon,

Please find attached the notice of hearing for Minor Variance Application A23-2022WL located at 4959 Elcho Road. This application is to reduce a required front yard setback to permit an addition.

If you have any questions please let me know.

Comments to be submitted to myself by **August 10, 2022**.

Gerrit,

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.

West Lincoln
Respecting our Roots – Realizing our Future

Gerrit Boerema

Planner II

Tel: 905-957-3346 ext.5133
Email: gboerema@westlincoln.ca
Web: www.westlincoln.ca

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Gerrit Boerema

From: Jennifer Bernard
Sent: July 26, 2022 1:03 PM
To: Gerrit Boerema
Subject: RE: Application A23-2022WL - Minor Variance Application - 4959 Elcho Road - Bosma

Hi Gerrit,

I have no comments on this application.

Thanks,
Jenn

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.

West Lincoln
Respecting our Roots – Realizing our Future

Jennifer Bernard, C.E.T.

Coordinator, Engineering Services

Tel: 905-957-3346 ext 6732
Email: jbernard@westlincoln.ca
Web: www.westlincoln.ca

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From: Gerrit Boerema
Sent: July 25, 2022 12:35 PM
To: Nikolas Wensing <nwensing@npca.ca>; Young, Katie <Katie.Young@niagararegion.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; John Schonewille <jschonewille@westlincoln.ca>; Jessica Kroes <jkroes@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; Busnello, Pat <pat.busnello@niagararegion.ca>; Dunsmore, Susan <Susan.Dunsmore@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>; Beverly Hendry <bhendry@westlincoln.ca>; Brian Treble <btreble@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; Lyle Killins <lkillins@live.com>; baardab@gmail.com; D & G <petsrus2@gmail.com>; vandyke.dj@gmail.com; consultations@metisnation.org; jocko@sixnationsns.com; fawn.sault@mncfn.ca; lonnybomberry@sixnations.ca; executivedirector@fenfc.org; executivedirector@nrnc.ca; Mike DiPaola <mdipaola@westlincoln.ca>; Lisa Kasko-Young <lyoung@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; Ray Vachon <rvachon@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>
Cc: DL-Council Members <DL-CouncilMembers@westlincoln.ca>
Subject: Application A23-2022WL - Minor Variance Application - 4959 Elcho Road - Bosma

Good Afternoon,

Please find attached the notice of hearing for Minor Variance Application A23-2022WL located at 4959 Elcho Road. This application is to reduce a required front yard setback to permit an addition.

If you have any questions please let me know.

Comments to be submitted to myself by **August 10, 2022**.

Gerrit,

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West Lincoln
Respecting our Roots - Realizing our Future

Gerrit Boerema

Planner II

Tel: 905-957-3346 ext.5133
Email: gboerema@westlincoln.ca
Web: www.westlincoln.ca

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Gerrit Boerema

From: Boekestyn, Alex <Alex.Boekestyn@niagararegion.ca>
Sent: August 10, 2022 1:45 PM
To: Gerrit Boerema
Cc: Development Planning Applications; Young, Katie; Morrison, Alexander
Subject: Regional Comments - 4959 Elcho Road, West Lincoln (Region File: MV-22-0088; Township File: A232022)

Hi Gerrit,
Please see the Regional comments below for the Minor Variance Application at 4959 Elcho Road (Township File: A232022 ; Region File: MV-22-0088). Please let me know if you have any questions.

Regional Planning and Development Services staff has reviewed the proposed Minor Variance Application for 4959 Elcho Road in the Township of West Lincoln, to permit a proposed addition to an existing house, including a second storey and a covered porch that does not meet the required front yard setback of 15 m.

The property is located within the 'Prime Agricultural Area' of the *Provincial Policy Statement, 2020* and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation*, and designated 'Good General Agricultural Area' in the *Regional Official Plan* ("ROP"). ROP Policy 5.B.8.3 permits the reasonable expansion of legally established residential uses, subject to specific criteria, including not having a negative impact on the Core Natural Heritage System. Subject to the comments below, the proposal is consistent with the PPS and conforms to Provincial and Regional plans.

Archaeological Resources

The PPS and ROP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, Section 2.6.2 of the PPS and Policy 10.C.2.1.13 of the ROP state that development and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved.

Based on the Ministry of Heritage, Sport, Tourism and Culture Industries' ("MHSTCI") Criteria for Evaluating Archaeological Potential, the subject property exhibits potential for the discovery of archaeological resources due to the presence of registered archaeological sites (AgGu-191) and a stream within 300 metres of the site. The proposed development does not appear to result in the alteration of undisturbed land as the addition includes a second story and a porch, which is within the general building envelope. As such, Regional staff do not require any archaeological assessments for the proposed Minor Variance Application.

The Applicant is advised that any future *Planning Act* application for the property may require an Archaeological Assessment in order to satisfy Provincial and Regional policies relative to the identification and protection of archaeological resources.

Natural Heritage

There are currently no mapped natural heritage features on the subject property. However, based on aerial imagery available to the Region, it appears that there are potential wetlands located at the rear of the property. Consistent with ROP Policy 7.B.1.11, an Environmental Impact Study (EIS) is generally required in support of site alteration and/or development proposed within 120 m of Provincially Significant Wetland and within 50 m of Locally Significant Wetland.

The proposed addition is outside of the above-noted setbacks and separated from the potential wetlands by the existing dwelling and barn. As such, Regional Environmental Planning staff offer no requirements.

Conclusion

In conclusion, Regional staff does not object to the proposed Application, in principle, as the proposed development is consistent with the PPS and conforms to Provincial and Regional policies. Should you have any questions related to the above comments, please do not hesitate to reach out.

Alex Boekestyn
Development Planning Student
Planning and Development Services Department
Niagara Region | www.niagararegion.ca
Phone: 905-980-6000 ext. 3250 Toll-free: 1-800-263-7215
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
E: Alex.Boekestyn@niagararegion.ca

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REPORT
TOWNSHIP
COMMITTEE OF ADJUSTMENT

DATE: August 11, 2022

REPORT NO: COA-024-22

SUBJECT: **Recommendation Report**
Application for Minor Variance by Nancy Huizinga – 6400 Canborough Road
File No. A24/2022WL

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

OVERVIEW:

- **A minor Variance application has been submitted by Ms. Nancy Huizinga, owner of 6400 Canborough Road according to the Township's mapping system or 6399 Canborough Road according to the fire sign on the property.**
- **The subject property is a farm property on the north side of Canborough Road, east of Port Davidson Road and currently contains a dwelling and a dairy barn constructed in 2014. The existing barn is located in such a location where it is nearly impossible to construct an addition while meeting the required Minimum Distance Separation Setback to three of the surrounding dwellings.**
- **The owners are now proposing an addition to the dairy barn which does not meet the Minimum Distance Separation (MDS) setback to three neighbouring houses.**
- **The required MDS II setback is 228 metres from the nearest point of the livestock occupied portion of the dairy barn expansion to dwellings on surrounding properties.**
- **The proposed MDS II setback is 157 metres to the dwelling located at 6400 Canborough Road (south side of Canborough Road but with the same municipal address), and 200 metres to the dwellings located at 6416 and 6310 Canborough Road, from the dairy barn expansion.**
- **Planning Staff have reviewed this application against the four tests of a minor variance and can recommend support for the reduced MDS II setbacks.**

RECOMMENDATION:

1. THAT, the application for Minor Variance made by Nancy Huizinga for 6400 Canborough Road (north of Canaborough Road) to reduce the MDS II setback from 288 metres to 157 metres to the dwelling at 6400 Canborough Road (South side of Canborough Road) and 200 metres to the dwellings located at 6416 and 6310 Canborough Road, BE APPROVED.

BACKGROUND:
The subject lands, being 6400 Canborough Road are located on the north side of Canborough Road, east of Port Davidson Road. The municipal address within the Township's mapping system is 6400 Canborough Road, the same address as the parcel on the south side of the Road in the same ownership and forming part of the same deed. The address sign on the subject property near the driveway to the dwelling is 6399 Canborough Road.

The subject property is 41.5 hectares in area and is zoned Agricultural 'A' and Environmental Protection 'EP'. The property contains a single detached dwelling and a dairy barn built in 2014.

The owners are now proposing a 2,576 square metre addition to the dairy barn with under floor manure storage, which is planned to extend east and south from the existing barn, requiring an MDS II setback of 228 metres. However, there are three dwellings on adjacent parcels that are within the 228 metre setback including 6416 and 6310 Canborough Road which are approximately 200 metres from the proposed dairy barn addition, and 6400 Canborough Road (South Side) which is approximately 157 metres from the proposed addition.

The owners own both sides of Canborough Road with Nancy Huizinga living in the house on the south side of Canborough Road, and the son, Adrian, living on the north side where the dairy barn is located. Even though both parcels owned by the Huizinga's are in the same deed, they can be both legally conveyed and therefore MDS applies.

The owners have identified a number of reasons why the addition is not possible to comply with the required MDS II setback. The first reason is the close proximity of the existing barn, which is close enough to the neighbouring houses that nearly any addition would require a minor variance. The second reason is due to the location of the freshwater pond, the addition cannot go straight north away from the nearest neighbouring dwellings. Thirdly, the layout of the proposed addition provides function and air flow, which could not be achieved if the barn were to be situated north, as the existing barn would block the air flow through the addition due to the prevailing winds.

CURRENT SITUATION:
Planning Staff have completed an analysis of the proposed Minor Variance application and can provide the following evaluation:

Does the proposal maintain the general intent and purpose of the Official Plan?
Yes

The subject property is designated as Good General Agriculture in the Township's Official Plan. The Good General Agricultural Area is to the policies found in Section 4 of the Official Plan. Agricultural areas are intended to be protected for long-term agricultural production including crops and livestock operations.

The proposed dairy farm addition is an agricultural use and is permitted in the Good General Agricultural Area. Agricultural uses, such as this dairy barn expansion, should be supported in the agricultural area. Therefore, staff believe that this minor variance application meets the general intent and purpose of the Township's Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law? Yes

The Minimum Distance Separation (MDS) Formula is a Provincial guidelines which is implemented in the Township's Zoning bylaw, requires setbacks between new and expanding livestock facilities and sensitive land uses, such as dwellings, and vice versa.

MDS II setbacks are calculated for new and expanding livestock using information including the type of livestock being housed, the capacity of the livestock barn and the type of manure generated and how it is stored.

In this situation, there is an existing dairy barn on the subject property which was constructed in 2014. In 2014 the MDS II setback was not as large as what is required in the new and current 2017 MDS guideline. Additionally, staff of the day interpreted that, since 6400 Canborough Road north was on the same deed as 6400 Canborough Road south, and in the same ownership, they should be considered as one 'lot' for the purposes of calculating the MDS setback. Based on today's understanding, that is not the case as both lots can be conveyed independently.

As such, the MDS setback is required to be measured from the house on 6400 Canborough Road south to the point of new construction, which was not done in 2014.

Table 1 below shows the three houses that are within the required MDS II setback for the proposed dairy barn expansion and their existing and proposed setbacks.

	Existing Setback to Dairy Barn	Proposed Setback to Dairy Barn Addition	Required MDS II Setback
6416 Canborough Road	±156 metres	>200 metres	228 metres
6400 Canborough Road (South side)	±123 metres	157 metres	228 metres
6310 Canborough Road	±294 metres	>200 metres	228 metres

As the existing setbacks are closer in two out of the three dwellings closer than the proposed setbacks for the addition. The closest house represents a 31% reduction to the MDS II setback while the two other houses only represents a 12% reduction.

The 31% reduction is typically significantly larger than what is typically supported by staff, however, as the house is already within 123 metres of the dairy barn and are most

likely to be farmers as it is currently used for agricultural operations, and the owners of the house are the operators and owners of the dairy barn, staff believe that the intent of the bylaw is being met.

Is the proposal desirable for the appropriate development or use of the land?
Yes

The MDS Guidelines created by the Ontario Ministry of Agriculture, Food and Rural Affairs offers some direction on reducing required MDS II setbacks. The guidelines suggest reviewing surrounding land uses to identify if:

- There are any similar livestock facilities on surrounding lands
- There are many existing dwellings surrounding the subject lands
- Is the proposed location of the expanded livestock facility greater than previous additions.

Within close proximity to the subject property there is an operational poultry barn, beef barn and old dairy operation which is still currently being used in a reduced capacity. There are a number of existing dwellings in the area, but the closest dwelling is the owner of the lands on which the dairy barn expansion is proposed.

Based on Table 1 above, the existing houses are already in close proximity to the existing dairy barn, and the addition will only result in being closer to one of the three dwellings.

The MDS Guideline also suggests evaluating the proposal for environmental concerns, safety concerns and practicality. While there does not appear to be any apparent environmental or safety concerns, there are practical considerations that the applicant has identified for the location of the addition. This includes the existing layout of the barn, the location of a fresh water pond and the consideration of good airflow through the barn. Based on these considerations, the proposed location of the addition is the most suitable from a practical standpoint. Due to the close proximity of the existing barn and the location of the pond, any other addition layouts would generate MDS II setback issues as well.

Staff have also checked with the Ontario Ministry of Agriculture Food and Rural Affairs to see if there have been any nuisance related complaints regarding the existing operations and they have stated that they have no records of complaints within their tracking system.

Based on the above, staff believe that the proposed dairy barn addition is desirable and an appropriate use of the land.

Is the proposal minor in nature?
Yes

While a MDS II setback reduction of 31% for the nearest dwelling is not typically something that the Township considers minor, in this context it is important to understand that the existing barn is already within the MDS II setback at a distance of only 123 metres. The closest dwelling is also closely connected to the farm with the owners of the farm living in the house, and their son Adrian living in the house near the dairy barn.

The variances to the other two dwellings are proposed at no less than 200 metres each, which is only a 12% reduction to the required MDS II setback. Additionally, for 6416 Canborough Road, the existing barn is already closer than the proposed addition.

As such, staff considers the application to be minor in nature.

PLANNING POLICY AND PROVINCIAL INTEREST

Section 2 of the Planning Act requires that Council and local planning boards within a municipality make decisions in regards to matters of Provincial interests, including the protection of ecological systems, agricultural resources, conservation and management of natural resources, among a number of other interests. The addition of a new dairy barn directly supports the protection of agricultural recourses in Ontario, and further is aligned with Section 2.3 of the Provincial Policy Statement by promoting agricultural uses that are operating in accordance with provincial standards. As such, this application supports the Provincial Interest and Section 2 of the Planning Act.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

INTER-DEPARTMENTAL AND PUBLIC COMMENTS:

Notification was mailed to all applicable agencies, departments and members of the public within 60 metres of the property on July 26, 2022. As of the date of writing this report, no public comments have been received.

The NPCA, Township Septic Inspector and Township Public Works Department offer no objections to the application. The Region of Niagara has provided comments with regards to this application. They have requested that a condition be added to the decision requiring a Stage 1 and 2 Archaeological Assessment, plus any subsequent assessments, for the area where the barn is to be located. They have also requested a clause be inserted as a condition requiring that if archaeological resources are found that construction activities immediately cease and the owners contact the Ministry of Heritage, Sport, Tourism and Culture Industries. The full conditions can be found in Attachment 5 if the Committee of Adjustment wishes to implement the conditions.

CONCLUSION:

A Minor Variance application has been submitted to reduce a required MDS II setback for a new dairy barn from 228 metres to 157 metres to the dwelling located at 6400

Canborough Road, and 200 metres for two dwellings located at 6416 Canborough Road and 6310 Canborough Road. Staff have reviewed the application based on the applicable planning policy and the four tests for a minor variance and can recommend approval of the minor variance.

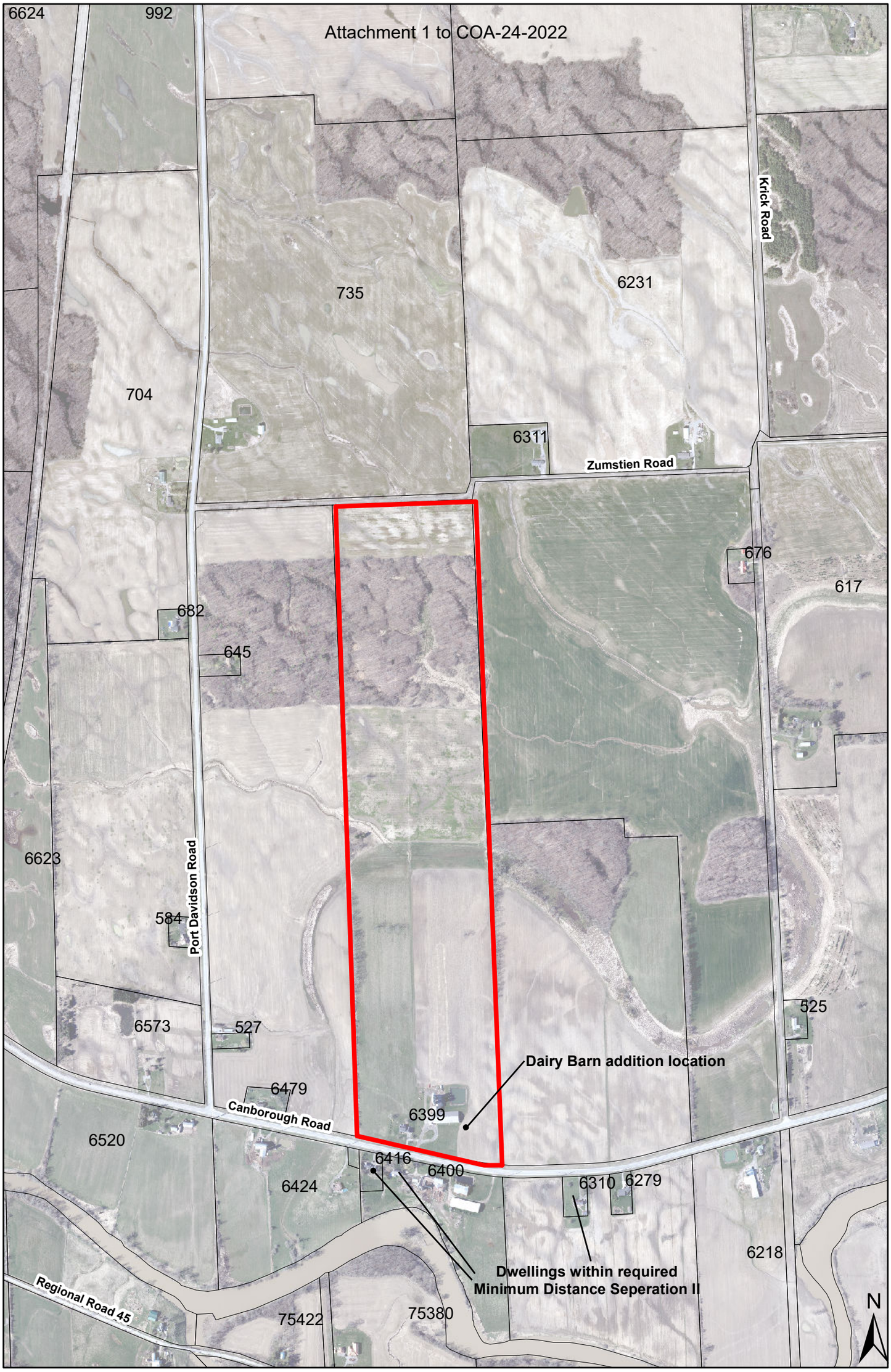
ATTACHMENTS:

1. Location Map
2. Site Plan Sketch
3. Building Plans
4. MDS II Setbacks
5. Agency Comments

Prepared by:

Gerrit Boerema
Planner II

Brian Treble, RPP, MCIP
Director of Planning and Building



Location Map
6400 Canborough Road

0 115 230 460 Meters

West Lincoln
Your Future Naturally

Legend

Subject Property

Document Path: X:\wl-GIS\2022\Location Maps\6400 Canbororough Road\6400 Canborough Road.mxd

July 2022

Minimum Distance Separation II

Worksheet 1
Prepared By: Chris Attema, 5365 Concession Four Road

Description:

Application Date: Thursday, June 23, 2022

Municipal File Number:

Applicant Contact Information
Huizinga Adrian

Location of Subject Livestock Facilities
Regional Municipality of Niagara
Concession: , Lot:

Roll Number:

Calculation Name: ***Joy Acres***
Description:

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Total Maximum Number	Total Maximum Number (NU)	Estimated Livestock Barn Area
Liquid	Dairy, Milking-age Cows (dry or milking) Large Frame (545 - 658 kg) (eg. Holsteins), 3 Row Free Stall	71	101.4	152	217.1	15,960 ft²
Liquid	Dairy, Heifers Large Frame (182 - 545 kg) (eg. Holsteins), Free Stall	0	0.0	62	31.0	4,650 ft²
Solid	Dairy, Calves Large Frame (45 - 182 kg) (eg. Holsteins)	14	2.3	50	8.3	1,750 ft²

Manure Storage: V5. Liquid, inside, underneath slatted floor

Existing design capacity (NU): 103.8
Design capacity after alteration (NU): 256.5

Factor A (Odour Potential)		Factor B (Size)		Factor C (Orderly Expansion)		Factor D (Manure Type)		Building Base Distance F' (minimum distance from livestock barn)
0.7	**X**	**439.04**	**X**	**0.9335**	**X**	**0.8**	**=**	**228 m (749 ft)**

Storage Base Distance 'S'
(minimum distance from manure storage)
228 m (749 ft)

MDS II Setback Distance Summary

Description	Minimum Livestock Barn Setback Distance	Actual Livestock Barn Setback Distance	Minimum Manure Storage Setback Distance	Actual Manure Storage Setback Distance
Type A Land Uses	228 m 749 ft	TBD	228 m 749 ft	TBD
Type B Land Uses	457 m 1,499 ft	TBD	457 m 1,499 ft	TBD
Nearest lot line (side or rear)	23 m 75 ft	TBD	23 m 75 ft	TBD
Nearest road allowance	46 m 150 ft	TBD	46 m 150 ft	TBD

Minimum Distance Separation II

Worksheet 1
Prepared By: Chris Attema, 5365 Concession Four Road

Preparer Information

Chris Attema
5365 Concession Four Road

Phone #1: 905 386-0272
Email: chrisattema@gmail.com

Signature of Preparer: _____ Date: _____
Chris Attema

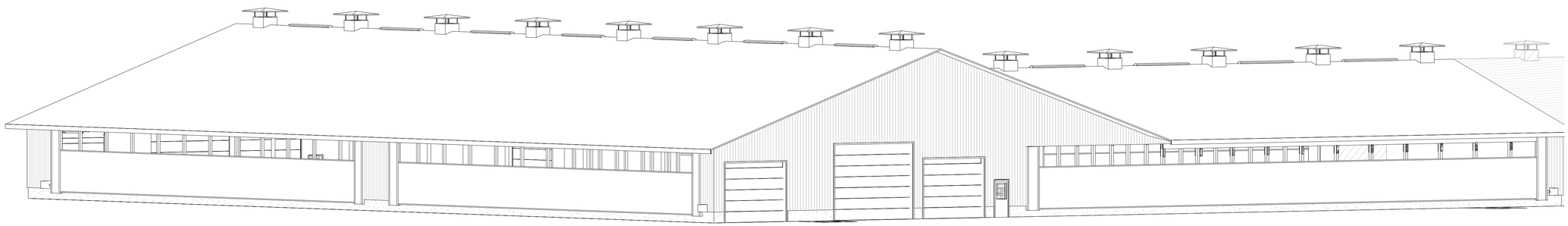
NOTE TO THE USER:
The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

DRAWINGS PROVIDED FOR

JOYACRES FARMS

FREESTALL ADDITION

6400 CAMBOROUGH ROAD, DUNNVILLE, ON



NOTES:

PLEASE READ NOTE PAGE AT BEGINNING OF DRAWING SET FOR ALL NOTES REGARDING THIS PROJECT

NO.	DATE:	DESCRIPTION:

PROJECT SHEET SET

SHEET No.	SHEET NAME
A1.0	TITLE PAGE
A1.1	SCHEDULES & NOTES
A2.0	FLOOR PLAN
A3.0	BUILDING ELEVATIONS
A4.0	CROSS SECTIONS
A4.1	PROJECT DETAILS
A4.2	PROJECT DETAILS
A5.0	PERSPECTIVE VIEWS
S1.0	FOUNDATION PLAN
S2.0	ROOF FRAMING PLAN
TOTAL SHEET SET: 10	

PROJECT NORTH	*TRUE NORTH*

DRAFT - NOT FOR CONSTRUCTION

PROFESSIONAL ENGINEER'S SEAL

STONECREST ENGINEERING
SHAKESPEARE, ONTARIO, CANADA
PH: (519)-625-8025
FX: (519)-625-8966

CONTRACTOR TO CHECK ALL DIMENSIONS AND ELEVATIONS AND REPORT ANY DISREPANCIES TO THE ENGINEER BEFORE PROCEEDING WITH THE WORK

DO NOT SCALE THE DRAWINGS

CLIENT: JOYACRES FARMS

LOCATION: 6400 CAMBOROUGH ROAD, DUNNVILLE, ON

PROJECT TYPE: FREESTALL ADDITION

PROJECT STATUS AND VERSION: CONSTRUCTION DRAWINGS

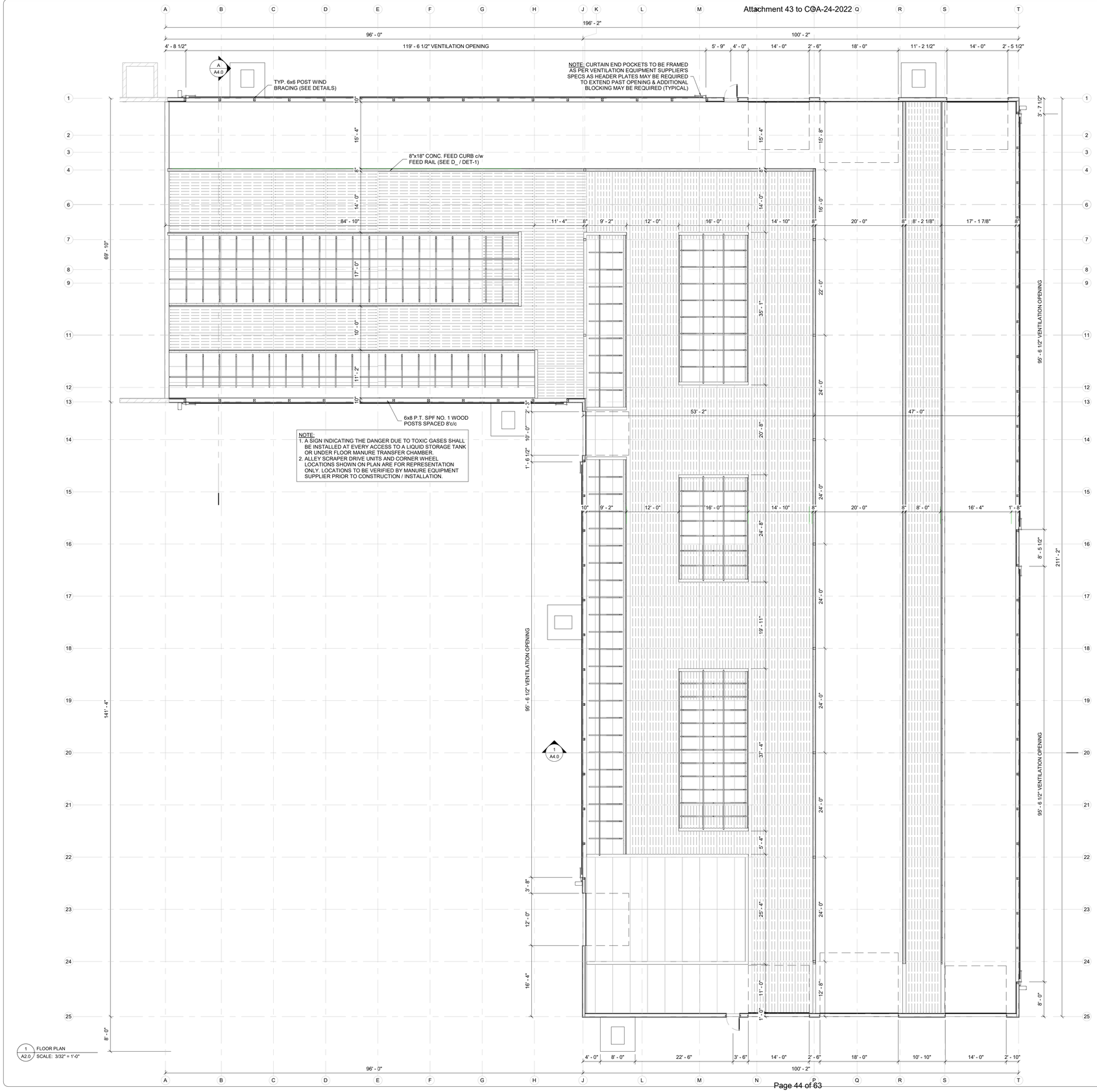
DRAWN BY:	PRINT DATE:
TK	2022-06-13

PAGE DESCRIPTION: TITLE PAGE

SCALE: AS NOTED

FILE: 7833-1

PAGE NUMBER: A1.0



1 FLOOR PLAN
A2.0 SCALE: 3/32" = 1'-0"

NOTE:
1. ALL VENTILATION OPENINGS TO BE CONFIRMED BY EQUIPMENT SUPPLIER PRIOR TO CONSTRUCTION
2. ALL DIMENSIONS, FLOOR SLOPES, & ELEVATIONS TO BE VERIFIED BY EQUIPMENT SUPPLIER PRIOR TO POURING INTERIOR CONCRETE
3. ALL WINDOW & DOOR SIZES, LOCATIONS TO BE VERIFIED BY CONTRACTOR & OWNER PRIOR TO CONSTRUCTION
4. ALL MAN DOORS TO BE 3'x6'-8" UNLESS OTHERWISE SPECIFIED ON DRAWINGS
5. ALL INTERIOR STABLING AND CONCRETE WORK INCLUDING NON STRUCTURAL STRIP FOOTINGS, CURBS, FLOOR SLOPES AND FLOOR DRAINS DESIGNED BY EQUIPMENT SUPPLIER WITH OWNERS APPROVAL
6. ROBOT ROOMS ARE REQUIRED TO BE POSITIVELY VENTILATED WITH A SUPPLY OF CLEAN, FILTERED AIR FROM A NON-LIVESTOCK AREA. MILKING EQUIPMENT SUPPLIER TO PROVIDE FURTHER DETAIL.

NOTE:
1. A SIGN INDICATING THE DANGER DUE TO TOXIC GASES SHALL BE INSTALLED AT EVERY ACCESS TO A LIQUID STORAGE TANK OR UNDER FLOOR MANURE TRANSFER CHAMBER.
2. ALLEY SCRAPER DRIVE UNITS AND CORNER WHEEL LOCATIONS SHOWN ON PLAN ARE FOR REPRESENTATION ONLY. LOCATIONS TO BE VERIFIED BY MANURE EQUIPMENT SUPPLIER PRIOR TO CONSTRUCTION / INSTALLATION.

LEVEL SCHEDULE

LEVEL NAME	ELEVATION
U/S TRUSS - BARN	+355.25
T/O FDN - BARN	+224.00
T/O FEED ALLEY	+204.00
T/O SLAT	+200.00
T/O PIT WALL	+192.00
T/O FTG	+160.00
T/O PIT	+98.00
T/O PUMP PORT	+74.00

NOTES:

PLEASE READ NOTE PAGE AT BEGINNING OF DRAWING SET FOR ALL NOTES REGARDING THIS PROJECT

NO.	DATE:	DESCRIPTION:

LEGEND:

- SPOT ELEVATION
- D1 DOOR IDENTIFICATION TAG
- W1 WALL IDENTIFICATION TAG
- F1 FOOTING IDENTIFICATION TAG
- WN1 WINDOW IDENTIFICATION TAG
- C1 COLUMN IDENTIFICATION TAG

PROJECT NORTH | TRUE NORTH

DRAFT - NOT FOR CONSTRUCTION

PROFESSIONAL ENGINEER'S SEAL

STONECREST ENGINEERING
SHAKESPEARE, ONTARIO, CANADA
PH: (519)-625-8025
FX: (519)-625-8966

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DO NOT SCALE THE DRAWINGS

CLIENT: JOYACRES FARMS

LOCATION: 6400 CAMBOROUGH ROAD, DUNNVILLE, ON

PROJECT TYPE: FREESTALL ADDITION

PROJECT STATUS AND VERSION: CONSTRUCTION DRAWINGS

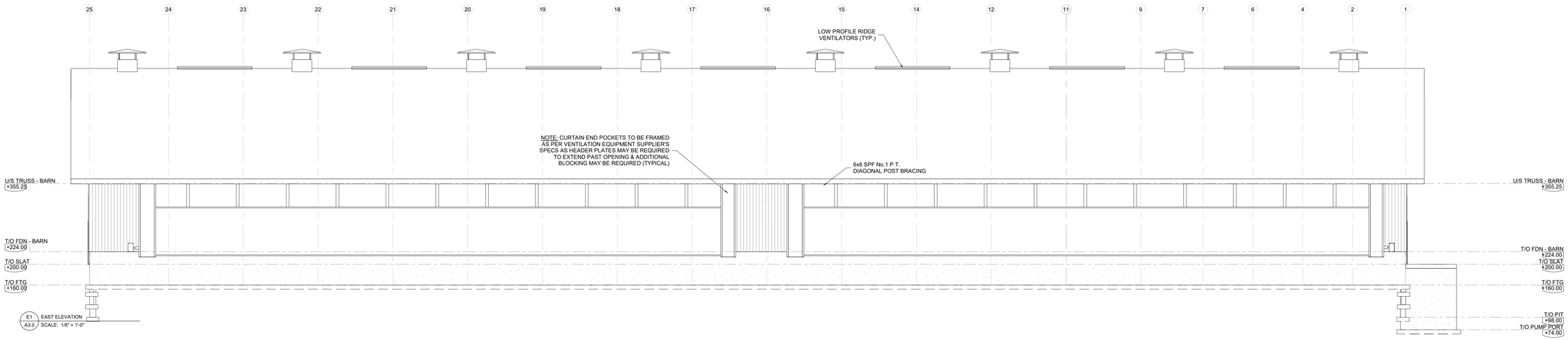
DRAWN BY: TK | PRINT DATE: 2022-06-13

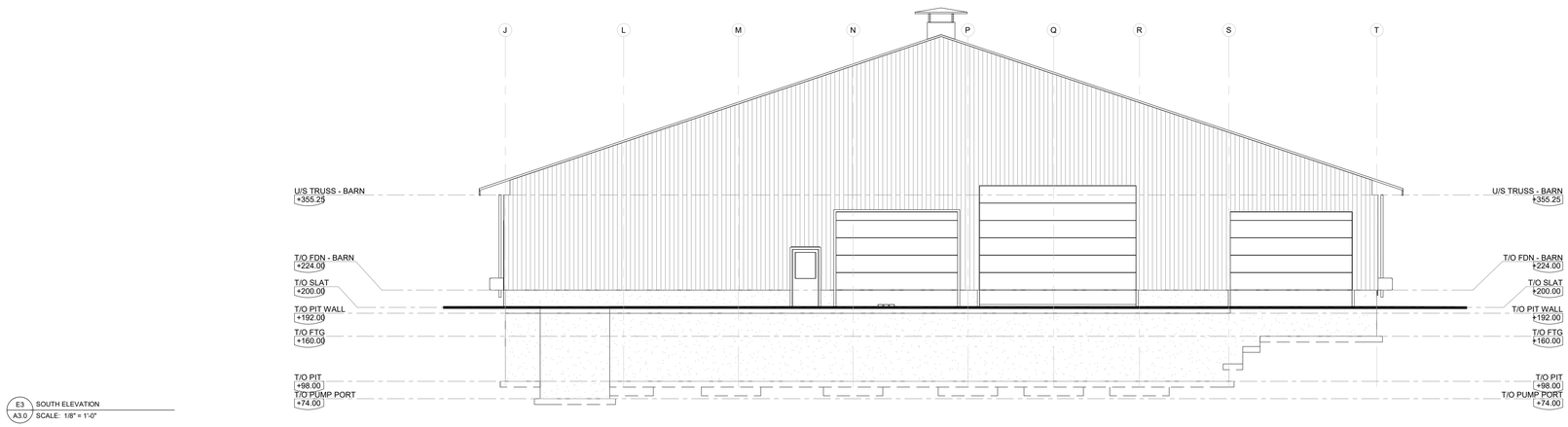
PAGE DESCRIPTION: FLOOR PLAN

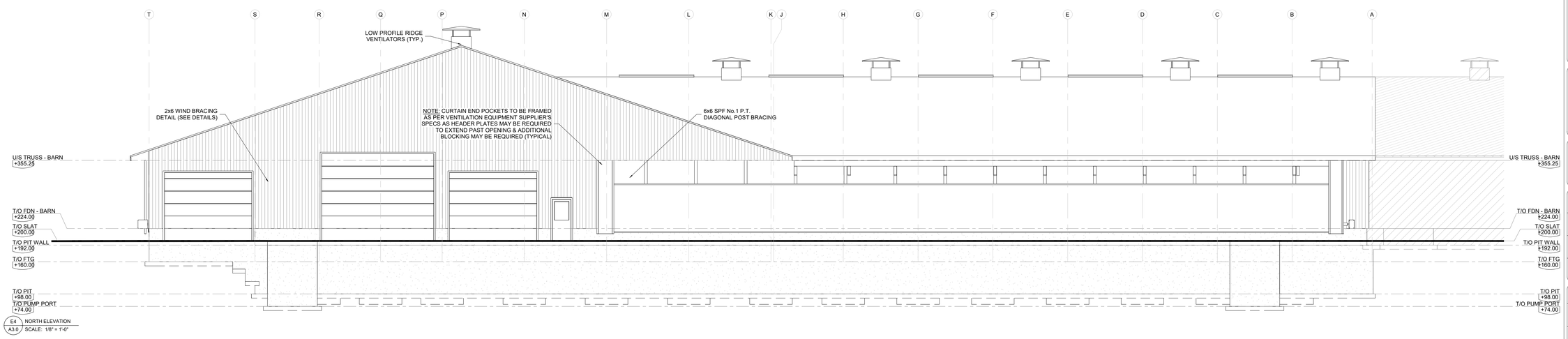
SCALE: AS NOTED

FILE: 7833-1

PAGE NUMBER: A2.0







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DRAWN BY:	PRINT DATE:
TK	2022-06-13

PAGE DESCRIPTION: BUILDING ELEVATIONS

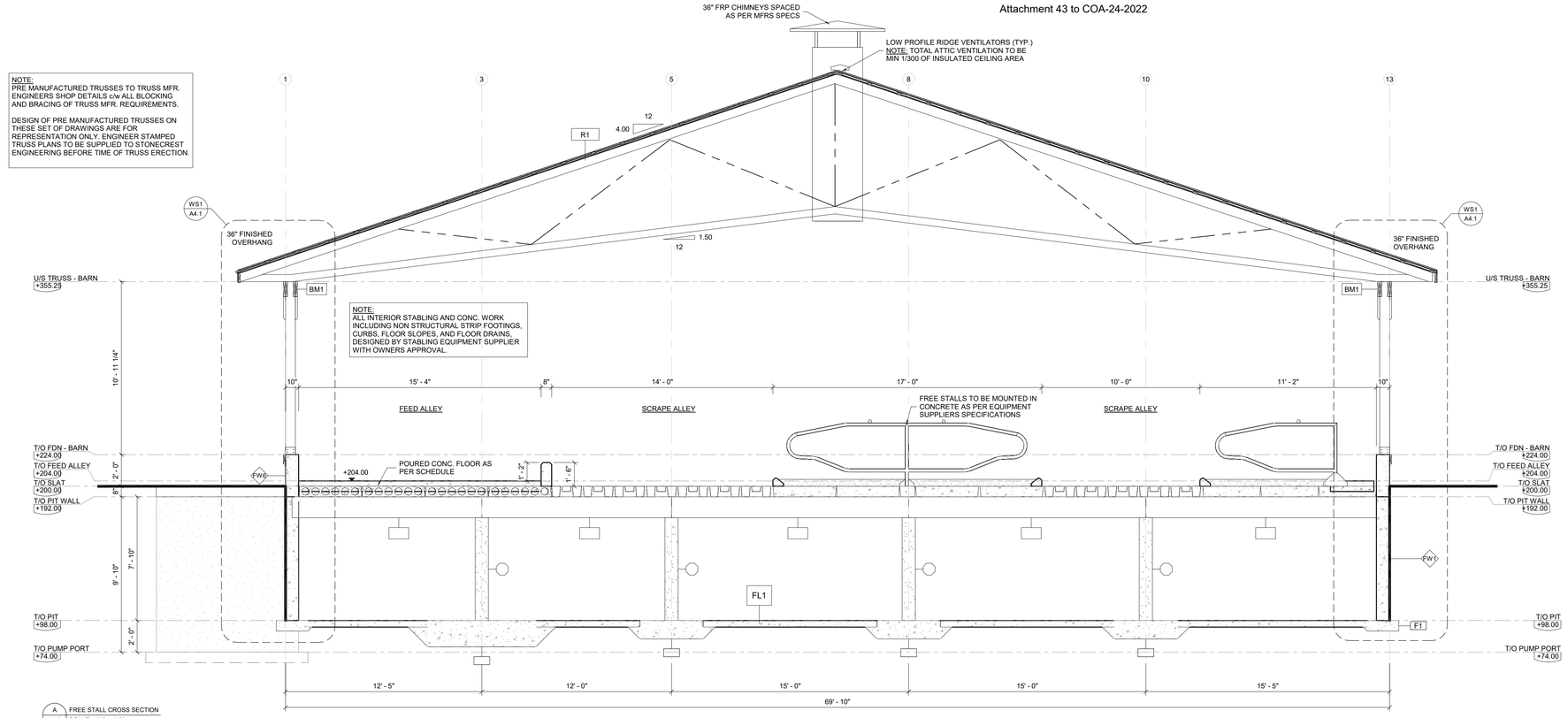
SCALE: AS NOTED

FILE: 7833-1

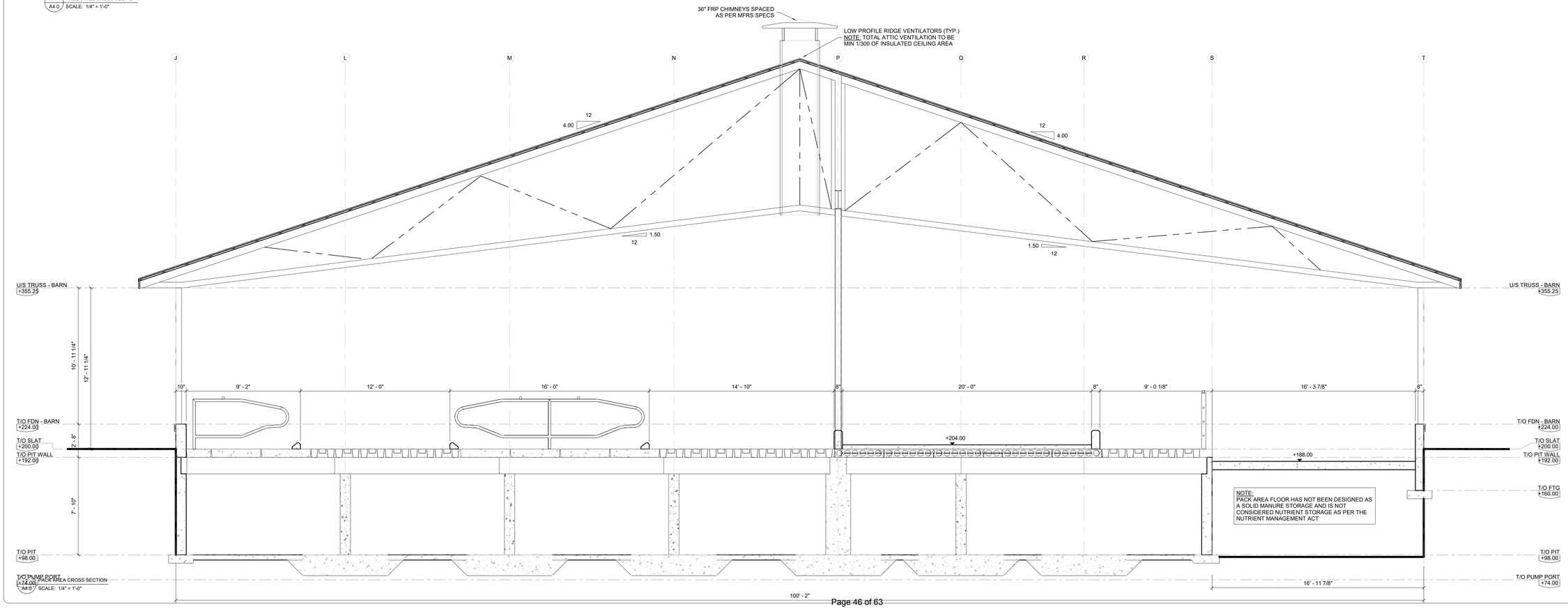
PAGE NUMBER: A3.0

NOTE:
PRE MANUFACTURED TRUSSES TO TRUSS MFR. ENGINEERS SHOP DETAILS c/w ALL BLOCKING AND BRACING OF TRUSS MFR. REQUIREMENTS.

DESIGN OF PRE MANUFACTURED TRUSSES ON THESE SET OF DRAWINGS ARE FOR REPRESENTATION ONLY. ENGINEER STAMPED TRUSS PLANS TO BE SUPPLIED TO STONECREST ENGINEERING BEFORE TIME OF TRUSS ERECTION.



A / A4.0 FREE STALL CROSS SECTION
SCALE: 1/4" = 1'-0"



A / A4.0 PACK AREA CROSS SECTION
SCALE: 1/4" = 1'-0"

NOTES:

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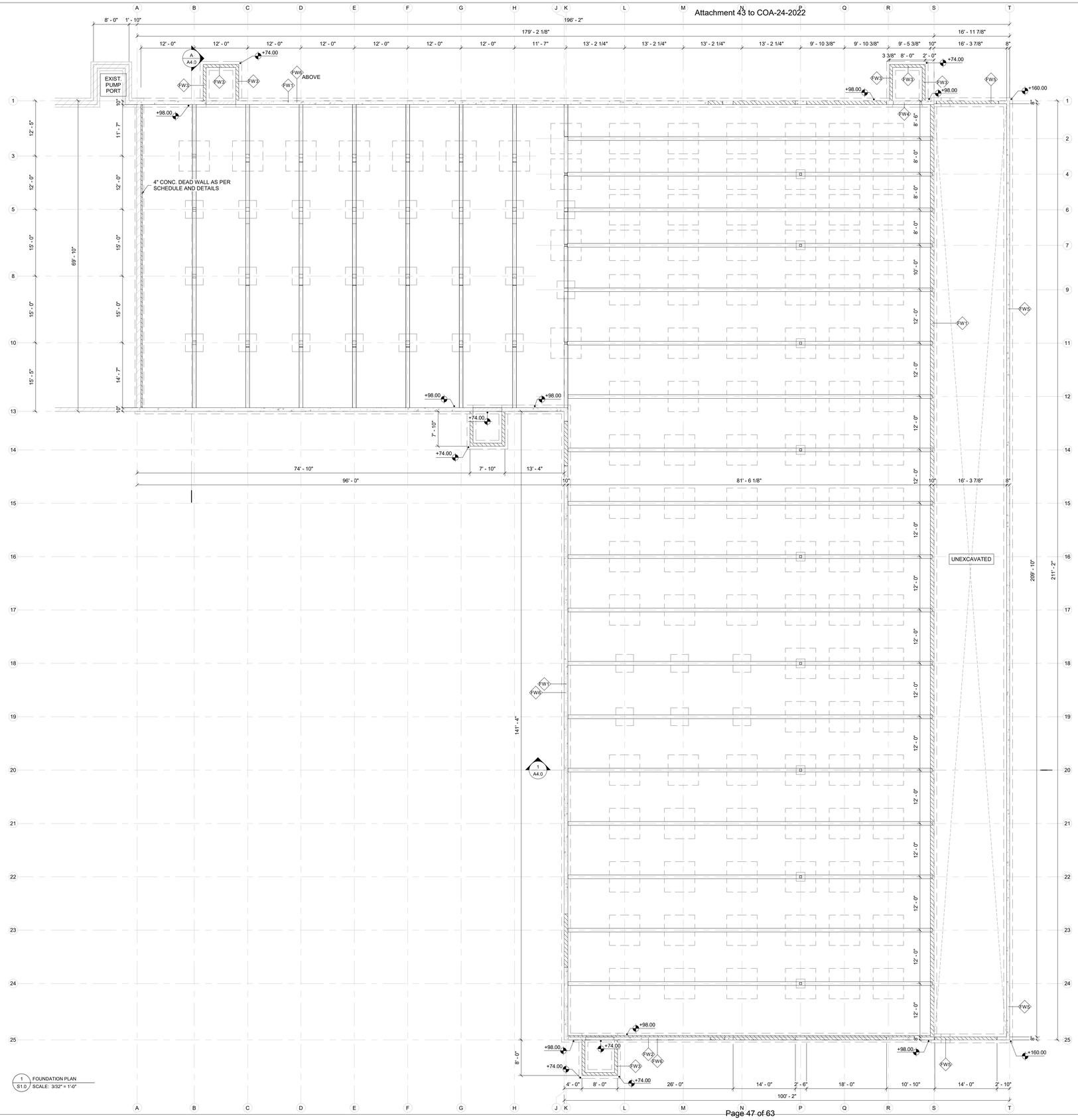
DRAWN BY:	PRINT DATE:
TK	2022-06-13

PAGE DESCRIPTION: CROSS SECTIONS

SCALE: AS NOTED

FILE: 7833-1

PAGE NUMBER: A4.0



1 FOUNDATION PLAN
S1.0 SCALE: 3/32" = 1'-0"

NOTES:

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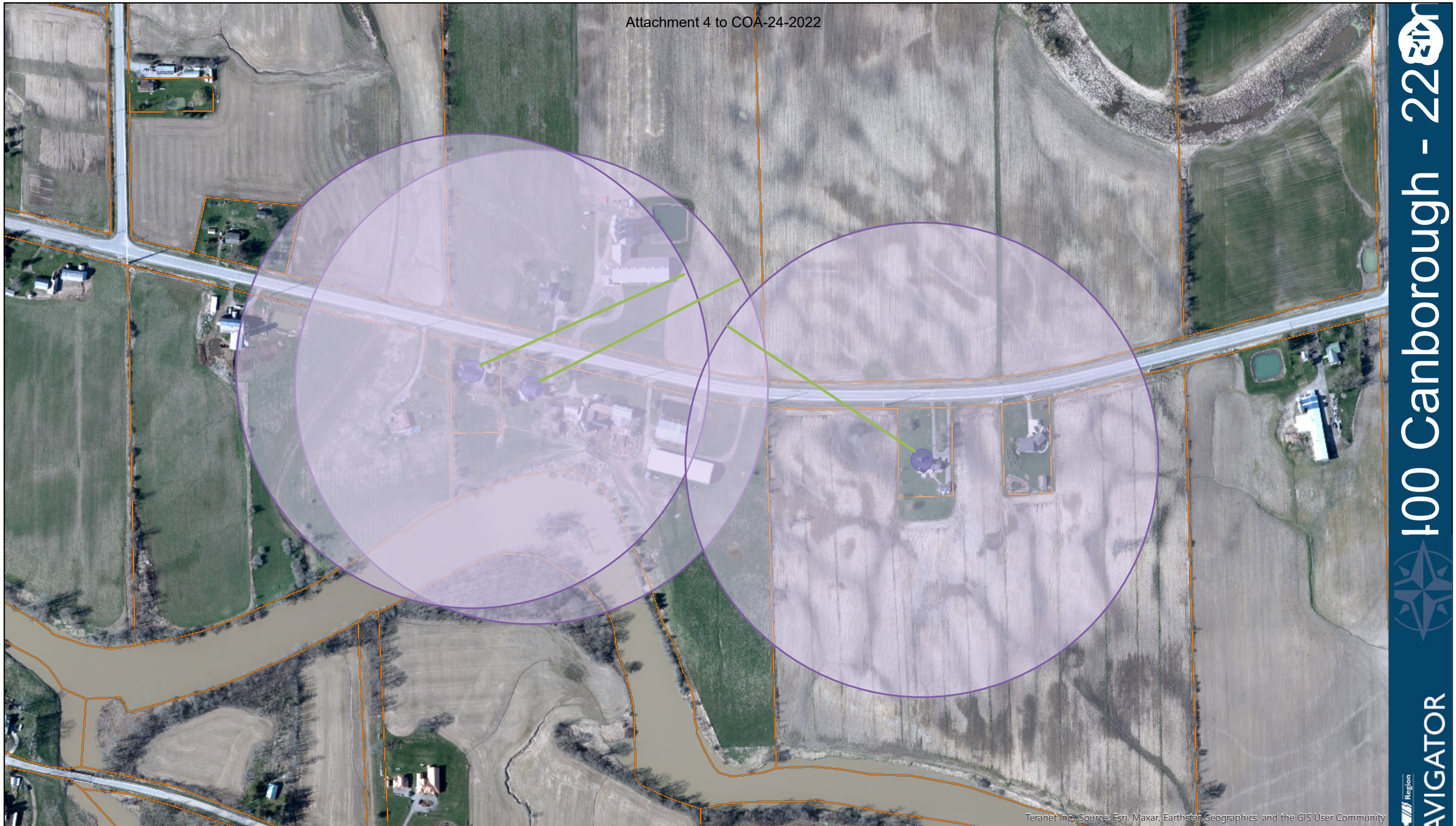
PAGE NUMBER: S1.0



00 Canborough - 22

Niagara Region NAVIGATOR

Legend

Override 1 | Buffer Result | Immunization Sites | Assessment Parcels

0 0.05 0.1 0.19 0.29 0.38 km

Date: 2022-08-10 Time: 4:02 PM

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Niagara Region

Planning and Development Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
(905) 980-6000 Toll-free:1-800-263-7215

Via Email

August 4, 2022

Region File: D.17.12.MV-22-0091

Gerrit Boerema
Planner II
Township of West Lincoln
318 Canborough Street
Smithville, ON L0R 2A0

Dear Mr. Boerema:

Re: Regional and Provincial Comments
Proposed Minor Variance
Township File: A24/2022WL
Applicant/Owner: Huizinga
6400 Canborough Road
Township of West Lincoln

Regional Planning and Development Services staff has reviewed the above-noted Minor Variance Application for 6400 Canborough Road located in the Township of West Lincoln. Staff received circulation from the Township on July 27, 2022.

A Minor Variance Application has been applied for to permit a dairy barn expansion on the subject property at a reduced Minimum Distance Separation ("MDS") II setback to three neighbouring dwellings. A MDS II setback of 157 m is being requested from the proposed dairy expansion to the house located directly south on 6400 Canborough Road (south), and a setback of 200 m to the houses located at 6416 Canborough Road and 6310 Canborough Road. The required MDS II setback is 228 m.

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

Provincial and Regional Policies

The property is designated “Prime Agricultural Area” within the *Provincial Policy Statement, 2020* (“PPS”), “Prime Agricultural Area” in the “Provincial Agricultural System” within the *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* (“Growth Plan”), and “Good General Agricultural Area” in the *Regional Official Plan* (“ROP”).

Provincial and Regional policies recognize that agricultural land is a valuable asset that must be properly managed and protected. The permitted uses and activities for Prime Agricultural Areas is primarily agriculture, agriculture-related, and on-farm diversified uses. The predominant use of land in Good General Agricultural Areas is for agriculture of all types, including livestock operations. Compatible uses such as forestry and conservation of plant and wildlife is also permitted.

The proposed dairy barn is an agricultural use, therefore, subject to the below comments, Regional staff is satisfied that the proposal is consistent with the PPS and conforms to Provincial and Regional policies.

Natural Heritage

The property is impacted by the Region’s Core Natural Heritage System (“CNHS”), consisting of the Port Davidson Slough Forest Provincially Significant Wetland Complex (“PSW”), Significant Woodland and Type 2 (Important) Fish Habitat. Consistent with ROP Policies 7.B.1.11 and 7.B.1.15, an Environmental Impact Study (“EIS”) is generally required in support of site alteration and/or development proposed within 120 m of PSW, 50 m of Significant Woodland and 15 m of Type 2 Fish Habitat.

Given that the proposal is to permit a reduced MDS II setback, Regional Environmental Planning staff offer no environmental requirements for the Application.

Archaeological Potential

The PPS and ROP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, Section 2.6.2 of the PPS and Policy 10.C.2.1.13 of the ROP state that development and site alteration is not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved.

Based on the Ministry of Heritage, Sport, Tourism and Culture Industries’ (“MHSTCI”) Criteria for Evaluating Archaeological Potential, the subject lands exhibit the potential for the discovery of archaeological resources as there is a registered archaeological site (AfGv-28) on the property, as well as three sites (AfGv-27, AfGv-65, and AfGv-29) within 300 m of the proposed barn area. Based on a review of available aerial imagery, the area of the proposed dairy barn addition has not been extensively disturbed as

defined by the Province. Regional staff note that ground disturbance does not include agricultural cultivation, gardening or landscaping.

In order to ensure that any potential archaeological resources are identified and protected, a Stage 1-2 Archaeological Assessment, plus any subsequent recommended assessments with applicable MHSTCI acknowledgement letters, is required as a condition of approval for the proposed development. An appropriate condition, as well as a standard warning clause with respect to the potential discovery of archaeological resources during construction activities is provided within the attached Appendix.

Regional Permit Requirements

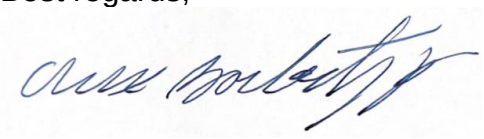
Regional staff acknowledge that no construction works are currently proposed within the Regional Road 63 (Canborough Road) road allowance. Prior to any future construction works or entrance alteration taking place within the Regional Road allowance, a Regional Construction Encroachment and/or Entrance Permit would be required from the Region's Transportation Services Division, Public Works Department. Applications can be made online at: http://niagararegion.ca/living/roads/permits/default.aspx

Conclusion

In conclusion, Regional Planning and Development Services staff does not object to the proposed Minor Variance Application, in principle, as it is consistent with the PPS and conforms to Regional and Provincial policies, subject to the fulfillment of the conditions of approval as provided within the Appendix. Township staff should be satisfied that the proposed development meets any applicable local requirements and provisions.

If you have any questions related to the above comments, please contact the undersigned at Alex.Boekestyn@niagararegion.ca, or Katie Young, Development Planner, at Katie.Young@niagararegion.ca. Please send a copy of the staff report and notice of the Committee's decision on this Application.

Best regards,



Alex Boekestyn
Development Planning Student, Niagara Region

cc: Katie Young, Development Planner, Niagara Region
Alexander Morrison, MCIP, RPP, Senior Development Planner, Niagara Region
Lori Karlewicz, Planning Ecologist, Niagara Region
Robert Alguire, Development Approvals Technician, Niagara Region

Attachment:
Appendix: Niagara Region's Conditions of Minor Variance Approval

Appendix

Niagara Region Conditions of Minor Variance Approval

6400 Canborough Road, West Lincoln

1. That a Stage 1-2 Archaeological Assessment (plus any subsequent recommended assessments) for the area of proposed development prepared by a licensed archaeologist, is completed and submitted to the Ministry of Heritage, Sport, Tourism and Culture Industries ("MHSTCI"), for review and approval with a copy provided to the Township of West Lincoln and Niagara Region. The Assessment(s) must be accepted by the Ministry, and a copy of any applicable MHSTCI letters of acknowledgement shall be provided to the Niagara Region prior to clearance of this condition.

NOTE: No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry confirming that all archaeological resource concerns have been mitigated and meet licensing and resource conservation requirements.

2. That the following archaeological resource warning clause be implemented to protect for any potential archaeological resources that are discovered during construction activities on the property:

- *"Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Heritage, Sport, Tourism and Culture Industries ("MHSTCI") (416-212-8886) and contact a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.*

  In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act."

Gerrit Boerema

From: Lyle Killins <lkillins@live.com>
Sent: August 8, 2022 9:54 AM
To: Gerrit Boerema
Subject: Re: Application A24-2022WL - Minor Variance Application - 6400 Canborough Road

Hi Gerrit
No objection.
Lyle Killins C.P.H.I(c)
BCIN# 11112

From: Gerrit Boerema <gboerema@westlincoln.ca>
Sent: July 27, 2022 9:36 AM
To: Nikolas Wensing <nwensing@npca.ca>; Young, Katie <Katie.Young@niagararegion.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; John Schonewille <jschonewille@westlincoln.ca>; Jessica Kroes <jkroes@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; Busnello, Pat <pat.busnello@niagararegion.ca>; Dunsmore, Susan <Susan.Dunsmore@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>; Beverly Hendry <bhendry@westlincoln.ca>; Brian Treble <btreble@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; Lyle Killins <lkillins@live.com>; baardab@gmail.com <baardab@gmail.com>; D & G <petsrus2@gmail.com>; vandyke.dj@gmail.com <vandyke.dj@gmail.com>; consultations@metisnation.org <consultations@metisnation.org>; jocko@sixnationsns.com <jocko@sixnationsns.com>; fawn.sault@mncfn.ca <fawn.sault@mncfn.ca>; lonnybomberry@sixnations.ca <lonnybomberry@sixnations.ca>; executivedirector@fenfc.org <executivedirector@fenfc.org>; executivedirector@nrnc.ca <executivedirector@nrnc.ca>; Mike DiPaola <mdipaola@westlincoln.ca>; Lisa Kasko-Young <lyoung@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; Ray Vachon <rvachon@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>
Cc: DL-Council Members <DL-CouncilMembers@westlincoln.ca>
Subject: Application A24-2022WL - Minor Variance Application - 6400 Canborough Road

Good Afternoon,

Please find attached the notice of hearing for Minor Variance Application A24-2022WL located at 6400 Canborough Road (some systems have 6399 Canborough Road). This application is to reduce a required Minimum Distance II separation for a dairy barn expansion.

If you have any questions please let me know.

Comments to be submitted to myself by **August 10, 2022**.

Gerrit,

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.

West Lincoln
Respecting our Roots - Realizing our Future

Gerrit Boerema

Planner II

Tel: 905-957-3346 ext.5133
Email: gboerema@westlincoln.ca
Web: www.westlincoln.ca

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Gerrit Boerema

From: Paul Leithwood <pleithwood@npca.ca>
Sent: August 2, 2022 9:52 AM
To: Gerrit Boerema
Subject: RE: Application A24-2022WL - Minor Variance Application - 6400 Canborough Road

Hi Gerrit,

NPCA Staff have reviewed the subject application for 6400 Canborough Road, Application Number A24-2022WL for reduced Minimum Distance Separation (MDS) II setback. NPCA Staff do not offer objection to the approval of this application.

The NPCA understands that there is development proposed to 6399 Canborough Road for an addition to a Dairy Barn. Proposed works appear significantly outside any regulated features located on the property. However, if works were to encroach regulated features these works would be subject to the appropriate NPCA Policies in effect at the time of an application.

Thank You.

Paul Leithwood
Watershed Planner
Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2
Tel: 905-788-3135 | extension 278
email:pleithwood@npca.ca

NPCA Watershed Explorer

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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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: Nikolas Wensing <nwensing@npca.ca>
Sent: July 28, 2022 4:02 PM

To: Paul Leithwood <pleithwood@npca.ca>
Cc: Sarah Mastroianni <smastroianni@npca.ca>
Subject: Fw: Application A24-2022WL - Minor Variance Application - 6400 Canborough Road

Hello Paul,

Please see below and the attached notice. Gerrit is looking for comments by August 10th, but dont be shy about asking for an extension if needed.

Sincerely,

Nikolas Wensing, B.A., MPlan

Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)

250 Thorold Road West, 3rd Floor, Welland, ON, L3C 3W2

905-788-3135, ext. 228

nwensing@npca.ca

www.npca.ca

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From: Gerrit Boerema <gboerema@westlincoln.ca>
Sent: Wednesday, July 27, 2022 9:54 AM
To: Nikolas Wensing <nwensing@npca.ca>; Young, Katie <Katie.Young@niagararegion.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; John Schonewille <jschonewille@westlincoln.ca>; Jessica Kroes <jkroes@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; Busnello, Pat <pat.busnello@niagararegion.ca>; Dunsmore, Susan <Susan.Dunsmore@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>; Beverly Hendry <bhendry@westlincoln.ca>; Brian Treble

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Cc: DL-Council Members <DL-CouncilMembers@westlincoln.ca>
Subject: RE: Application A24-2022WL - Minor Variance Application - 6400 Canborough Road

My Apologies – attachment now included.

Gerrit,

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.

West Lincoln
Respecting our Roots – Realizing our Future

Gerrit Boerema

Planner II

Tel: 905-957-3346 ext.5133
Email: gboerema@westlincoln.ca
Web: www.westlincoln.ca

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From: Gerrit Boerema
Sent: July 27, 2022 9:36 AM
To: 'Nikolas Wensing' <nwensing@npca.ca>; 'Young, Katie' <Katie.Young@niagararegion.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; John Schonewille <jschonewille@westlincoln.ca>; Jessica Kroes <jkroes@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; 'Busnello, Pat' <pat.busnello@niagararegion.ca>; 'Dunsmore, Susan' <Susan.Dunsmore@niagararegion.ca>; 'Development Planning Applications' <devtplanningapplications@niagararegion.ca>; Beverly Hendry <bhendry@westlincoln.ca>; Brian Treble <btreble@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; 'Lyle Killins' <lkillins@live.com>; 'baardab@gmail.com' <baardab@gmail.com>; 'D & G' <petsrus2@gmail.com>; 'vandyke.dj@gmail.com' <vandyke.dj@gmail.com>; 'consultations@metisnation.org' <consultations@metisnation.org>; 'jocko@sixnationsns.com' <jocko@sixnationsns.com>; 'fawn.sault@mncfn.ca' <fawn.sault@mncfn.ca>; 'lonnybomberry@sixnations.ca' <lonnybomberry@sixnations.ca>; 'executivedirector@fenfc.org' <executivedirector@fenfc.org>; 'executivedirector@nrnc.ca' <executivedirector@nrnc.ca>; Mike DiPaola <mdipaola@westlincoln.ca>; Lisa Kasko-Young <lyoung@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; Ray Vachon <rvachon@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>
Cc: DL-Council Members <DL-CouncilMembers@westlincoln.ca>
Subject: Application A24-2022WL - Minor Variance Application - 6400 Canborough Road

Good Afternoon,

Please find attached the notice of hearing for Minor Variance Application A24-2022WL located at 6400 Canborough Road (some systems have 6399 Canborough Road). This application is to reduce a required Minimum Distance II separation for a dairy barn expansion.

If you have any questions please let me know.

Comments to be submitted to myself by **August 10, 2022**.

Gerrit,

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Gerrit Boerema

From: Nikolas Wensing <nwensing@npca.ca>
Sent: July 29, 2022 10:08 AM
To: Gerrit Boerema; Young, Katie
Cc: Paul Leithwood
Subject: Re: Huizinga Barn Addition plan
Attachments: barn addition plan- Huizinga.pdf; M2 Preliminary MDS Site Map June 2022.pdf

Hello Gerrit,

I have reviewed the attached materials for a proposed barn addition at ARN 260202000807900.

Although there appears to be an unmapped Flood Hazard to the northeast of the proposed barn, the NPCA can be supportive of a barn addition provided it meets Section 4.2.2 of the NPCA Policy Document: *Permitted Uses within the Flood Hazard* subsection b) *Additions or extensions, including new structures which are minor in scale, to existing primary agricultural operations which are not likely to incur flood damages, impede flows, reduce flood storage, or cause pollution to a watercourse as a result of a flooding event*

I dont anticipate that the NPCA would have any objections to a proposed addition to the existing dairy barn on the property.

Sincerely,

Nikolas Wensing, B.A., MPlan
Watershed Planner
Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor, Welland, ON, L3C 3W2
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From: Gerrit Boerema <gboerema@westlincoln.ca>
Sent: Monday, July 25, 2022 10:27 AM
To: Young, Katie <Katie.Young@niagararegion.ca>; Nikolas Wensing <nwensing@npca.ca>
Subject: FW: Huizinga Barn Addition plan

Hi Katie and Nik,

Will the Region and the NPCA need to review a variance for a reduction to an MDS II setback for a proposed Dairy barn?

I have attached the information provided so far. An application has not yet been made, but I expect it to come in soon.

Gerrit,

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Gerrit Boerema

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From: Adrian Huizinga <adrianhuizinga@hotmail.com>
Sent: June 29, 2022 12:30 PM
To: Madyson Etzl <metzl@westlincoln.ca>; Gerrit Boerema <gboerema@westlincoln.ca>
Subject: Huizinga Barn Addition plan

Good Afternoon,

My wife and I stopped by this morning, and here is the materials that you asked for. If you need anything else please let me know.
We will talk to our engineer to get an official site plan. (she is on holidays till next week). We are working on the Nutrient Management Plan with Chris Attema.

Let us know what we all need to do for permits, our hope is to start this fall.

Adrian

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Gerrit Boerema

From: Jennifer Bernard
Sent: August 10, 2022 9:23 AM
To: Gerrit Boerema
Subject: RE: Application A24-2022WL - Minor Variance Application - 6400 Canborough Road

Hi Gerrit, I have no comments on this application.

Jenn

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.

Jennifer Bernard, C.E.T.

Coordinator, Engineering Services

Tel: 905-957-3346 ext 6732
Email: jbernard@westlincoln.ca
Web: www.westlincoln.ca

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Sent: July 27, 2022 9:55 AM
To: Nikolas Wensing <nwensing@npca.ca>; Young, Katie <Katie.Young@niagararegion.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; John Schonewille <jschonewille@westlincoln.ca>; Jessica Kroes <jkroes@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; Busnello, Pat <pat.busnello@niagararegion.ca>; Dunsmore, Susan <Susan.Dunsmore@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>; Beverly Hendry <bhendry@westlincoln.ca>; Brian Treble <btreble@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; Lyle Killins <lkillins@live.com>; baardab@gmail.com; D & G <petsrus2@gmail.com>; vandyke.dj@gmail.com; consultations@metisnation.org; jocko@sixnationsns.com; fawn.sault@mncfn.ca; lonnybomberry@sixnations.ca; executivedirector@fenfc.org; executivedirector@nrnc.ca; Mike DiPaola <mdipaola@westlincoln.ca>; Lisa Kasko-Young <lyoung@westlincoln.ca>; Jessica Dyson <jdyson@westlincoln.ca>; Ray Vachon <rvachon@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; Madyson Etzl <metzl@westlincoln.ca>
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