



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

Wednesday, November 29, 2023, 7:00 p.m.
Township Administration Building
318 Canborough Street, Smithville, Ontario

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**
There are no requests at this time.
- 4. APPLICATIONS**

- a. A14/2023 - Mark and Angela Goobie (Agent - Jeremy Brown)
Property Address: 5811 Young Street

4

A minor variance application has been submitted to request relief from the zoning regulations for an attached garage to the main dwelling that projects into the exterior side yard and projects closer than 4 metres beyond the main dwelling to the front lot line.

The subject lands are irregular shaped and recognized as a lawfully lot of record zoned Agricultural (A) with an existing single detached dwelling. Section 3.5 of the Townships By-law 2017-70, as amended, shall not apply regulations to prevent the use of an existing lot, building or structure, especially if the lot or building and structure was lawfully used for such purpose prior to the effective date of the By-law. Furthermore, the By-law shall not prevent the enlargement, repair or renovation of a building or structure if it does not further increase the extent of non-compliance. In this circumstance, the lot has constraints (e.g., curved corner lot, proximity to natural features, existing driveway, septic bed) that prevents the proposed new garage to be located on the site to comply with the By-law regulations for private garages.

From a technical perspective and per the definitions of the By-law, lot

frontage is measured using a straight line (chord) which adjoins the two points where the side lot lines intersect with the front lot line. The lot frontage is 224 metres along Young Street. The front lot line is identified as the shortest line that divides the lot from the public street being the east lot line facing Dobrindt Road. The exterior side yard is identified from Young Street.

Therefore, the requested relief is from Section 3.12.7 (f) (iii) where an attached private garage may project up to a maximum of 4 metres closer to the front lot line than the main front wall of the dwelling on the same lot whereas the proposed garage is projecting 16 metres closer to the front lot line. Additionally, the requested relief is from Section 5.3, Table 12 where the minimum exterior side yard is 15 metres and the proposed garage is positioned entirely within the exterior side yard and projects 3.65 metres further to align with the curvature of Young Street. However, the proposed garage addition is not projecting beyond the front face of the main dwelling which has an existing projection of 6.17 metres.

- b. A15/2023 - 2594092 Ontario Inc.
Property Address: 2173 Regional Road 20

20

A minor variance application has been applied to permit the development of a gas station on the subject property which requires the following variances, due to the irregular shape of the property and existing site constraints.

1. The proposed Front Yard setback is 1 metre whereas Table 17 in Part 7 of the Township's Zoning Bylaw 2017-70, as amended, identifies the minimum required setback to be 9 metres.
2. The proposed Side Yard (North) setback is 1 metre whereas Table 17 in Part 7 of the Township's Zoning Bylaw 2017-70, as amended, identifies 6 metres to be the minimum setback requirement.
3. The proposed Side Yard (South) setback is 3.5 metres whereas Table 17 in Part 7 of the Township's Zoning Bylaw 2017-70, as amended, also identifies 6 metres to be the minimum setback requirement.
4. There are 6 parking spaces being proposed, whereas Table 6 in Part 3.12.6 of the Township's Zoning Bylaw 2017-70, as amended, requires 1 space per 50 square metres which results in a minimum of 7 parking spaces.
5. The proposed Planting Strip is 0.6 metre whereas Part 3.9.2 of the Township's Zoning Bylaw 2017-70, as amended, identifies the minimum width for the required planting strips to be 1.5

metres.

6. The proposed Single Way Traffic Driveway is 6m whereas Table 3 in Part 3.12.2 of the Township's Zoning Bylaw 2017-70, as amended, identifies the required minimum width to be 3 metres and the maximum width to be 4.5 metres.

5. MINUTES FOR APPROVAL

There are no minutes for approval at this time.

6. NEW BUSINESS

7. ADJOURNMENT

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

REPORT

TOWNSHIP

COMMITTEE OF ADJUSTMENT

DATE: November 29th, 2023

REPORT NO: COA-023-23

FILE NO: A14/2023WL

SUBJECT: **Recommendation Report**
Application for Minor Variance – Mark and Angela Goobie
Jeremy Brown (Agent)

LOCATION: 5811 Young Street Smithville, ON L0R 2A0

CONTACT: Susan Smyth, Senior Planner

OVERVIEW:

- A Minor Variance application has been submitted by Jeremy Brown on behalf of Mark and Angela Goobie, the property owners of 5811 Young Street.
- This Minor Variance application has been applied to permit a private garage addition to the existing dwelling on the property which would project 3.65 metres further than the minimum exterior side yard and be 16 metres closer to the front lot line than the main dwelling.
- The requested relief is from Part 3.12.7 (f) (iii) where an attached private garage may project up to a maximum of 4 metres closer to the front lot line than the main front wall of the dwelling on the same lot whereas the proposed garage is projecting 16 metres closer to the front lot line.
- In addition, the requested relief is from Part 5.3, Table 12 where the minimum exterior side yard is 15 metres and the proposed garage is positioned entirely within the exterior side yard and projects 3.65 metres further to align with the curvature of Young Street. However, the proposed garage addition is not projecting beyond the front face of the main dwelling which has an existing projection of 6.17 metres.
- These variances are required from a technical perspective and per the definitions of the By-law, lot frontage is measured using a straight line (chord) which adjoins the two points where the side lot lines intersect with the front lot line. The lot frontage is 224 metres along Young Street. The front lot line is identified as the shortest line that divides the lot from the public street being the east lot line facing Dobrindt Road. The exterior side yard is identified from Young Street.

TOTAL VARIANCES: 2

- To recognize the garage projection of 3.65 metres due to the technical exterior side yard and positioning of the private garage whereas, 15 metres is the minimum exterior side yard requirement within an Agricultural 'A' zone.
- To allow an attached private garage to project 16 metres closer to the front lot line than the main dwelling whereas, the maximum projection permitted for an attached private garage is 4 metres.

RECOMMENDATION: Yes ☒ No ☐ Deferral ☐

Respecting Our Roots, Realizing Our Future

THAT, the application for Minor Variance made by Jeremy Brown on behalf of Mark and Angela Goobie, as outlined in Report COA-023-23, to permit an attached private garage which projects 3.65 metres further than the minimum exterior side yard and to allow the private garage to be 16 metres closer to the front lot line than the main dwelling, BE APPROVED, subject to the following conditions:

1. The north east corner of the proposed garage is shifted or reduced in size to ensure no development is within the Environmental Protection 'EP' zone as well as, the NPCA's regulated lands on the subject property.
2. That Silt Erosion Control Fencing be required and identified on the site plan and receives clearance to the satisfaction of the NPCA.
3. A Landscape Plan be submitted for Regional approval demonstrating a 10-metre buffer from the edge of the wetland. The Landscape Plan shall include native trees, shrubs and/or ground cover as appropriate, utilizing species that complement the existing adjacent vegetation community.

BACKGROUND: Surrounding Land Uses and Natural Heritage

- 5811 Young Street is approximately 0.73 hectares (1.80 acres) in size.
- The subject property is situated on the north side of Young Street, west of Dobrindt Road, north east of Industrial Road and east of the new urban boundary, and abuts the boundary of the Town of Lincoln.
- The subject property along with the surrounding land uses are designated in the Township's Official Plan (OP) as Good General Agricultural Lands and Natural Heritage System, effectively being located within the north and east portions of the property including floodplain, fish habitat, and an Environmental Protection 'EP' area and associated 'EP' zoning to protect such features. Please see the attached map for the noted Environmental Protection zoning layer over the noted features (found in Attachment 1).
- In addition, the lands north of Young Street between Thirty Road and Mud Street East are also designated as part of the Greenbelt Lands (Protected Countryside), including the subject property. As this is the case, an additional section has been included in this report to discuss conformity with the applicable policies of the Greenbelt Plan (2017). The Greenbelt lands are also designated as part of the Township's Natural Heritage System.
- The surrounding lands are actively farmed with a number of large agricultural properties and a few small rural residential properties.
- Both of these designations protect and maintain long-term agricultural, and conservation use within the area.

CURRENT SITUATION:

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

CONFORMITY:

Greenbelt Plan (2017) Yes ☒ No ☐

The Greenbelt Plan (2017) designates the subject lands as 'Protected Countryside'. Section 4.5 *Existing Uses* states that existing uses are permitted and the single detached dwelling has been established for many years. The plan allows for expansions to existing buildings subject to demonstrating the use will not expand into key natural heritage or hydrologic features or their associated vegetation protection zone. A condition has been included to shift the addition further from the noted features and will maintain the associated 30-metre vegetation protection zone, as such, Planning Staff believe the proposal to be consistent with the intent of the noted Greenbelt policies.

PLANNING ACT – FOUR TESTS

The Ontario Planning Act provides that a minor variance must meet the following four tests to be considered minor and supportable.

Does the proposal maintain the general intent and purpose of the Official Plan? Yes ☒ No ☐

Official Plan Designation: Good General Agricultural Lands & Natural Heritage System

The proposed garage addition is supported by Section 4 *Agricultural Land Use Policies* of the Township's Official Plan (OP), specifically by Section 4.4 *Good General Agriculture Areas*, Policies 4.4.1 and 4.4.2(c). The main objective is preserving and protecting the Agricultural area and surrounding Agricultural operations which is not being hindered or affected by the proposed variances due to the technical interpretation of the exterior side yard and the front lot line being determined as the shortest lot line abutting a public street. The proposed garage addition is compatible with the existing dwelling and will not create any negative impacts on the surrounding Agricultural lands being actively farmed and as there are no lands farmed on the subject property, the intent of Section 4.4 is being maintained. It's important to note, the subject property is recognized as a small Agricultural lot of record and due to the property's size is too small to be actively farmed.

Additionally, the present Natural Heritage features will not be impacted by the proposed addition as Planning Staff have included the condition to shift the garage to keep the addition fully within the Good General Agricultural lands on the property and avoid the Environmental Protection area. This condition will also maintain the 30-metre vegetation protection zone from the noted fish habitat on the property and will preserve the ecological function of the noted Natural Heritage features. Therefore, the general intent and purpose of Section 10 is being maintained, the garage addition is small in scale, there is no other reasonable alternative on the property and as there is an existing driveway and paved area where the applicants currently park their vehicles, the proposed location is appropriate and will accommodate the applicants' needs.

In addition, Planning Staff have included a condition that Silt Erosion Control Fencing be required as part of an Erosion Sediment Control (ESC) measure to maintain the intent of Policy 10.2.2 (b), to avoid negative impacts and to maintain the environmental integrity due to the close proximity of the proposed addition to the present Natural Heritage features. Furthermore, as the Region has identified the subject property is impacted by the Region's Natural Environment System (NES) and in lieu of an Environmental Impact Study recommended a 10-metre buffer Landscape Plan from the edge of the wetland and noted fish habitat. Planning Staff also support the landscape buffer as it is enhancing ecosystem health and maintains the intent of Section 10 of the Township's OP.

The Region has also recommended a Stage 1 Archaeological Assessment, however Planning Staff consider the proposed location for the garage addition within previously disturbed lands and as such, the warning clause included in the Regional comments is considered sufficient in lieu of a Stage 1.



Figure 1: Regional Mapping shows wetland in light blue and 10-metre landscape plan buffer in dark blue.

Regional Planning Staff have also noted the Best Management Practices should be implemented including the installation of Erosion and Sediment Control fencing around the development footprint for the duration of construction. As a condition has been included, the proposed garage addition and resulting variances are maintaining the fundamental objectives of the Township's OP, Planning Staff considers this proposal to be consistent with the general intent of the Township's OP policies and objectives, subject to the indicated conditions.

Does the proposal maintain the general intent and purpose of the Zoning By-law? Yes ☒ No ☐

Current Zone(s): Agricultural 'A' & Environmental Protection 'EP'

Aside from the noted variances, the proposed garage addition is permitted and complies with the remainder of the zoning regulations outlined in Part 3.12.7 *Private Garages* and Table 12 in Part 5 of the Township's Zoning Bylaw, 2017-70, as amended. The subject lands are recognized as a lawfully lot of record zoned Agricultural (A) with an existing single detached dwelling. Section 3.5 of the Townships By-law 2017-70, as amended, shall not apply regulations to prevent the use of an existing lot, building or structure, especially if the lot or building and structure was lawfully used for such purpose prior to the effective date of the By-law. In addition, Section 3.5 *Existing Uses, Lots,*

Respecting Our Roots, Realizing Our Future

Buildings and Structures of the By-law shall not prevent the enlargement, repair or renovation of a building or structure if it does not further increase the extent of non-compliance. In this circumstance, the lot has constraints (e.g., curved corner lot, proximity to natural features, existing driveway, septic bed) that prevents the proposed new garage to be located on the site to comply with Part 3.12.7 (f) (iii) and due to the technical interpretation to comply with Table 12 in Part 5.3 of the Zoning By-law. For these reasons, Planning Staff can consider the proposed application consistent with the general purpose of the Township's Zoning By-law, subject to the conditions as indicated.

Is the proposal desirable for the appropriate development or use of the land? Yes ☒ No ☐

Planning Staff consider this proposal desirable for the use of land since there are limited options to relocate the proposed garage addition due to the irregular shape of the property and environmental constraints to the north and east of the existing dwelling and proposed garage location. Planning Staff do not anticipate any adverse effects on the surrounding area or abutting properties as a result of this proposal. Furthermore, as the remainder of the Township's regulations are being fulfilled, Planning Staff consider the proposal desirable and appropriate for the use of the land.

Is the proposal minor in nature? Yes ☒ No ☐

The proposed variances are minor in nature as the proposed garage addition is permitted and the relief being requested is due to the technical interpretation of the Zoning By-law. There are no logical alternatives to locate the garage addition. Additionally, as conditions have been included to maintain and enhance the Township's policies including shifting the north east corner of the garage to avoid the Environmental Protection 'EP' area and zoning, Silt Erosion Control Fencing to mitigate the impact on the noted environmental features, and the Regional Landscape Plan which will be enhancing the property's ecological integrity. For these reasons, Planning Staff recommend approval of this minor variance as the proposal can be considered minor in nature, subject to the indicated conditions of approval.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

INTER-DEPARTMENTAL COMMENTS:

Building Department	Septic permit will be required to ensure compliance with Part 8 of the Ontario Building Code. In addition, it's important to note and inform the Committee though, not directly related to this application, there is existing Building Code Order(s) still in place on the subject property. Please see Attachment 4 for the comments received from the Chief Building Official.
Septic System Inspector	The proposed allows compliance with Table 8.2.1.6 of the Ontario Building Code, as such no objections to the application as proposed.
Public Works	No objections or comments to provide on this application.
Niagara Peninsula Conservation Authority (NPCA)	Offer no objections to the proposed minor variance provided Silt Erosion Control Fencing are identified on the site plan and receives NPCA clearance. Please see Attachment 4.
Niagara Region	Offer no objections with the proposed minor variance to permit the construction of a new attached garage, subject to the following Regional conditions including a 10-metre buffer landscape plan and submitting a Stage 1 Archaeological Assessment. Please see Attachment 4 for the full comments received.

PUBLIC COMMENTS: Yes ☐ No ☒

No public comments received at this time.

CONCLUSION:

Based on the above analysis, Planning Staff recommend APPROVAL of the proposed minor variance application (A14/2023WL) as outlined in Report COA-023-23, to permit the proposed garage addition to the existing dwelling which projects 3.65 metres further than the minimum exterior side yard and 16 metres closer to the front lot line than the main dwelling.

Attachments:

1. Location Map
2. Site Plan
3. Site Plan with Zoning Interpretation
4. Agency Comments

Prepared by:



**Stephanie Pouliot,
Planner**

Recommended by:



**Susan Smyth, C.P.T
Senior Planner**



Location Map
5811 Young Street

0 25 50 100 Meters

West Lincoln
Your Future Naturally

Legend

ZoneBoundary

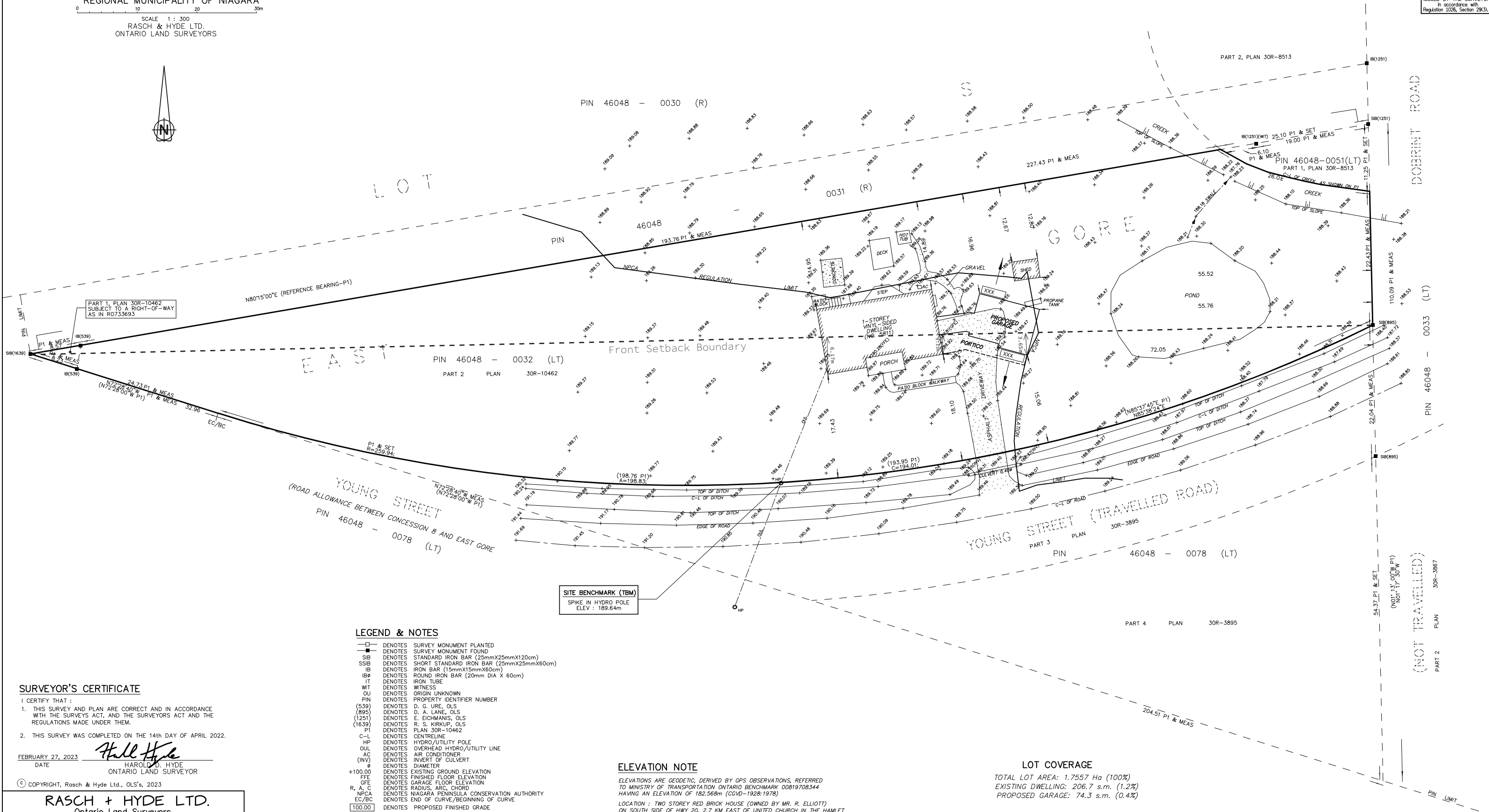
Subject Property

PART OF LOT S
EAST GORE
GEOGRAPHIC TOWNSHIP OF SOUTH GRIMSBY
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 300
RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS



Attachment 2 to COA-023-2023



SURVEYOR'S CERTIFICATE

- I CERTIFY THAT :
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 - THIS SURVEY WAS COMPLETED ON THE 14th DAY OF APRIL 2022.

FEBRUARY 27, 2023
DATE
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

© COPYRIGHT, Rasch & Hyde Ltd., OLS's, 2023

RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
DUNVILLE, ONT, N1A 2X1
905-774-7188
(FAX 905-774-4000)

P.O. Box 550, 74 Jarvis Street
FORT ERIE, ONT, L2A 5Y1
905-871-9757
(FAX 905-871-9748)

HAROLD D. HYDE O.L.S.

SCALE 1 : 300 SURVEY : 22-075 DRWN BY : J.H.

LEGEND & NOTES

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND
- SSIB DENOTES STANDARD IRON BAR (25mmX25mmX120cm)
- SSIB DENOTES SHORT STANDARD IRON BAR (25mmX25mmX60cm)
- IB DENOTES IRON BAR (15mmX15mmX60cm)
- IBØ DENOTES ROUND IRON BAR (20mm DIA X 60cm)
- WIT DENOTES IRON TUBE
- OU DENOTES WITNESS
- OU DENOTES ORIGIN UNKNOWN
- PIN DENOTES PROPERTY IDENTIFIER NUMBER
- (539) DENOTES D. G. URE, OLS
- (895) DENOTES D. A. LANE, OLS
- (1251) DENOTES E. EICHMANIS, OLS
- (1639) DENOTES R. S. KIRKUP, OLS
- P1 DENOTES PLAN 30R-10462
- C-L DENOTES CENTRELINE
- HP DENOTES HYDRO/UTILITY POLE
- OUL DENOTES OVERHEAD HYDRO/UTILITY LINE
- AC DENOTES AIR CONDITIONER
- (INV) DENOTES INVERT OF CULVERT
- Ø DENOTES DIAMETER
- +100.00 DENOTES EXISTING GROUND ELEVATION
- FFE DENOTES FINISHED FLOOR ELEVATION
- GFE DENOTES GARAGE FLOOR ELEVATION
- R, A, C DENOTES RADIUS, ARC, CHORD
- NPCA DENOTES NIAGARA PENINSULA CONSERVATION AUTHORITY
- EC/BC DENOTES END OF CURVE/BEGINNING OF CURVE
- [100.00] DENOTES PROPOSED FINISHED GRADE
- DENOTES PROPOSED SURFACE RUN-OFF

NPCA REGULATION LIMIT IS APPROXIMATE AND IS DERIVED FROM NPCA MAPPING

N-NORTH; S-SOUTH; W-WEST; E-EAST

ELEVATION NOTE

ELEVATIONS ARE GEODETIC, DERIVED BY GPS OBSERVATIONS, REFERRED TO MINISTRY OF TRANSPORTATION ONTARIO BENCHMARK 00819708344 HAVING AN ELEVATION OF 182.568m (CGVD-1928:1978)

LOCATION : TWO STOREY RED BRICK HOUSE (OWNED BY MR. R. ELLIOTT) ON SOUTH SIDE OF HWY 20, 2.7 KM EAST OF UNITED CHURCH IN THE HAMLET OF SMITHVILLE, 33.5 M WEST OF PATTERSON RD AND 43.0 M SOUTH OF CENTRELINE OF HWY 20. TABLET IS SET HORIZONTALLY IN EAST FACE OF CONCRETE STONE FOUNDATION, 1.19 M SOUTH OF N.E. CORNER, 24 CM BELOW BRICKWORK.

ALL FUTURE GRADE WORK ON SITE TO BE BASED ON SITE BENCHMARK. ANY ELEVATION DISCREPANCY TO BE REPORTED TO RASCH & HYDE LTD.

LOT COVERAGE

TOTAL LOT AREA: 1.7557 Ha (100%)
EXISTING DWELLING: 206.7 s.m. (1.2%)
PROPOSED GARAGE: 74.3 s.m. (0.4%)

BEARING NOTE

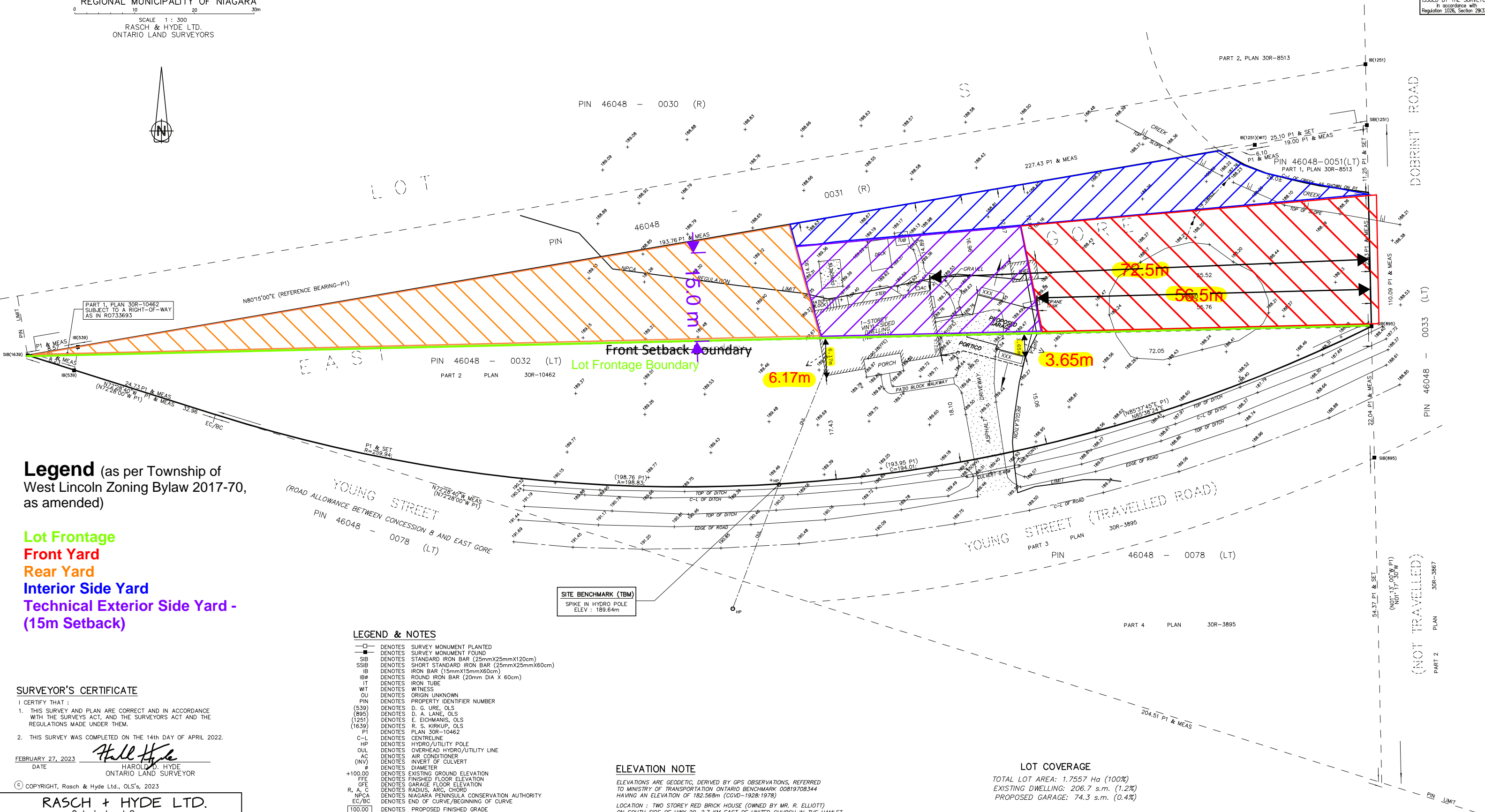
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF THE SUBJECT LANDS AS SHOWN ON P1 AND HAVING A BEARING OF N80°15'00"E

METRIC NOTE

DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

PART OF LOT S
EAST GORE
GEOGRAPHIC TOWNSHIP OF SOUTH GRIMSBY
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 300
RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS



Legend (as per Township of
West Lincoln Zoning Bylaw 2017-70,
as amended)

- Lot Frontage
- Front Yard
- Rear Yard
- Interior Side Yard
- Technical Exterior Side Yard -
(15m Setback)

LEGEND & NOTES

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND
- SSIB DENOTES STANDARD IRON BAR (25mmX25mmX120cm)
- SSIB DENOTES SHORT STANDARD IRON BAR (25mmX25mmX60cm)
- IB DENOTES IRON BAR (15mmX15mmX60cm)
- IBØ DENOTES ROUND IRON BAR (20mm DIA X 60cm)
- WT DENOTES IRON TUBE
- WIT DENOTES WITNESS
- OU DENOTES ORIGIN UNKNOWN
- PIN DENOTES PROPERTY IDENTIFIER NUMBER
- (539) DENOTES D. G. URE, OLS
- (895) DENOTES D. A. LANE, OLS
- (1251) DENOTES E. EICHMANIS, OLS
- (1639) DENOTES R. S. KIRKUP, OLS
- P1 DENOTES PLAN 30R-10462
- C-L DENOTES CENTRELINE
- HP DENOTES HYDRO/UTILITY POLE
- OUL DENOTES OVERHEAD HYDRO/UTILITY LINE
- AC DENOTES AIR CONDITIONER
- (INV) DENOTES INVERT OF CULVERT
- DENOTES DIAMETER
- +100.00 DENOTES EXISTING GROUND ELEVATION
- FFE DENOTES FINISHED FLOOR ELEVATION
- GFE DENOTES GARAGE FLOOR ELEVATION
- R, A, C DENOTES RADIUS, ARC, CHORD
- NPCA DENOTES NIAGARA PENINSULA CONSERVATION AUTHORITY
- EC/BC DENOTES END OF CURVE/BEGINNING OF CURVE
- [100.00] DENOTES PROPOSED FINISHED GRADE
- DENOTES PROPOSED SURFACE RUN-OFF
- NPCA REGULATION LIMIT IS APPROXIMATE AND IS DERIVED FROM NPCA MAPPING
- N-NORTH; S-SOUTH; W-WEST; E-EAST

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT :
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 - THIS SURVEY WAS COMPLETED ON THE 14th DAY OF APRIL 2022.

FEBRUARY 27, 2023
DATE
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

© COPYRIGHT, Rasch & Hyde Ltd., OLS's, 2023

RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT, N1A 2X1
905-774-7188
(FAX 905-774-4000)

P.O. Box 550, 74 Jovis Street
FORT ERIE, ONT, L2A 5Y1
905-871-9757
(FAX 905-871-9748)

HAROLD D. HYDE O.L.S.
SCALE 1 : 300 SURVEY : 22-075 DRWN BY : J.H.

ELEVATION NOTE

ELEVATIONS ARE GEODETIC, DERIVED BY GPS OBSERVATIONS, REFERRED TO MINISTRY OF TRANSPORTATION ONTARIO BENCHMARK 00819708344 HAVING AN ELEVATION OF 182.568m (CGVD-1928:1978)

LOCATION : TWO STOREY RED BRICK HOUSE (OWNED BY MR. R. ELLIOTT) ON SOUTH SIDE OF HWY 20, 2.7 KM EAST OF UNITED CHURCH IN THE HAMLET OF SMITHVILLE, 33.5 M WEST OF PATTERSON RD AND 43.0 M SOUTH OF CENTRELINE OF HWY 20. TABLET IS SET HORIZONTALLY IN EAST FACE OF CONCRETE STONE FOUNDATION, 1.19 M SOUTH OF N.E. CORNER, 24 CM BELOW BRICKWORK.

ALL FUTURE GRADE WORK ON SITE TO BE BASED ON SITE BENCHMARK. ANY ELEVATION DISCREPANCY TO BE REPORTED TO RASCH & HYDE LTD.

LOT COVERAGE

TOTAL LOT AREA: 1.7557 Ha (100%)
EXISTING DWELLING: 206.7 s.m. (1.2%)
PROPOSED GARAGE: 74.3 s.m. (0.4%)

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF THE SUBJECT LANDS AS SHOWN ON P1 AND HAVING A BEARING OF N80°15'00"E

METRIC NOTE

DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

VIA E-MAIL ONLY

November 22, 2023

Region File: D.17.12.MV-23-0108

Stephanie Pouliot
Planner I
Township of West Lincoln
318 Canborough Street
Smithville, Ontario L0R 2A0

Dear Ms. Pouliot:

**Re: Regional and Provincial Comments
Application for Minor Variance
Township File: A14/2023WL
Owner: Mark and Angela Goobie
Agent: Jeremy Brown
5811 Young Street
Township of West Lincoln**

Staff of the Regional Growth Strategy and Economic Development Department has reviewed this Minor Variance application to request relief for an attached private garage to project up to a maximum of 4 metres closer to the front lot line than the main front wall of the dwelling. The application is also seeking relief minimum exterior side yard being 15 m, as the proposal projects 3.65 metres further to align with the curvature of Young Street for the property municipally known as 5811 Young Street in the Township of West Lincoln.

Regional staff received notice of this application on November 7, 2023 with Regional review fees received from the applicant on November 13, 2023

Provincial and Regional Policies

The subject property is located within a Specialty Crop Area in accordance with the *Provincial Policy Statement*, the Protected Countryside – Niagara Peninsula Tender Fruit and Grape Area of the *Greenbelt Plan*, and the *Niagara Official Plan, 2022 (NOP)*. *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* designates the property as being within Prime Agricultural Area.

Provincial and Regional policies emphasize the protection of lands within these designations for long-term agricultural use, recognizing that agricultural land is a valuable asset that must be managed and protected.

Within Specialty Crop Areas, policy 4.1.2.2 of the NOP permits all existing uses lawfully used for such purpose prior to December 16, 2004. In *specialty crop areas*, single detached dwellings and accessory structures are permitted on existing lots of record, provided they were zoned for such or permitted through other regulation as of December 16, 2004. As such, Regional staff note that the existing residential use has been present prior to December 16, 2004. As such, the proposed addition of an attached garage is consistent with and conforms to Provincial and Regional policies and plans subject to consideration of the following comments.

Archaeological Potential

The PPS and NOP Provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically section 2.6.2 of the PPS and Policy 6.4.2.1 of the NOP state that development and site alteration is not permitted on lands containing archaeological resources or areas of archaeological potential, unless archaeological assessment and requirements from the aforementioned policies have been met.

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

Staff recommend that a standard archaeological warning clauses are included should any resources be uncovered through construction works. An appropriate condition has been included within the attached Appendix

Natural Heritage

The subject property is impacted by the Region's Natural Environment System (NES), consisting of a Permanent or Intermittent Watercourse (including its riparian corridor) and an Other Wetland, both of which are considered Key Hydrologic Features (KHF's) outside of Settlement Areas.

NOP policy 3.1.5.7.1 states that a proposal for development or site alteration within 120 m of a KHF will require an Environmental Impact Study that identifies a minimum 30 m Vegetation Protection Zone, to be established as natural self-sustaining vegetation. Development or site alteration is generally not permitted within a KHF or its VPZ. The

EIS must demonstrate that there will be no significant negative impact on the features or their ecological function.

That said, NOP policy 3.1.9.8.2 states that EIS requirements can be scoped if the proposed development is minor and is not anticipated to have a negative impact on the NES. Further, NOP policy 3.1.27.2 requires that the riparian vegetation cover along permanent and intermittent streams and adjacent to wetlands and waterbodies be enhanced as part of an application for development or site alteration.

As the Minor Variance (MV) is for an expansion to an existing use (proposed garage addition to the house), staff is satisfied that the MV is minor in nature and will not have a negative impact on the NES, provided that Best Management Practices are implemented, including but not limited to the installation of Erosion and Sediment Control fencing around the development footprint for the duration of construction. In lieu of an EIS, and in order to address NOP policies, staff request that a Landscape Plan be submitted for Regional approval demonstrating a 10 m buffer from the edge of the wetland. The plan shall include native trees, shrubs and/or ground cover as appropriate, utilizing species that complement the existing vegetation community located adjacent.

Regional staff is willing to visit the site to confirm our requirements.

Conclusion

Staff of the Regional Growth Strategy and Economic Development Services Department does not object to the request for minor variances to permit the construction of a new attached accessory structure (garage) subject to the following conditions:.

Should you have any questions regarding the above comments, please contact the undersigned at Connor.Wilson@niagararegion.ca

Regards,



Connor Wilson
Development Planner

Cc: Pat Busnello, MCIP, RPP, Manager of Development Planning
Yves Scholten, Planning Ecologist

Appendix

1. That the Applicant submits the required Stage 1 Archaeological Assessment, prepared by a licensed archaeologist and acknowledgement letter from Ministry of Citizenship and Multiculturalism (copied to Niagara Region) confirming that all archaeological resource concerns have met licensing and resource conservation requirements prior to any development on the site. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry through Niagara Region confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

2. That the following warning clause be included in the agreement:

“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 Citizenship and Multiculturalism 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 Niagara Region Police Services as well as the Cemeteries Regulation Unit of the Ministry of Public and Business Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, the Ministry of Citizenship and Multiculturalism 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.”

3. A Landscape Plan be submitted for Regional approval demonstrating a 10 m buffer from the edge of the wetland. The Landscape Plan shall include native trees, shrubs and/or ground cover as appropriate, utilizing species that complement the existing adjacent vegetation community.

Stephanie Pouliot

From: Scholten, Yves <Yves.Scholten@niagararegion.ca>
Sent: November 27, 2023 11:12 AM
To: Wilson, Connor; Stephanie Pouliot
Cc: Boudens, Adam
Subject: RE: Notice of Hearing and Full Package -Wednesday November 29th COA Hearing

Thanks Connor. Good morning Stephanie,

Below is a screen shot of mapping for the property showing the area mapped as wetland in hatching and highlighted in green. Some of that is also floodplain/riparian corridor.

The Landscape Plan required would be for the adjacent 10m band, as measured from the wetland/riparian edge shown here. It will effectively occupy most of the swath between wetland and the pond, as shown by the second screen shot below, with the 10 m buffer in dark blue shading.

Hope that helps clarify, and please feel free to reach out any time if I can help further, or if you would like to discuss.

Thanks,
Yves



Yves Scholten

Planning Ecologist

Growth Strategy and Economic Development

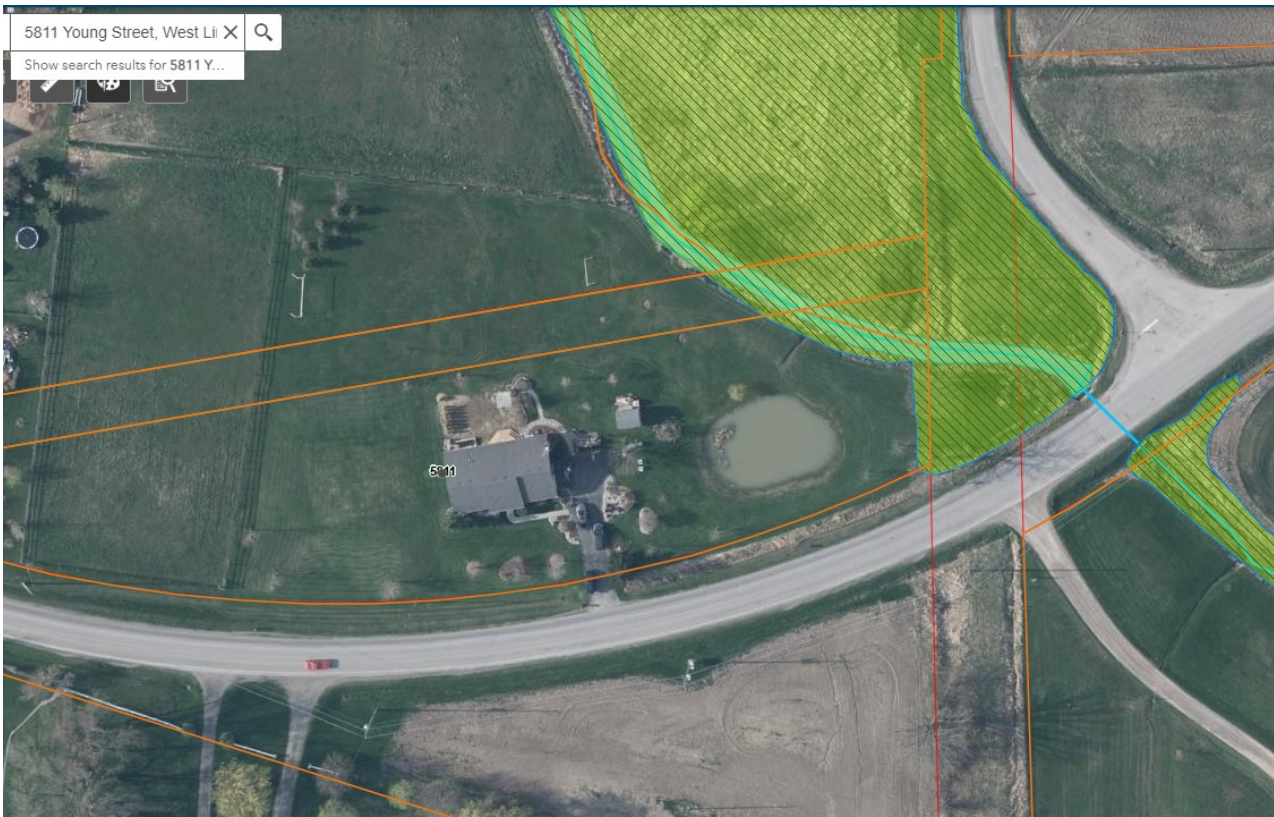
Niagara Region, 1815 Sir Isaac Brock Way, Thorold, ON, L2V 4T7

P : (905) 980 - 6000

W : www.niagararegion.ca

E : yves.scholten@niagararegion.ca





Stephanie Pouliot

From: Meghan Birbeck <mbirbeck@npca.ca>
Sent: November 27, 2023 1:45 PM
To: Stephanie Pouliot
Cc: Susan Smyth
Subject: RE: AMENDED - NPCA response regarding West Lincoln's COA Minor Variance application A14/2023WL - 5811 Young Street

Good afternoon Stephanie,

Thank you for the additional phone call just now. Following our discussions please see amendments in red below.

NPCA Staff have now finished our review of the Minor Variance application A14/2023WL regarding the proposed garage addition.

- The subject lands are impacted by Spring Creek Floodplain.
- In principle, the NPCA has no objection to the minor variance for the proposed garage to have relief from the zoning by-law regarding the projection into the exterior side yard and projection into the front yard.
- The NPCA will require a review fee of \$678, the applicant can contact NPCA Admin Assistant Irene to make payment and can be reached at (905) 788-3135 ext. 276. The applicant can also reference NPCA minor variance review file number **PLMV202301344** when making the payment.
- The NPCA notes that the flood elevation for this section of the Spring Creek is 189.312 metres.
- It appears that the garage is proposed within the Spring Creek Floodplain.
- The NPCA notes that additions into the floodplain are permitted provided that:
 - Any addition to the ground floor area of an existing building shall not exceed 46.5 m²;
 - There is no increase in the number of dwelling units.
- The NPCA would request that the Minor Variance application includes the following conditions:
 - **That NPCA approval is obtained for the proposed garage addition.**
- **If a work permit is deemed to be required, then the NPCA would need the following confirmation:**
 - That an addition dwelling unit is not proposed within the floodplain;
 - That the proposed addition is not exceeding 46.5 m² into the floodplain.
- Additionally, the NPCA will require that Silt Erosion Control Fencing is shown on the submitted site plans. Silt Erosion Control Fencing is required to be installed around the area of work of the proposed garage addition to the north-northeast-east-southeast sides. This is to ensure that nothing gets into the floodplain. This revision may be hand drawn, initialed, and dated for simplicity. The length of the fencing should provide adequate protection around the north-northeast-east-southeast sides of the area of work.
- Additionally, any future work within NPCA regulated features will require NPCA approval and work permits.
- The NPCA's mapping of the property is attached to this email.

Best,
Meghan



Meghan Birbeck (MS)
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2

905.788.3135 Ext 278
www.npca.ca



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

PLANNING & DEVELOPMENT DEPARTMENT

MEMORANDUM

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

FROM: Lyle Killins, Septic Inspection Manager

DATE: November 16, 2023

SUBJECT: FILE A-14/2023 WL
Mark & Angela Goobie
5811 Young St.

Dear Stephanie,

Please be advised the application as proposed allows compliance with Table 8.2.1.6 A & B Ontario Building Code. Thus, no objection to the application as proposed.

We trust the preceding serves as required; however, should additional information and/or clarification be required, please contact this office at 905-957-3346.

Respectfully submitted,

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

REPORT

TOWNSHIP

COMMITTEE OF ADJUSTMENT

DATE: November 29th, 2023
REPORT NO: COA-024-23
FILE NO: A15/2023WL
SUBJECT: **Recommendation Report**
 Application for Minor Variance - 2594092 Ontario Inc.
LOCATION: 2173 Regional Road 20, St. Ann's, ON L0R 1Y0
CONTACT: Susan Smyth, Senior Planner

OVERVIEW:

- A Minor Variance application has been submitted by 2594092 Ontario Inc., property owner of 2173 Regional Road 20 (Highway 20).
- This Minor Variance application has been applied to permit the development of a gas station and convenience store on the subject property which requires six variances, due to the irregular shape of the property and existing site constraints.
- Three variances are being requested from Table 17 in Part 7 of the Township's Zoning By-law 2017-70, as amended, including a proposed front yard setback of 1 metre whereas, 9 metres is the minimum requirement, an interior side yard (north) setback of 1 metre whereas, 6 metres is the minimum requirement, and an interior side (south) setback of 3.5 metres whereas, the Zoning By-law identifies 6 metres as the minimum setback required.
- In addition, this Minor Variance is requesting three variances from Part 3 of the Township's Zoning By-law 2017-70, as amended, including from Part 3.9.2 *Planting Strips*, Part 3.12.2 *Driveways and Parking Aisles*, and Part 3.12.6 *Off-Street Motor Vehicle Parking Facility Requirements*. The specific variances include a proposed planting strip of 0.6 metres whereas the minimum width required is 1.5 metres, a proposed single way traffic driveway of 6 metres whereas, Table 3 in the Zoning By-law identifies a minimum width of 3 metres and a maximum width to be 4.5 metres. Additionally, 6 parking spaces are being proposed whereas, Table 6 in the Zoning By-law requires 1 space per 50 square metres which results in a minimum of 7 parking spaces.

TOTAL VARIANCES: 6

- Front yard setback proposed to be 1 metre whereas, 9 metres is the minimum required setback 9 metres.
- An interior side yard (north) setback of 1 metre whereas, 6 metres is the minimum setback requirement.
- An interior side yard (south) setback of 3.5 metres whereas, 6 metres is the minimum setback requirement.
- 6 parking spaces are proposed whereas, 7 parking spaces is the minimum requirement (1 space per 50 square metres).
- Planting strip of 0.6 metre whereas, 1.5 metres is the minimum width required.
- A proposed single way traffic driveway of 6 metres whereas, the maximum width is 4.5 metres.

RECOMMENDATION: Yes ☒ No ☐ Defer ☐ | ☐

Respecting Our Roots, Realizing Our Future

THAT, the application for Minor Variance made by 2594092 Ontario Inc. as outlined in Report COA-024-23, to permit the development of a gas station and convenience store at the subject property requiring the noted variances, BE APPROVED, subject to the following condition:

1. That the applicant provide documentation indicating compliance with Part 8 (Sewage Systems) of the Ontario Building Code, to the satisfaction of the Township's Septic Inspector and Building Department.

BACKGROUND: Surrounding Land Uses

- o 2172 Regional Road 20 (Highway 20) is approximately 1436.85 square metres (0.36 acres) in size.
- o The subject property is situated on the east side of Regional Road 20 (Highway 20), south of St. Ann's Road, and north of Concession 4 Road. The proposed gas station and convenience store will be in close proximity to three Hamlets in West Lincoln, including located south of the Hamlet of St. Ann's, west of the Hamlet of Silverdale, and north of the Hamlet of Bismark.
- o The subject property along with the surrounding land uses are designated in the Township's Official Plan as Good General Agricultural Lands.
- o The surrounding lands are actively farmed with a few small rural residential properties.
- o This designation protects and maintains long-term agricultural uses within the area.

CURRENT SITUATION:

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

PLANNING ACT – FOUR TESTS

The Ontario Planning Act provides that a minor variance must meet the following four tests to be considered minor and supportable.

Does the proposal maintain the general intent and purpose of the Official Plan? Yes ☒ No ☐

Official Plan Designation: Good General Agricultural Lands

The proposed gas station is a small scale permitted use within the Good General Agricultural area, specifically Section 4, Policy 4.2(c) recognizes small scale secondary uses that are compatible with and do not hinder the surrounding agricultural operations. The proposed retail (convenience) store is also a secondary use to the gas station and small in scale, being 123.14 square metres (1325.47 square feet). Additionally, Section 6.8 *Service Commercial –Highway* identifies automotive related uses as a permitted use under Policy 6.8.1(a). The intent of the OP is being maintained as the proposed gas station will be serving the day-to-day needs of the surrounding community, including residents commuting from the nearby Hamlets (St. Ann's, Silverdale and Bismark), a closer fuel station option for the surrounding agricultural area and nearby agricultural operations, as well as providing a gas station service to the traveling public before heading into Smithville or travelling to the Hamlet of Wellandport which locates the next closest gas station and retail (convenience) store. For these reasons, Planning Staff can consider this minor variance application consistent with the Township's OP as the general intent is being maintained and promoted, and as the development will also be subject to Site Plan approval as per the Township's Site Plan Control By-law 2014-18.

Does the proposal maintain the general intent and purpose of the Zoning By-law? Yes ☒ No ☐

Current Zone(s): Service Commercial C3 (Highway Commercial)

Aside from the noted variances, the proposed development complies with the remaining setback regulations of Table 17 in Part 7 of the Zoning By-law and the gas station (motor vehicle gasoline bar) and the retail (convenience) store are both principal uses permitted within Service Commercial 'C3' zones. The reason behind this application as noted by the Applicant, is the unique shape of the property which does not allow

for a traditional gas station layout and requires the variances to allow the gas station canopy and convenience building to be located and be able to provide increased visibility throughout the site for both oncoming vehicular traffic as well as, pedestrian traffic heading to the retail (convenience) store. The building is proposed closer to the property lines (front lot line and interior side lot lines) to allow adequate parking spaces, although deficient of one parking space as the requirement is 7 spaces and 6 parking spaces have been proposed. In addition, the proposed building being located closer to the front lot line provides adequate space for a loading area and a garbage enclosure for the property. The parking, loading area, and garbage enclosure will also be screened from street view with the positioning of the proposed building.

The Applicant has noted the variance for a reduced interior side setback of 3.5 metres from the required 6 metres will not affect the functioning of the gas station but will improve the circulation around the canopy. This also allows a safer path for pedestrians from the parking area to the retail (convenience) store by locating the canopy further from the proposed building and parking area. Furthermore, the Applicant has noted the deficient parking allows space for large commercial vehicles to park temporarily to enter the store and to provide a small planting strip.

Locating the building and canopy closer to the property lines reduces the planting strip, however has sufficient space for the plantings (grasses, shrubs) to beautify the site's appearance. The compromise for reducing the planting strip will allow for the parking, loading and garbage areas to maximize the site's developable area while maintaining the required fire and emergency access into the site and site lines for vehicle visibility. In addition, a landscape island has been designed between the driveway entrances which will replace the existing raised curb and will increase roadside visual appearance of the development.

Furthermore, the proposed single way traffic driveway of 6 metres conforms with the fire route requirement in the Ontario Building Code (OBC) which will allow a safer route and access for fire trucks, garbage trucks, and/or double tanker fuel delivery trucks. The Applicant has also noted the Niagara Region has accepted the proposed driveway design which being locating on a Regional Road. It is also important to note, it is anticipated through Housekeeping Amendment No. 7 that Table 3: *Minimum and Maximum Widths for Driveways and Parking Aisles* in the Township's Zoning By-law will be amended to revise the single traffic lane maximum width to 6 metres and the minimum width for a double traffic lane to 6 metres for consistency purposes through the By-law which will also be consistent with the fire route requirement in the OBC.

The intent of the Zoning By-law is being maintained as the proposed variances will ensure the site provides adequate space for vehicular traffic flow while also ensuring safety is given priority. The intent is further being maintained as there are no adverse impacts anticipated from the requested variances to the surrounding area or adjacent uses. For these reasons, Planning Staff can consider the proposal to be minor in nature as the requested variances are still maintaining the general intent and purpose of the Township's Zoning By-law 2017-70, as amended, and as the development will be subject to a future Site Plan Control application.

Is the proposal desirable for the appropriate development or use of the land? Yes ☒ No ☐

Planning Staff consider the proposal to be appropriate development and use of land since a gas station and retail (convenience) store are permitted, and will improve the current vacant site, and bring additional fueling necessary services to the area. The proposed development is conveniently positioned and accessible to three Hamlets (St. Ann's, Silverdale and Bismark). It is also important to note, recently approved Official Plan Amendment 62 expanded the Hamlet boundary of Bismark which is anticipated to accommodate residential growth. The proposed service along Highway 20 is north of the Hamlet of Bismark and will be located on an

arterial road which receives a fair amount of traffic. As such, the proposed location is desirable and appropriate to locate the gas station and retail (convenience) store. For these reasons, Planning Staff recommend the development for approval as the proposal is desirable for the appropriate development and use of the subject lands.

Is the proposal minor in nature? Yes ☒ No ☐

The proposed variances can be considered minor in nature as the proposed development is still maintaining the general intent of the Township's OP and Zoning By-law, being that the gas station and retail (convenience) store are permitted principal uses and encouraged within Service Commercial areas. The development is also designed to accommodate the existing site constraints while still providing safety for pedestrians walking to the convenience store, adequate space for traffic flow through the site, and visibility to merge back onto Highway 20. There are no anticipated adverse impacts to the surrounding area or agricultural uses from the requested variances, the proposal can be considered minor in nature. Given these reasons, Planning Staff recommend approval of this proposal to permit the gas station and retail (convenience) store at the subject property with the requested variances.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

INTER-DEPARTMENTAL COMMENTS:

Building Department	No comments received, as such no objections.
Septic System Inspector	Has reviewed items 1-6 as proposed and the requested variances do not appear to have the potential to negatively impact the requirements of Part 8 (Sewage Systems) of the Ontario Building Code (OBC), however a condition of approval has been included to ensure the proposed development will comply with Part 8 of the OBC. Please see Attachment 4.
Public Works	No objections to provide on this application. Public Works have noted for informational purposes that this property is within the Sixteen Mile municipal drain and will be assessed for a portion of all future maintenance of the drain as per the assessment schedule in the Engineer's Report for the drain. Please see Attachment 4.
Niagara Peninsula Conservation Authority (NPCA)	Offer no objections or comments to provide on this application.
Niagara Region	Offer no objections to the minor variance to facilitate the construction of a gas station. Regional Staff have noted that the Region's requirements for the proposed development will be addressed through the associated Site Plan Approval application. Please see Attachment 4.

PUBLIC COMMENTS: Yes ☐ No ☒

No public comments received at this time.

CONCLUSION:

Based on the above analysis, Planning Staff recommend APPROVAL of the proposed minor variance application (A15/2023WL) as outlined in Report COA-024-23, to permit the development of a gas station and convenience store at the subject property with the six requested variances.

Attachments:

1. Location Map
2. Site Plan
3. Figure 1 (*Proposed Development Birds' Eye View Perspective*) from submitted PowerPoint Presentation
4. Agency Comments

Prepared by:



**Stephanie Pouliot,
Planner**

Recommended by:



**Susan Smyth, C.P.T
Senior Planner**

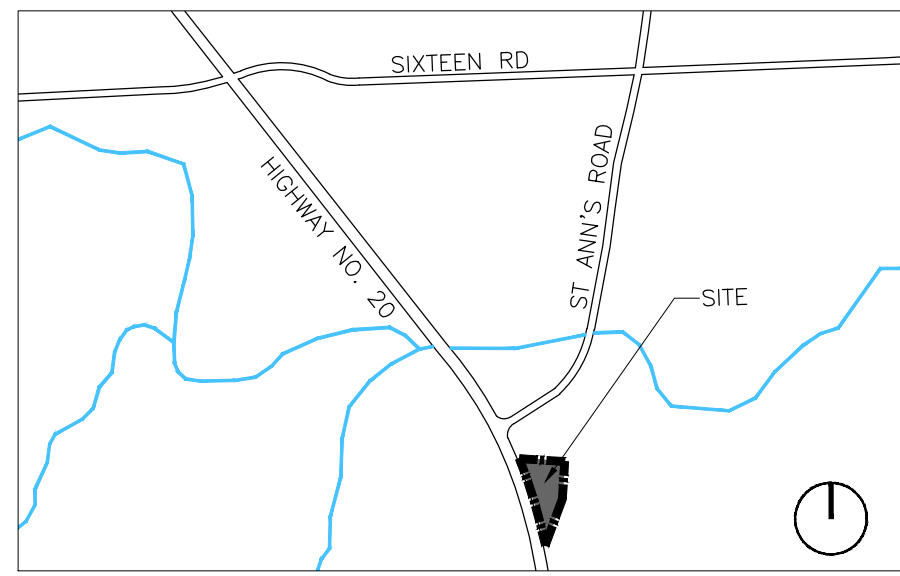


Location Map
2173 Regional Road 20
0 30 60 120 Meters

West Lincoln
Your Future Naturally

Legend

	Zone Boundary
	Subject Property



2 KEY PLAN
A-1.0 SCALE: NTS

PROJECT STATISTICS		
ADDRESS: 2173 HIGHWAY NO.-20, SAINT ANNS, ON LOR 1Y0		
ZONING C3 - COMMERCIAL		
	REQUIRED	PROPOSED
LOT AREA (SQ.M)	750 SQ.M	1435.01 SQ.M (0.354 Acre)
LOT FRONTAGE	25 M. MIN.	75.3 M
C-STORE		123.14 SQ.M(1325.47 SQ.FT)
GROSS FLOOR AREA	50% MAX.	123.14 SQ.M(1325.47 SQ.FT)
GROSS LEASABLE AREA		82.62 SQ.M(889.39 SQ.FT)
LANDSCAPED AREA	10% MIN.	146.77 SQ.M. (10.22%)
PAVED AREA		1161.09 SQ.M. (80.91%)
PARKING	7	6 (INC.1H/C)
LOT COVERAGE	50% MAX.	8.58 % (123.14 SQ.M)
MAX. BUILDING HEIGHT	10 M	5.8 M

BUILDING SETBACKS		
	ALLOWED	PROPOSED
FRONT YARD (WEST) (HWY. 20)	9.0 M	1.04 M
REAR YARD (EAST)	6.0 M	17.35 M
SIDE YARD (NORTH)	6.0 M	1.12 M
SIDE YARD (SOUTH)	6.0 M	32.43 M

PARKING REQUIREMENTS		
	REQUIRED	PROPOSED
C-STORE (121.49 SQM) (1 PARKING PER 50 SQM.)	2.42(03)	6
GASOLINE PARKING (191.82 SQM.) (1 PARKING PER 50 SQM.)	3.83(04)	
TOTAL	7	6 (INC.1H/C)
PARKING SIZE REGULAR: 2.7MX6M ACCESSIBLE: 3.4MX6M		

- LEGEND
- PROPERTY LINE
 - NEW BUILDING
 - EXISTING BUILDING
 - LANDSCAPE
 - CONC. PAVEMENT,150MM RAISED
 - ASPHALT
 - BARRIER FREE PARKING
 - BARRIER FREE CURB
 - BARRIER CURB
 - MAIN DOOR ENTRANCE
 - OVERHEAD DOOR
 - LIGHT STANDARD
 - FIRE HYDRANT
 - LIGHT STANDARD
 - WALL MOUNTED LIGHT
 - LIGHT BOLLARDS
 - LIGHT POLE
 - WALL LIGHT

MUNICIPAL ADDRESS & LEGAL DESCRIPTION:
2173 HIGHWAY NO.-20, SAINT ANNS, ON LOR 1Y0
PART OF LOT 23
CONCESSION 5
GEOGRAPHIC TOWNSHIP OF GAINSBOROUGH
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA

OWNER:
2594092 ONTARIO INC.
ATTN: JAMIL NOWWARRAH
3385 BROCK ST NORTH WHITBY,
ONTARIO L1R3J6

APPLICANT:
n Architecture Inc
9120 Leslie Street, Suite-208
Richmond Hill, Ontario, L4B 3J9
T: 416.303.4821
E: info@narchitecture.com
www.narchitecture.com

SURVEY INFORMATION TAKEN FROM:
RASCH & HYDE LTD
ONTARIO LAND SURVEYORS
P.O. BOX 6, 1333 HIGHWAY #3 EAST, UNIT B
DUNVILLE, ON, M1A 2X1
T: 905-774-7188
FAX: 905-774-4000

n Architecture Inc
PRINCIPAL: NITIN MALHOTRA, ARCHITECT.
9120 Leslie Street, Suite-208
Richmond Hill, Ontario, L4B 3J9
T : 4 1 6 . 2 5 6 . 9 7 4 1
E: info@narchitecture.com
www.narchitecture.com

27 OCT. 2023

27th OCTOBER 2023
ISSUED FOR MINOR VARIANCE

5.	27 OCT 2023	ISSUED FOR MINOR VARIANCE	JH.
4.	17 OCT 2023	ISSUED FOR ZONING REVIEW	JH.
3.	13 JUL 2023	ISSUED FOR SPA-2	JH.
2.	20 SEPT 2022	ISSUED FOR SPA-1	JH.
1.	31 JAN 2022	ISSUED FOR PRE-CON MEETING	CL.
No.	Date	Version	Dwn.

This drawing is copyright property of 'n Architecture Inc'. Not to be reproduced. Contractor must verify all job dimensions, drawings, details and specifications and report any discrepancies to the architect before proceeding with work.

PROJECT:
**GAS STATION
AT
2173 HWY 20,
SAINT ANNS, ON.**

DRAWING TITLE:
SITE PLAN

DRAWN BY: JH	DATE: MAY 11 2017
CHECKED BY: NM	SCALE: AS NOTED
PROJECT NO.:	DRAWING NO.:

17-54

A-1.0

Site Plan & Overview



Figure 1. Proposed Development Birds' Eye View Perspective

Proposed Development

- The subject property will be developed into a Gas Station.
- The proposed footprint area of the convenience store is 123.14 sq.m.
- The existing traffic medium on Regional Road 20 has been designed to allow for safe vehicle and truck maneuvering as per Niagara Region's standards.
- A new 3-fuel pump canopy is proposed on the south side of the property.
- A total of 6 parking spaces are proposed, including 1 Barrier Free space.



Memo

To: Stephanie Pouliot, Planner I
From: Jennifer Bernard, Coordinator of Engineering Services
Date: November 14, 2023
Re: File A15/2023WL – 2173 Regional Road 20

A review has been completed of this minor variance application, Public Works has no comments to provide on the proposed variances.

In completing this review, staff noted that this property is within the Sixteen Mile municipal drain and will be assessed for a portion of all future maintenance of the drain as per the assessment schedule in the Engineer's Report for the drain. This information is provided for information purposes only.

Stephanie Pouliot

From: Lyle Killins [REDACTED]
Sent: November 27, 2023 11:23 AM
To: Stephanie Pouliot
Subject: Re: Septic Comments -2173 Regional Road 20

Good morning ,Stephanie

The original documents submitted on behalf of the applicants included some points which were not in compliance with Part 8 Ontario Building Code.

Specific requirements relating to Class 5 Sewage Systems are addressed in Section 8.8. O.B.C.

I am suggesting that the applicants review the appropriate Section and consider providing changes to the original supporting documents.

This office would be most willing to under take a review of documents submitted to ensure Ontario Building Code compliance.

Regards,

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

BCIN 11112

From: Stephanie Pouliot <spouliot@westlincoln.ca>
Sent: November 27, 2023 9:18 AM
To: Lyle Killins [REDACTED]
Subject: RE: Septic Comments -2173 Regional Road 20

Hi Lyle,

The applicants are wanting to have an idea of the septic comments/condition. Can you provide more of the rationale again in an email so I can share with the applicants.

Thank you,
Stephanie

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.

	<p>Stephanie Pouliot</p> <p>Planner I</p> <p>Tel: 905-957-3346 ext. 5140 Email: spouliot@westlincoln.ca Web: www.westlincoln.ca</p> 
------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------