



**TOWNSHIP OF WEST LINCOLN
GROWTH AND SUSTAINABILITY
COMMITTEE AGENDA**

MEETING NO. FOUR

Monday, May 12, 2025, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

NOTE TO MEMBERS OF THE PUBLIC: All Cell Phones, Pagers and/or PDAs to be turned off. Members of the public who are attending and participating virtually are reminded to keep their microphones muted until they are acknowledged to speak. Additionally, for your information, please be advised that this meeting will be livestreamed as well as recorded and will be available on the Township's website.

Pages

1. CHAIR - Councillor Joann Chechalk

Prior to commencing with the Growth and Sustainability meeting agenda, Chair Chechalk will provide the following announcements:

1. Comments can be made from members of the public for a matter that is on the agenda by advising the Chair during the "Request to Address an Item on the Agenda" Section of the agenda.
2. The public may submit written comments for matters that are on the agenda to jpaylove@westlincoln.ca before 4:30 p.m. on the day of the meeting for consideration by the Committee. Comments received after 4:30 p.m. on the day of the Committee meeting will be considered at the following Council meeting. Comments submitted are included in the record.
3. This meeting will be livestreamed as well as recorded and available on the Township's website.

2. LAND ACKNOWLEDGEMENT STATEMENT

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit from across Turtle Island that live and work in Niagara today. The Township of West Lincoln, as part of the Regional Municipality of Niagara,

stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

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

Public Meeting(s)

4. PUBLIC MEETING(S)

4.1 1806018 Ontario Inc. (Linde Truck and Trailer) (4426 Regional Road 20) File #1601-014-24

Re: Application for Zoning By-law Amendment for the proposal to facilitate an expansion of 492 square metres to the existing truck and vehicle repair and service shop and outdoor storage in the front yard.

4.2 171 Mill Street (Legion Villa) File # 1601-003-25

Re: Application for Zoning By-law Amendment submitted by Quartek Group Inc. (Consultant-Agent) pm behalf of Branch 393 Royal Canadian Legion Senior Citizens Complex - Legion Villa (owner/applicant)

5. CHANGE IN ORDER OF ITEMS ON AGENDA

6. APPOINTMENTS

There are no appointments

7. REQUEST TO ADDRESS ITEMS ON THE AGENDA

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

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

Chair to inquire if there are any members of the public present who wish to address any items on the Growth and Sustainability Committee agenda.

8. CONSENT AGENDA ITEMS

8.1 ITEM GS23-25

There are no consent agenda items.

9. COMMUNICATIONS

9.1 ITEM GS24-25

Re: Legion Villa New Build Support

RECOMMENDATION:

That, the correspondence received from the Legion Villa on April 30, 2025 be received for information.

10. STAFF REPORTS

10.1 ITEM GS25-25

8

Manager, Community Planning and Design, (Susan Smyth) and
Director, Growth and Sustainability, (Gerrit Boerema)

Re: Recommendation Report PD-18-2025 - Proposed Street Naming
for Station Meadows West Subdivision (P. Budd Developments) (File
No. 2000-89-19)

RECOMMENDATION:

1. That Recommendation Report PD-18-2025 titled
“Recommendation Report - Proposed Street Naming for Station
Meadows West Subdivision (P. Budd Development) (File No.
2000-89-19),” dated May 12, 2025 be received; and,
2. That, Council approves “Skipton Street, Chester Road, Evans
Place, Meredith Street, Kennedy Street, and Petersfield Drive”
as street names for the Station Meadows West Subdivision
Development and that the Mayor and Clerk be authorized to
sign a by-law as found attached to this report.

10.2 ITEM GS26-25

26

Manager, Community Planning and Design, (Susan Smyth) and Director
of Growth and Sustainability, (Gerrit Boerema)

Re: Information Report PD-19-2025 - Zoning By-law Amendment for
4426 Regional Road 20 (File No. 1601-014-24) for 18606018 Ontario
Inc.(Linde Truck and Trailer)

RECOMMENDATION:

1. That, Information Report PD-19-2025, titled “Zoning By-law
Amendment for 4426 Regional Road 20 (File No. 1601-014-24)
for 1806018 Ontario Inc. (Linde Truck and Trailer)”, dated May
12, 2025 be received.

10.3 ITEM GS27-25

36

Chief Building Official, (Ben Agro)

Re: Recommendation Report BLDG-06-2025 - Site Alteration Permit,
1664 Abingdon Road

RECOMMENDATION:

1. That Recommendation Report BLDG-06-2025 titled “Site
Alteration Permit 1664 Abingdon Road”, dated May 12th, 2025
be received; and,
2. That, the application for site alteration to import 220 loads
(2,200 cubic metres) of topsoil be approved, subject to a site
alteration agreement which requires additional security,
regulates the number of trucks per day, imposes truck traffic
control, regulates dust and road fowling, and provides a
timeline to complete the works; and,
3. That, Council pass a bylaw to Authorize the Mayor and Clerk to

sign and enter into the site alteration agreement with the owners as found in Schedule E.

10.4 ITEM GS28-25

70

Manager, Community Planning and Design, (Susan Smyth), and
Director of Growth and Sustainability, (Gerrit Boerema)

Re: Information Report PD-20-2025 - Zoning By-law Amendment for
171 Mill Street (File No. 1601-003-25)

RECOMMENDATION:

1. That, Information Report PD-20-2025, title “Zoning By-law Amendment for 171 Mill Street (File No. 1601-003-25) for Legion Villa Senior Residence”, dated May 12, 2025 be received.

11. OTHER BUSINESS

11.1 ITEM GS29-25

Members of Committee

Re: Other Business Matters of an Informative Nature

12. NEW BUSINESS

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

13. CONFIDENTIAL MATTERS

There are no confidential items.

14. ADJOURNMENT

To our honorable Mayor, council members and staff of the West Lincoln Community

We, the Legion Villa Project Development Committee, have presented to you, multiple times over the last number of years, the planned project indicating our commitment to this beautiful community of West Lincoln by way of adding additional affordable housing for the 55 and over age group that continues to grow in this area.

The West Lincoln area has been designated for some incredible growth over the next few years and we as an organization realized that there are specific areas of development that are missing in this Community.

Affordable housing ranks High on the List. (Another is a facility of assisted living and long-term care which we are not.) The challenge is that for 55+/seniors that have lived in this area for many years, there is no where in Smithville for them to continue living in their later years and remain in their chosen community. Sadly, they are forced to move outside of their community.

Our goal as you know, is to build 52 additional Affordable Housing units for our seniors and 55+ community to help address the dire need. With waiting lists of multiple years, the reality is that these units were needed years ago, and we are now working diligently and as efficiently as the systems will allow to get this project built.

The Board of Directors of the Legion Villa along with Branch 393 Legion had the foresight and initiative over 35 years ago, to start a Non-Profit to Build Villa I and Villa II to address the need back then. They successfully accomplished building, provided 2 very successful projects of Affordable Housing with the support of all levels of government at that time.

Well, here we are in 2025, already a few years into this project development, and entering the stage of applying for permits and have yet to have received any clear direction or communication from West Lincoln Township in the conversation regarding support by way of assistance with planning and permit fees and reimbursement of the fees already paid). This important part of the process is crucial to enable us be shovel ready and begin to build desperately needed affordable housing units.

It is of great concern to us, that as we submit this letter, we don't have a formal commitment from the Township of West Lincoln regarding assistance with development charges. We have been told that given this type of project, the Township funding would need to come from a fund called the Community Impact Program Fund. We then presented to you again, before the last budget, to appeal to the fact that this is something that our

local community council would at the very least want to take part in the funding of this project as it is being built within the West Lincoln Township borders. As all other levels of government have committed to support affordable housing, it is our hope that the Township of West Lincoln would be willing to waive any fees that would be required for this build. This project is fulfilling the mandate of increasing housing units within our community while also addressing the affordable housing crisis that exists.

The Township budget came out with \$15,000 in the CIP fund. We have been told that the funding for the waiving of development fees would most likely be coming from this fund. We as the, LV Project Development Committee are questioning the actions, the motivation and the support that will be shown by the very community where our proposed building will be built.

Perhaps you have come up with an alternative for where these funds would be designated to come from. Either way, it is imperative that we have some response from the Township of West Lincoln to let us know what support we can expect.

As we have not received any correspondence from the Township which in turn created the need to ask the questions, we are asking for clarification and commitment.

As we endeavor to fund this project along with support from the Community, we would like to be able to share, that we have indeed received support from the Township of the very community that this building will hopefully be built in.

Why is your support critical for this Legion Villa project?

- 1) Legion Villa is a non-profit charity with limited funds – government incentives allow the project to move through planning and approvals.
- 2) Financial support from all levels of government and private entities is critical to maintain deep affordability: **Less Debt financing = Lower Rent Rates**
- 3) CMHC and other Capital funding Programs need to see **FULL Municipal Partnership** which
 - a) De-risks the project (budget, approvals, timelines)
 - b) Significantly increases likelihood of funding application success

Legion Vila is bringing land equity, has worked diligently with a Project Manager thru the Region and has secured CMHC Seed Grant & Loan Funding, FCM grant, plus Town and Regional DC waivers through Prov. Bill 23. Legion villa is targeting new grants & private support going into 2025.

It is with all of this in mind that we appeal to you to once again, to review the needs of this Community, and understand that this is the only project for Affordable Housing in this area

at this moment. This committee has been successful in attaining every grant and loan available to a project like this. With the support of all levels of government confirmed we would like to be in a place of confidence that the West Lincoln Township will also be supporting us by waiving the fees for this project.

Legion Villa is a Non-Profit with limited available funds, has done years of planning and background work to make this project viable, thus far on a \$0 budget and because of the fantastic management of the organization in the last 30-35 years, have been able to qualify for the grants to date. Going forward, we do however, need the full support of our local community as well.

Our current request is:

Can we count on and be confident in the support of the Township of West Lincoln?

Sincerely

Project Development Committee of the Legion Villa

Rodger Vaughan (Chair) Nancy Neville, Peggy Cook

DATE: May 12, 2025

REPORT NO: PD-18-2025

SUBJECT: **Recommendation Report – Proposed Street Naming for Station Meadows West Subdivision (P. Budd Development) File No. 2000-89-19**

CONTACT: Susan Smyth, Manager of Community Planning and Design
Gerrit Boerema, Director, Growth and Sustainability

OVERVIEW:

- The Stations Meadows West Subdivision has extension of draft plan approval of the subdivision (File No. 2000-89-19) until January 16, 2026.
- The development consists of approximately 408 residential dwelling units in the form of single detached, townhouse, back to back townhouse, stacked back to back townhouse units, parkland and linear trail.
- One of the conditions of subdivision approval is the naming of the public streets and six public streets are to be named for this development.
- The public meeting for the proposed street naming was held on Monday April 14, 2025 and the information can be found in report [PD-13-2025](#). There were no written or verbal comments received by the public.
- Committee members noted that the proposed names appear to be suitable for this scale of development and with half of the names being taken from the Township's street naming policy and approved reserved list.
- Administration is recommending the following street names for this subdivision:
"Street A" - Skipton Street "Street D" - Meredith Street
"Street B" - Chester Road "Street E" - Kennedy Street
"Street C" - Evans Place "Street F" - Petersfield Drive

RECOMMENDATION:

1. That Recommendation Report PD-18-2025 titled "Recommendation Report - Proposed Street Naming for Station Meadows West Subdivision (P. Budd Development) (File No. 2000-89-19)," dated May 12, 2025 be received; and,
2. That, Council approves "Skipton Street, Chester Road, Evans Place, Meredith Street, Kennedy Street, and Petersfield Drive" as street names for the Station Meadows West Subdivision Development and that the Mayor and Clerk be authorized to sign a by-law as found attached to this report.

ALIGNMENT TO STRATEGIC PLAN:

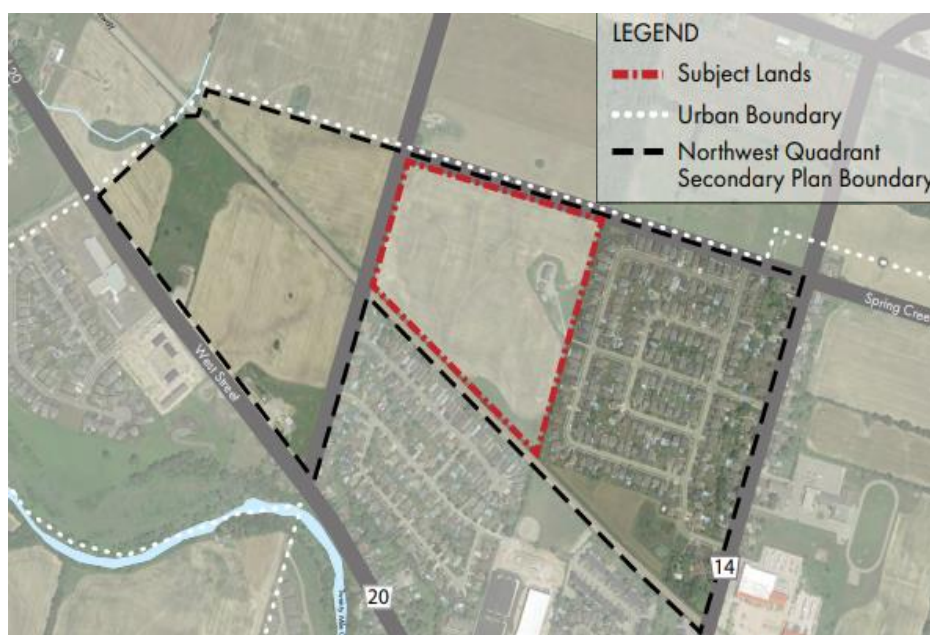
Theme

- **Build** a safe, connected, caring and active community. Establish, provide and sustain a high quality of life for our residents

BACKGROUND:

The subject lands are located east of South Grimsby Road 5, north of the CPCK Rail line and west of the existing Station Meadows Subdivision and within the Northwest Quadrant Secondary Plan Area of Smithville. Refer to Figure 1 below for the location of the Stations Meadows West Subdivision development.

Figure 1: Subject Lands



The Station Meadows West subdivision is expected to provide approximately 408 residential dwelling units in the form of single detached, townhouse, back to back townhouse, stacked back to back townhouse units and apartment units.

An extension of the draft plan of subdivision approval was granted until January 16, 2026 to clear all of the draft plan conditions, with one being to receive approval of a by-law to name the public streets within the development.

CURRENT SITUATION:

The Owner requested six street names although none of the proposed names were selected from the Township's approved reserve list. Administration suggested three additional street names to replace three of the street names that do not meet the policy and have potential emergency response issues due to similar street names in neighbouring municipalities.

INTER-DEPARTMENTAL COMMENTS:

The Community and Protective Services (Fire Services), Operations Department, and Growth and Sustainability (Building Department) raised no concerns or issues with the proposed names.

PUBLIC COMMENTS:

There were no written or verbal comments received by members of the public prior to or at the public meeting on the proposed street name for the Station Meadows West Subdivision development.

CONCLUSION:

The Owner is required to provide street names for the Station Meadows West Subdivision and Administration has recommended the names as noted in this report. The by-law (refer to Schedule B) is required to be approved for the naming of the streets in this development and will clear Condition #4 of the draft conditions of approval (refer to Schedule C).

ATTACHMENTS:

Schedule A: Station Meadows West Draft Plan of Subdivision

Schedule B: Draft Street Name By-law

Schedule C: Draft Conditions of Approval

Prepared & Submitted by:

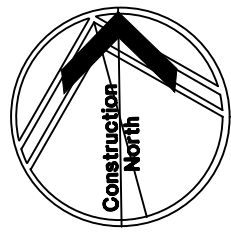
Susan Smyth
Manager, Community Planning and Design

Approved by:

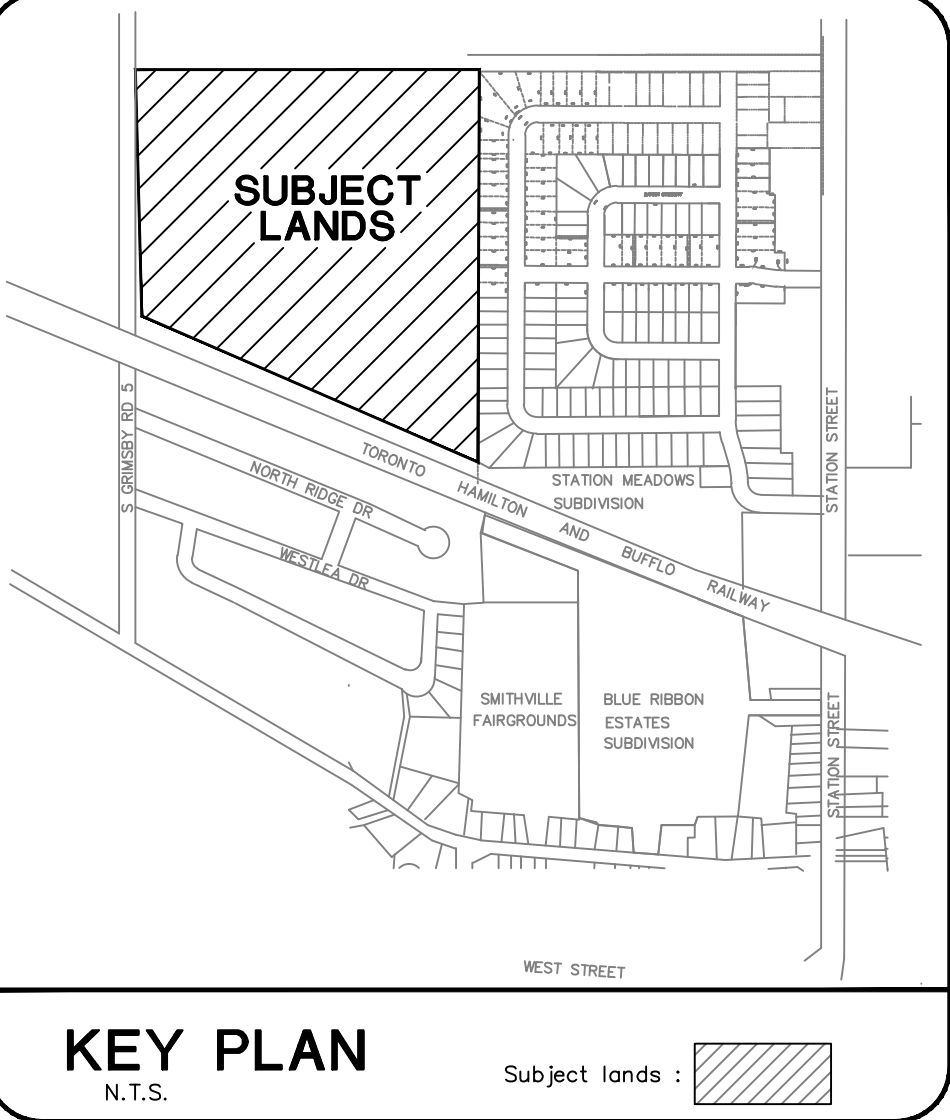
Gerrit Boerema
Director of Growth and Sustainability

Truper McBride
CAO

SCHEDULE A - PD-18-2025



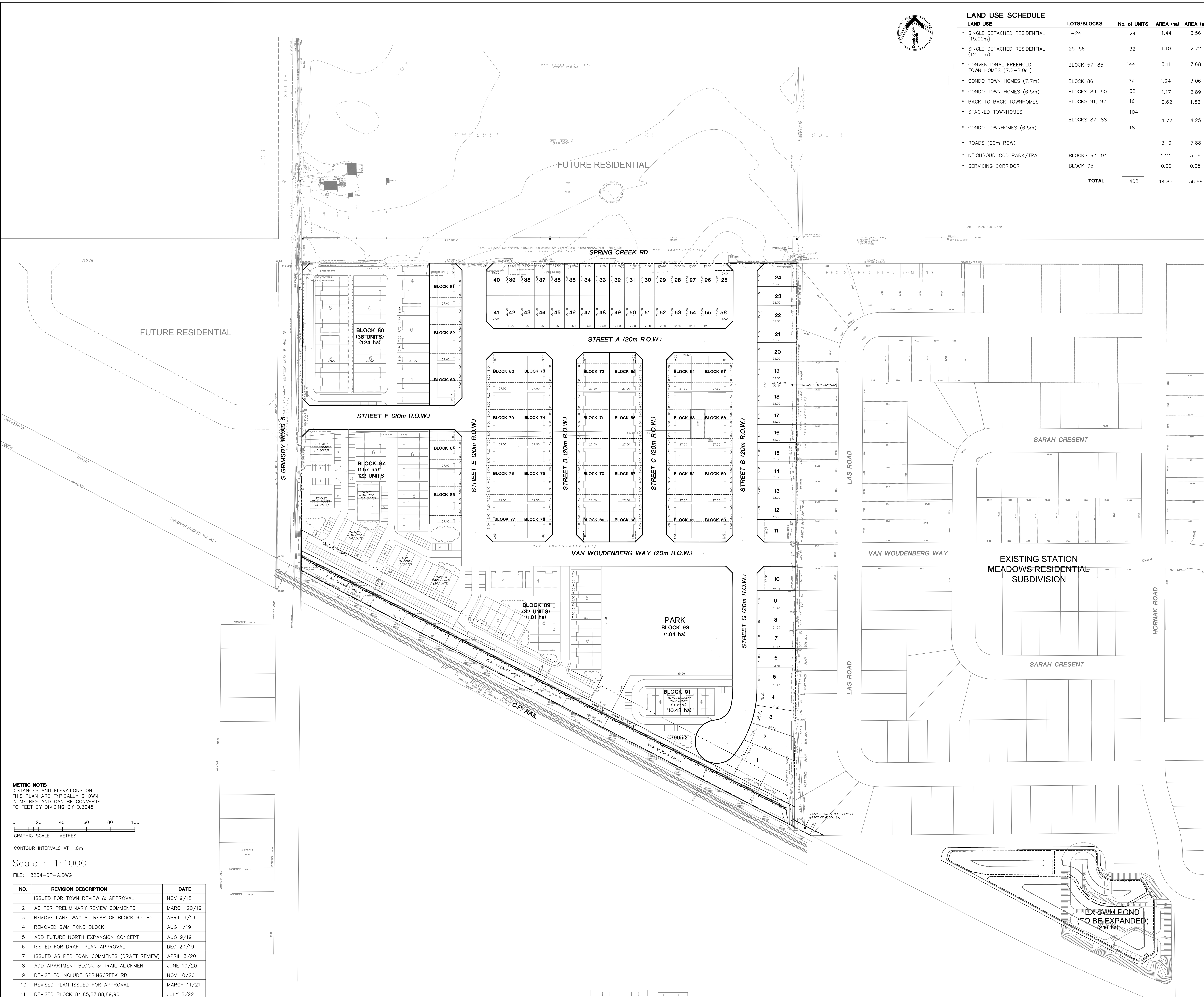
LAND USE SCHEDULE				
LAND USE	LOTS/BLOCKS	No. of UNITS	AREA (ha)	AREA (ac)
* SINGLE DETACHED RESIDENTIAL (15.00m)	1-24	24	1.44	3.56
* SINGLE DETACHED RESIDENTIAL (12.50m)	25-56	32	1.10	2.72
* CONVENTIONAL FREEHOLD TOWN HOMES (7.2-8.0m)	BLOCK 57-85	144	3.11	7.68
* CONDO TOWN HOMES (7.7m)	BLOCK 86	38	1.24	3.06
* CONDO TOWN HOMES (6.5m)	BLOCKS 89, 90	32	1.17	2.89
* BACK TO BACK TOWNHOMES	BLOCKS 91, 92	16	0.62	1.53
* STACKED TOWNHOMES	BLOCKS 87, 88	104	1.72	4.25
* CONDO TOWNHOMES (6.5m)		18		
* ROADS (20m ROW)			3.19	7.88
* NEIGHBOURHOOD PARK/TRAIL	BLOCKS 93, 94		1.24	3.06
* SERVICING CORRIDOR	BLOCK 95		0.02	0.05
TOTAL		408	14.85	36.68



DRAFT PLAN OF STATION MEADOWS WEST FOR A PROPOSED SUBDIVISION OF PART OF LOT 1 REGISTERED PLAN M-94 TOWNSHIP OF WEST LINCOLN REGIONAL MUNICIPALITY OF NIAGARA

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE PLANNING ACT

A) AS SHOWN ON THE DRAFT PLAN
B) AS SHOWN ON THE DRAFT PLAN
C) AS SHOWN ON THE DRAFT PLAN
D) REFER TO LAND USE SCHEDULE
E) AS SHOWN ON THE DRAFT PLAN
F) AS SHOWN ON THE DRAFT PLAN
G) AS SHOWN ON THE DRAFT PLAN
H) MUNICIPAL PIPE WATER SUPPLY
I) GLACIOLACUSTRIINE SILT AND CLAY, HALTON TILL
J) AS SHOWN ON THE DRAFT PLAN
K) SANITARY, STORM, MUNICIPAL WATER, HYDRO, GAS
L) AS SHOWN ON THE DRAFT PLAN



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

0 20 40 60 80 100
GRAPHIC SCALE - METRES

CONTOUR INTERVALS AT 1.0m

Scale : 1:1000

FILE: 18234-DP-A.DWG

NO.	REVISION DESCRIPTION	DATE
1	ISSUED FOR TOWN REVIEW & APPROVAL	NOV 9/18
2	AS PER PRELIMINARY REVIEW COMMENTS	MARCH 20/19
3	REMOVE LANE WAY AT REAR OF BLOCK 65-85	APRIL 9/19
4	REMOVED SWM POND BLOCK	AUG 1/19
5	ADD FUTURE NORTH EXPANSION CONCEPT	AUG 9/19
6	ISSUED FOR DRAFT PLAN APPROVAL	DEC 20/19
7	ISSUED AS PER TOWN COMMENTS (DRAFT REVIEW)	APRIL 3/20
8	ADD APARTMENT BLOCK & TRAIL ALIGNMENT	JUNE 10/20
9	REVISE TO INCLUDE SPRINGCREEK RD.	NOV 10/20
10	REVISED PLAN ISSUED FOR APPROVAL	MARCH 11/21
11	REVISED BLOCK 84,85,87,88,89,90	JULY 8/22

OWNER'S CERTIFICATE

WE BEING THE REGISTERED OWNERS OF THE SUBJECT LANDS HEREBY AUTHORIZE THE ODAN/DETECH GROUP INC. TO PREPARE AND SUBMIT A DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

DATED _____ AUTHORIZED SIGNING OFFICER
P. BUDD DEVELOPMENTS

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATED _____ ONTARIO LAND SURVEYOR

BUDD DEVELOPMENTS INC.
6 Admiral Circle, Grimsby, Ontario, Canada L3M5C7
Peter Budd President

Business 1-905-945-5900
Fax / Phone 1-905-945-4101

ODAN-DETECH
CONSULTING ENGINEERS

The Odan/Detech Group Inc. P: (905) 632-3811 F: (905) 632-3363
5230 SOUTH SERVICE ROAD, BURLINGTON, ONTARIO, L7L 8K2

SCHEDULE B - PD-18-2025

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-XX

A BY-LAW TO NAME ROADS WITHIN THE STATION MEADOWS
WEST SUBDIVISION BEING SKIPTON STREET, CHESTER ROAD,
EVANS PLACE, MEREDITH STREET, KENNEDY STREET, AND
PETERSFIELD DRIVE

TOWNSHIP OF WEST LINCOLN

WHEREAS Section 11 (3) of the Municipal Act, 2001, provides for spheres of jurisdiction and states that a lower tier municipality and an upper tier municipality may pass by-laws respecting transportation systems other than highways, including parking and private roads; and,

WHEREAS notice of the public meeting was circulated to Council and in the newspaper on March 13, 2025 for consideration; and,

WHEREAS a public meeting was held on April 14, 2025 to hear any person(s) who wished to give written correspondence on this matter; and,

WHEREAS no public comments have been received, and

NOW THEREFORE the Municipal Council of The Corporation of the Township of West Lincoln hereby enacts as follows:

1. THAT, Council hereby confirms that Skipton Street (Street A); Chester Road (Street B); Evans Place (Street C); Meredith Street (Street D); Kennedy Street (Street E); and Petersfield Drive (Street F) as shown in the Stations Meadows West Subdivision Draft Plan illustrated on Schedule A attached hereto be approved.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
_____DAY OF _____, 2025.**

MAYOR CHERYL GANANN

CLERK JUSTIN PAYLOVE

The map shows a residential area with several streets and blocks. The streets are labeled as follows:

- Street A - Skipton Street
- Street B - Chester Road
- Street C - Evans Place
- Street D - Meredith Street
- Street E - Kennedy Street
- Street F - Petersfield Drive

The blocks are labeled as follows:

- Block 86
- Block 87
- Block 88
- Block 89
- Block 90
- Block 91
- Block 92
- Block 93 (20.6 ha)
- Block 94
- Block 95
- Block 96
- Block 97
- Block 98
- Block 99
- Block 100
- Block 101
- Block 102
- Block 103
- Block 104
- Block 105
- Block 106
- Block 107
- Block 108
- Block 109
- Block 110
- Block 111
- Block 112
- Block 113
- Block 114
- Block 115
- Block 116
- Block 117
- Block 118
- Block 119
- Block 120
- Block 121
- Block 122
- Block 123
- Block 124
- Block 125
- Block 126
- Block 127
- Block 128
- Block 129
- Block 130
- Block 131
- Block 132
- Block 133
- Block 134
- Block 135
- Block 136
- Block 137
- Block 138
- Block 139
- Block 140
- Block 141
- Block 142
- Block 143
- Block 144
- Block 145
- Block 146
- Block 147
- Block 148
- Block 149
- Block 150
- Block 151
- Block 152
- Block 153
- Block 154
- Block 155
- Block 156
- Block 157
- Block 158
- Block 159
- Block 160
- Block 161
- Block 162
- Block 163
- Block 164
- Block 165
- Block 166
- Block 167
- Block 168
- Block 169
- Block 170
- Block 171
- Block 172
- Block 173
- Block 174
- Block 175
- Block 176
- Block 177
- Block 178
- Block 179
- Block 180
- Block 181
- Block 182
- Block 183
- Block 184
- Block 185
- Block 186
- Block 187
- Block 188
- Block 189
- Block 190
- Block 191
- Block 192
- Block 193
- Block 194
- Block 195
- Block 196
- Block 197
- Block 198
- Block 199
- Block 200
- Block 201
- Block 202
- Block 203
- Block 204
- Block 205
- Block 206
- Block 207
- Block 208
- Block 209
- Block 210
- Block 211
- Block 212
- Block 213
- Block 214
- Block 215
- Block 216
- Block 217
- Block 218
- Block 219
- Block 220
- Block 221
- Block 222
- Block 223
- Block 224
- Block 225
- Block 226
- Block 227
- Block 228
- Block 229
- Block 230
- Block 231
- Block 232
- Block 233
- Block 234
- Block 235
- Block 236
- Block 237
- Block 238
- Block 239
- Block 240
- Block 241
- Block 242
- Block 243
- Block 244
- Block 245
- Block 246
- Block 247
- Block 248
- Block 249
- Block 250
- Block 251
- Block 252
- Block 253
- Block 254
- Block 255
- Block 256
- Block 257
- Block 258
- Block 259
- Block 260
- Block 261
- Block 262
- Block 263
- Block 264
- Block 265
- Block 266
- Block 267
- Block 268
- Block 269
- Block 270
- Block 271
- Block 272
- Block 273
- Block 274
- Block 275
- Block 276
- Block 277
- Block 278
- Block 279
- Block 280
- Block 281
- Block 282
- Block 283
- Block 284
- Block 285
- Block 286
- Block 287
- Block 288
- Block 289
- Block 290
- Block 291
- Block 292
- Block 293
- Block 294
- Block 295
- Block 296
- Block 297
- Block 298
- Block 299
- Block 300
- Block 301
- Block 302
- Block 303
- Block 304
- Block 305
- Block 306
- Block 307
- Block 308
- Block 309
- Block 310
- Block 311
- Block 312
- Block 313
- Block 314
- Block 315
- Block 316
- Block 317
- Block 318
- Block 319
- Block 320
- Block 321
- Block 322
- Block 323
- Block 324
- Block 325
- Block 326
- Block 327
- Block 328
- Block 329
- Block 330
- Block 331
- Block 332
- Block 333
- Block 334
- Block 335
- Block 336
- Block 337
- Block 338
- Block 339
- Block 340
- Block 341
- Block 342
- Block 343
- Block 344
- Block 345
- Block 346
- Block 347
- Block 348
- Block 349
- Block 350
- Block 351
- Block 352
- Block 353
- Block 354
- Block 355
- Block 356
- Block 357
- Block 358
- Block 359
- Block 360
- Block 361
- Block 362
- Block 363
- Block 364
- Block 365
- Block 366
- Block 367
- Block 368
- Block 369
- Block 370
- Block 371
- Block 372
- Block 373
- Block 374
- Block 375
- Block 376
- Block 377
- Block 378
- Block 379
- Block 380
- Block 381
- Block 382
- Block 383
- Block 384
- Block 385
- Block 386
- Block 387
- Block 388
- Block 389
- Block 390
- Block 391
- Block 392
- Block 393
- Block 394
- Block 395
- Block 396
- Block 397
- Block 398
- Block 399
- Block 400
- Block 401
- Block 402
- Block 403
- Block 404
- Block 405
- Block 406
- Block 407
- Block 408
- Block 409
- Block 410
- Block 411
- Block 412
- Block 413
- Block 414
- Block 415
- Block 416
- Block 417
- Block 418
- Block 419
- Block 420
- Block 421
- Block 422
- Block 423
- Block 424
- Block 425
- Block 426
- Block 427
- Block 428
- Block 429
- Block 430
- Block 431
- Block 432
- Block 433
- Block

SCHEDULE C - PD-18-2025

File No: PD-04-22

Attachment No. 2

January 16, 2023

STATION MEADOWS WEST
(P BUDD DEVELOPMENTS)
TOWNSHIP OF WEST LINCOLN
CONDITIONS OF FINAL APPROVAL

The conditions for final approval and registration of the P Budd Developments Subdivision, in the name of Station Meadows West., File No. 2000-090-20, Township of West Lincoln are:

1. That this approval applies to the P Budd Developments, Station Meadows West, Draft Plan of Subdivision, Township of West Lincoln prepared by Odan Detech Group, dated, 2018-11-9, revised on July 8, 2022, containing 95 Lots/Blocks plus internal streets.
2. That the Owner provide to the Township of West Lincoln a letter advising that all lots conform to the requirements of the Township's Zoning By-law.
3. That the Subdivision Agreement contain a clause requiring that the road allowances shown on the draft plan (Street A - G and VanWoudenberg Way Extension) be dedicated to the Township of West Lincoln as Public Highways.
4. That the Subdivision Agreement contain a clause requiring that the proposed public streets (Street A - G and VanWoudenberg Way Extension) be constructed and named to the satisfaction of the Township of West Lincoln.
5. That the Subdivision Agreement contain a clause requiring that a 0.3 metre reserve be granted abutting the south side of Spring Creek Road allowance and the east side of South Grimsby Road 5 allowance to the Township of West Lincoln, to separate lots and blocks from the street, free and clear of any mortgages, liens and encumbrances.
6. That the Owner dedicate 7 metre x 7 metre daylighting triangles at the corner of the intersection of South Grimsby Road 5 and Street A to the Township of West Lincoln free and clear of any mortgages, liens and encumbrances.
7. That the Subdivision Agreement contain a clause requiring that the Owner dedicate 7 metre x 7 metre daylighting triangles at the corner of Spring Creek Road and Street B and Spring Creek Road and Street E to the Township of West Lincoln free and clear of any mortgages, liens and encumbrances.
8. That the Subdivision Agreement contain a clause requiring that the Owner dedicate 9.5 metre x 9.5 metre daylighting triangle at the southeast corner of the intersection of Spring Creek Road and South Grimsby Road 5.
9. That such easements as may be required for utility, servicing and drainage purposes be granted to the appropriate authority.
10. That the Owner submit all servicing, lot grading, drainage, roadway plans and supporting design calculations to the Township of West Lincoln and any other relevant agency for review and approval.
11. That all municipal services required by the Township of West Lincoln be provided by the

Owner in a manner satisfactory to the Township.

12. That the Subdivision Agreement contain a clause requiring that the Owner provide an adequate storm drainage outlet including any necessary easements and drainage agreements to the satisfaction of the Township of West Lincoln, Region of Niagara and the Niagara Peninsula Conservation Authority.
13. That the Owner enter into a Subdivision Agreement with the Township of West Lincoln to satisfy all of the requirements, financial or otherwise of the Township, concerning the provision of roads, installation of services, drainage, fencing and any other matters related to the development of the site.
14. That the Owner prepare a streetscape and landscape plan for the subdivision in accordance with the requirements of the Township of West Lincoln. The streetscaping and landscaping details are to be shown on separate plans.
15. That the Subdivision Agreement contain a clause requiring that the Owner design and construct a primary off-road multiuse trail using the specifications found in the Township of West Lincoln Trails and Corridors Master Plan. The Trail shall extend from South Grimsby Road 5 to Hornak Road. The trail shall be a minimum of 3 metres in width and constructed from asphalt. At each intersection with a public street there shall be a trail head which includes amenities (e.g. park benches, trash receptacles, trees) as determined through the subdivision agreement and engineering review.
16. That the Subdivision Agreement contain a clause requiring a sidewalk access along the existing stormsewer corridor at the northeast corner of the development connecting Las Road to Street B on the draft plan (Block 95).
17. That the Owner dedicate a 4.5 metre strip north of the required rail spillage berm but south of the proposed internal condominium street from the eastern extent of the development to South Grimsby Road 5, containing the multi-use trail and associated features as parkland as per the Township's request. If this dedication, combined with the dedication of the community park, will not satisfy the required 5%, the remainder is to be in the form of cash-in-lieu of parkland.
18. That the Owner provide a park design for Block 93, satisfactory to the Township of West Lincoln Planning and Public Works Department as a part of the engineering submission, including a landscaping plan with the provision of off street parking, playground equipment and basketball and tennis courts, and that the Subdivision Agreement contain a clause requiring the Owner to construct the approved park plan at the Owners cost, in lieu of the parkland being used for the Hornak Road Stormwater Management Pond.
19. That the subdivision agreement contain a clause requiring Block 93, being the parkland, be constructed within the first phase of the development, and that they park be given to the Township in consideration of parkland dedication.
20. That the Owner provide the Township with a grade separated pedestrian rail crossing feasibility report which would connect the multi-use trail north of the tracks to the Multi-use recreational facility south of the Rail tracks.

21. That the Subdivision Agreement contain a clause requiring traffic calming measures, as identified in the Traffic Impact Study completed by Paradigm Transportation Solutions Limited and Dated March 2021 be implemented for the development and be included in the engineering submission.
22. That any outstanding Township invoices, including invoicing related to peer reviews and local servicing studies, be paid in full.
23. That the Subdivision Agreement between the Owner and the Township of West Lincoln be registered by the municipality against the land to which it applies.
24. That the Subdivision Agreement contain a clause requiring that sidewalks be provided along one side of all roads within the development, public and private, to standard requirements of the Township of West Lincoln.
25. That the Subdivision Agreement contain a clause requiring that Spring Creek Road between South Grimsby Road 5, east to the eastern limits of the development, be constructed, and that the south portion of the road allowance, from the centre line south, be constructed to an urban cross-section, to the satisfaction of the Director of Public Works, and that the appropriate road encroachment permits be applied for and approved. A best efforts clause will be contained within the Subdivision Agreement to obtain proportional cost recovery from any possible future development to the north and/or alternatively development charge credit re-imbursement where service upgrades have been front ended with development charges to be credited on efforts.
26. That the Subdivision Agreement contain a clause requiring that South Grimsby Road 5 between Spring Creek Road allowance south to the CP Rail Corridor be upgraded and constructed to an urban cross section, east of the centreline, including sidewalk, to the satisfaction of the Director of Public Works, and that the appropriate road encroachments permits be applied for and approved.
27. That the Subdivision Agreement contain a clause requiring that sidewalks be provided as part of a full urban street cross-section along the east side of South Grimsby Road 5 and the south side Spring Creek Road from South Grimsby Road 5 to the easterly limits of the development, to the satisfaction of the Township of West Lincoln.
28. That prior to final approval, it is to be determined that the existing capacity of the sewer lines and servicing to the site is adequate for this development by the Regional Public Works Department and the Township Public Works Department. If existing capacity is not sufficient, the owner is required to provide the necessary upgrades to provide adequate sewer services to the development. Best efforts clauses will be included if the upgrades benefit additional developments.
29. That the Subdivision agreement contain a clause that no Building Permits will be issued until any required upgrades to the water, storm and/or sanitary systems has been completed, If upgrades provide benefits to other developments in the Northwest Quadrant Secondary Plan Area, a best efforts clause will be included in the Subdivision agreement.

30. That the Owner and the Township enter into an agreement for the expansion of the Station Meadows Hornak Road Stormwater Management pond.
31. That the design drawings for the water, sanitary sewer and stormwater drainage system, including any proposed downstream sewer improvements, required to service this development be submitted to the Regional Public Works Department for review and approval.
32. That prior to approval and registration of this plan or prior to servicing (through a pre-servicing agreement), the Owner obtain Ministry of the Environment Environmental Compliance Approval to the satisfaction of the Regional Public Works Department for the necessary servicing (watermains, sanitary sewers and stormwater management) for this development. Note: Any modifications to the stormwater management facility should be submitted directly to the Ministry of the Environment for approval and the issuance of a Environmental Compliance Approval.
33. That prior to approval of the final plan or any on-site grading, the Owner submit to the Regional Planning and Development Department and the Township of West Lincoln Public Works Department for review and approval two copies of a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled "Stormwater Management Planning and Design Manual", March 2003 and "Stormwater Quality Guidelines for New Development", May 1991:
 - (a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - (b) Detailed sediment and erosion control plans which show how exposed soils, sediments and eroded material will be retained on site during all phases of construction and how the infiltration function will be protected or maintained. Plans should include maintenance requirement for all employed devices.

Note: The Region may request the Niagara Peninsula Conservation Authority to review the stormwater management plan and other related plans on the Region's behalf and to submit comments to the Regional Planning and Development Department regarding the approval of this plan and the subsequent clearance of related conditions.
34. That the Subdivision Agreement between the Owner and the Township of West Lincoln contain provisions where by the Owner agrees to implement the approved stormwater management plan required in accordance with Condition 29 & 31 above.
35. That the Owner agrees to maintain all stormwater management and erosion and sedimentation control structures in good repair and operating order throughout all phases of construction. The Owner will revegetate or otherwise restore all disturbed areas immediately following the completion of on-site grading and servicing to the

satisfaction of the Niagara Peninsula Conservation Authority.

36. That the Subdivision Agreement between the Owner and the Township of West Lincoln contain a clause requiring that the noise attenuating infrastructure recommended in the report completed by Howe Gastmeier Chapnik Limited, entitled Noise and Vibration Feasibility Study, Proposed Residential Development Station Meadows West Subdivision Township of West Lincoln, dated March 25, 2021, be completed prior to occupancy of the affected units.
37. That a full Urban Design Report be submitted and approved to the Township for approval identifying how this development meets the objectives of the Township Urban Design Manual and how it creates good public form and an attractive pedestrian streetscape. It is expected that a higher standard of design be achieved on units which are highly visible from public streets. Units with side or rear yards facing a public or private street should be designed to be attractive from the street.
38. That a statement be provided by a qualified noise expert state that the berm, fencing and other noise mitigation measures along the CP Rail line will not negatively impact the houses across the Rail corridor on Northridge Drive.
39. That the subdivision agreement contain a clause requiring the Berm north of the rail trail, Block 90, remain in private ownership tied to adjacent future condominium blocks.
40. That the owner provides a site plan for the proposed development that can accommodate a range of housing types compliant with zoning, to the satisfaction of Township Staff and Council, and that the plan be evaluated at each phase of subdivision design as it is implemented through future condominium applications

Regional Conditions

41. That the Stage 1 and 2 Archaeological Assessment, prepared by Parslow Heritage Consultancy Ltd., dated June 9, 2020, be accepted by the Ministry of Heritage, Sport, Tourism, and Culture Industries and the associated acknowledgement letter be submitted to Niagara Region Planning and Development Services. NOTE: No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the MHSTCI confirming that all archaeological resource concerns have been mitigated and meet licensing and resource conservation requirements.
42. That the following clause be included in the subdivision agreement:

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

43. *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."*
44. That a detailed noise study, prepared by a qualified acoustical engineer, be submitted to the Niagara Region for review and approval, to confirm/refine the mitigation measures recommended in the Noise and Vibration Feasibility Study, prepared by HGC Engineering (dated December August 7, 2020), based on final floor and elevation plans.
45. That the subdivision agreement includes clauses requiring the implementation of the detailed noise study required by the conditions above, and any addendums, as well as any warning clauses included therein.
46. That the following warning clause be included in the subdivision agreement and inserted in all offers and agreements of purchase and sale or lease for each dwelling unit
"The lands in the plan of subdivision may be exposed to noise, odour, and dust from nearby agricultural operations and agricultural-related traffic that may occasionally interfere with some activities of the owners who may occupy these lands."
47. That the owner provides a written acknowledgement to Niagara Region stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner.
48. That the owner provides a written undertaking to Niagara Region stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the Township.
49. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the new sanitary and storm sewers required to service this development and obtain the necessary Ministry of the Environment, Conservation and Parks Compliance Approval under the Transfer of Review Program.
50. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to the Niagara Region for review and approval:
- Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;

- Detailed erosion and sedimentation control plans;
 - Detailed phasing of construction of the stormwater management facility to coincide with phasing of development of residential lands (internal and external to the subdivision) planned to be serviced by the stormwater management facility; and
 - That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the stormwater management facility required to service this development and obtain the necessary Ministry of the Environment Compliance Approval.
51. That the subdivision agreement between the owner and the Township contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the condition above.
52. That the owner/developer ensure, throughout all phases of development, that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curb side collection of waste and recycling. Where a through street is not maintained, the owner/developer shall provide a revised draft plan to show an appropriate temporary turnaround to permit Regional waste collection services.
53. That the owner/developer shall comply with Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection and Indemnity Agreement, as required.
54. That the applicant submit Regional waste collection truck turning plans to ensure the development is able to accommodate Regional waste collection services.

Notes:

Prior to granting final plan approval, the Township must be in receipt of written confirmation that the requirements of each condition have been met and all fees have been paid to the satisfaction of the Niagara Region.

Prior to final approval for registration, a copy of the draft subdivision agreement for the proposed development should be submitted to the Niagara Region for verification that the appropriate clause pertaining to these conditions have been included. A copy of the executed agreement shall also be provided prior to registration.

In order to request clearance of the above noted Regional conditions, a letter outlining how the conditions have been satisfied, together with all studies and reports (one hard copy and a PDF digital copy), the applicable review fee, and the draft subdivision agreement shall be submitted to the Niagara Region by the applicant as one complete package, or circulated to the Niagara Region by the Township of West Lincoln.

NPEI Conditions

55. That Niagara Peninsula Energy confirm that satisfactory arrangements, financial and otherwise, have been made with Niagara Peninsula Energy for any Niagara Peninsula Energy facilities servicing this draft plan of subdivision which are required by the Municipality; a copy of such confirmation shall be forwarded to the Municipality.
56. That the Owner provide a Letter of Credit to Niagara Peninsula Energy for all costs associated with the electrical servicing for the development. The amount of the Letter of Credit will be confirmed once the electrical design has been approved by the Municipality.

Bell Canada Conditions

57. That Bell Canada, and/or any other applicable telecommunication company, confirm that satisfactory arrangements, financial and otherwise, have been made with Bell Canada, or any other applicable telecommunication company, for any telecommunication facilities serving this draft plan of subdivision which are required by the Municipality to be installed underground; a copy of such confirmation shall be forwarded to the Municipality.
58. That the Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, and/or any other applicable telecommunication company to grant to Bell Canada and/or any applicable telecommunication company, any easements that may be required for telecommunication services. Note: Easements may be required prior to final approval.

Canada Post Conditions

59. That the following clause shall be included in the subdivision agreement and inserted in all offers and agreements of purchase and sale or lease for each dwelling unit:

"The prospective purchaser is advised that the home/business mail delivery will be from a designated centralized mail box and that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales."

60. That the Owner agrees to:
- (a) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 - (b) Install a concrete pad in accordance with the requirements of an in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.
 - (c) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - (d) Determine the location of all centralized mail receiving facilities in cooperation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans.
 - (e) Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
61. That the Owner agrees to Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (lock Box Assembly) at their own expense (less than 100 units will require a front loading Lock Box Assembly and more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

CP Rail Condition

62. That the following warning clauses shall be included in the subdivision agreement and inserted in all offers and agreements of purchase and sale or lease for each dwelling unit:

- a) "Purchasers/tenants are advised that sound levels, due to the increasing rail traffic on the nearby CP Railway, may occasionally interfere with some activities of the dwelling occupants as the sound levels may exceed the Municipality's and Ministry of the Environment's noise criteria. Purchasers/Tenants are also advised that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations."
- b) "Purchasers/tenants are advised that any berm, fence or vibration isolation features implemented are not to be tampered with or altered, and further that the owner shall have the sole responsibility for and shall maintain these features."

Township Condition

63. That if final approval is not given to this plan within **THREE YEARS** of the approval date and no extensions have been granted draft approval shall lapse. If the Owner wishes to request an extension to the draft approval period, a written explanation with reasons why the extension is required together with a resolution from the Township, must be received by the Township prior to the lapsing date.

CLEARANCE OF CONDITIONS

Prior to granting approval of the final plan, the Township's Planning Department will require WRITTEN notification from the following agencies that their respective conditions have been met satisfactorily:

- **The TOWNSHIP OF WEST LINCOLN PLANNING DEPARTMENT & PUBLIC WORKS DEPARTMENT** for Conditions 1 – 40 inclusive & 63.
- **The REGIONAL NIAGARA PUBLIC WORKS & DEVELOPMENT DEPARTMENT** for Conditions 41 to 54
- **NIAGARA PENINSULA ENERGY** for Conditions 55 & 56.
- **BELL CANADA of other applicable telecommunications company** for Conditions 57 & 58
- **CANADA POST** for Conditions 59-61
- **CP Rail** for Conditions 62

NOTES:

1. Conveying

- (a) As the land mentioned above to be conveyed to the municipal corporation may be more easily described in the conveyance by reference to a Registered Plan than by “metes and bounds”, we suggest that the description be so worded, and,
- (b) We further suggest that the Owner give to the municipality an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the plan.

2. Land Required to be Registered Under the Land Titles Act

- (a) Section 160(1) of The Land Titles Act, which requires all new plans be registered in the land titles system;
- (b) Section 160(2) – allows certain exceptions.

3. Water and Sewerage Systems

Inauguration or extensions of a piped water supply, a sewerage system, a storm drainage system or a stormwater management system is subject to approval of the Ministry of Environment (Approvals Branch) pursuant to Section 52 and Section 53 of The Ontario Water Resources Act, R.S.O. 1990.

4. Agencies to be Contacted:

- (a) With respect to the requirements of the Township of West Lincoln Planning Department contact:

Mr. Brian Treble
Director of Planning and Building
318 Canborough Street
P.O. Box 400
Smithville, Ontario
L0R 2A0
Telephone – (905) 957-5138
Email – btreble@westlincoln.ca

- (b) With respect to the requirements of the Township’s Public Works Department contact:

Ms. Jennifer Bernard
Public Works Engineering Coordinator
318 Canborough Street
Smithville, Ontario
L0R 2A0
Telephone – (905) 957-3346 ext. 6732
Email – jbernard@westlincoln.ca

(c) With respect to the requirements of the Region of Niagara contact:

Development Approvals
devtplanningapplications@niagararegion.ca

(f) With respect to the requirements of Bell Canada contact:

Ms. Janice Young
Manager, Right of Way
Floor 3 – 100 Borough Drive
Scarborough, Ontario
M1P 4W2
Telephone – (416) 296-6291
FAX – (416) 296-0520

5. Review of Conditions

Applicants are advised that should any of the conditions appear unjustified or their resolution appears too onerous, they are invited to bring their concerns to the General Committee's attention. The Committee will consider requests to revise or delete conditions.

In order to assist the agencies listed above in clearing conditions for final approval and registration of the plan, it may be useful to forward executed copies of the Subdivision Agreement between the Owner and the Township to those agencies.

6. Hydro One Cautionary Note

An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors could raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER – Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.

x:\pb-planning\subdivisions\2000-89-19 - peter budd northwest quadrant\7. conditions of draft approval\conditions of approval-p budd nov 30.doc

DATE: May 12, 2025

REPORT NO: PD-19-2025

SUBJECT: **Information Report – Zoning By-law Amendment for 4426 Regional Road 20 (File No. 1601-014-24) for 1806018 Ontario Inc. (Linde Truck and Trailer)**

CONTACT: Susan Smyth, Manager, Community Planning and Design
Gerrit Boerema, Director of Growth and Sustainability

OVERVIEW:

- An application for Zoning By-law Amendment has been submitted by Lofcore Ltd. (Consultant-Agent) on behalf of 1806018 Ontario Inc. (Linde Truck and Trailer) (Owner/Applicant).
- The proposal is to facilitate an expansion of 492 square metres to the existing truck and vehicle repair service shop.
- Additionally, the proposal seeks to rezone the current site specific Agricultural Related (AR-31) zone with a new site specific zone to remove the provision of the maximum number of 6 vehicles available for retail sale, reduce the minimum rear yard setback, and increase the accessory lot coverage, and permit outdoor storage in the front yard.
- The existing dwelling, accessory structures and buildings are to remain with no impact to the agricultural lands.
- A recommendation report will be presented at a future committee meeting once the application has been fully reviewed and all agency and public comments have

RECOMMENDATION:

1. That, Information Report PD-19-2025, titled “Zoning By-law Amendment for 4426 Regional Road 20 (File No. 1601-014-24) for 1806018 Ontario Inc. (Linde Truck and Trailer)”, dated May 12, 2025 be received.

ALIGNMENT TO STRATEGIC PLAN:

Theme #2

- Champion strategic and responsible growth

BACKGROUND:

The subject lands are legally described as Part Lot 13, Concession 3 in the former Township of Gainsborough, now in the Township of West Lincoln. The lands are municipally known as 4426 Regional Road 20.

The subject lands are located on the south side of Regional Road 20 bounded by Gee Road to the east and Schram Road to the west. The lands were subject to a surplus farm severance application (B8/2014WL) where 2.1 hectares (5.3 acres) of land containing the single detached dwelling and existing commercial operation was severed from the retained 32 hectare (79 acre) farm parcel for continued agricultural use. Refer to Figure 1 for the general location of the subject lands.

Figure 1: Subject Lands Location



The commercial trucking operation was established on the property in the 1950's that included repairs to farm machinery, as well as the hauling of feed and fertilizer. The property was then rezoned in 1995 to legally recognize the trucking operation and rezoned again in 1998 to allow for the sale of up to six unplated motor vehicles.

In 2005, an amendment was approved to increase the area that could be used as part of the commercial operation.

CURRENT SITUATION:

The application to amend the zoning by-law is for the following changes:

1. Increase in Accessory Building Lot Coverage

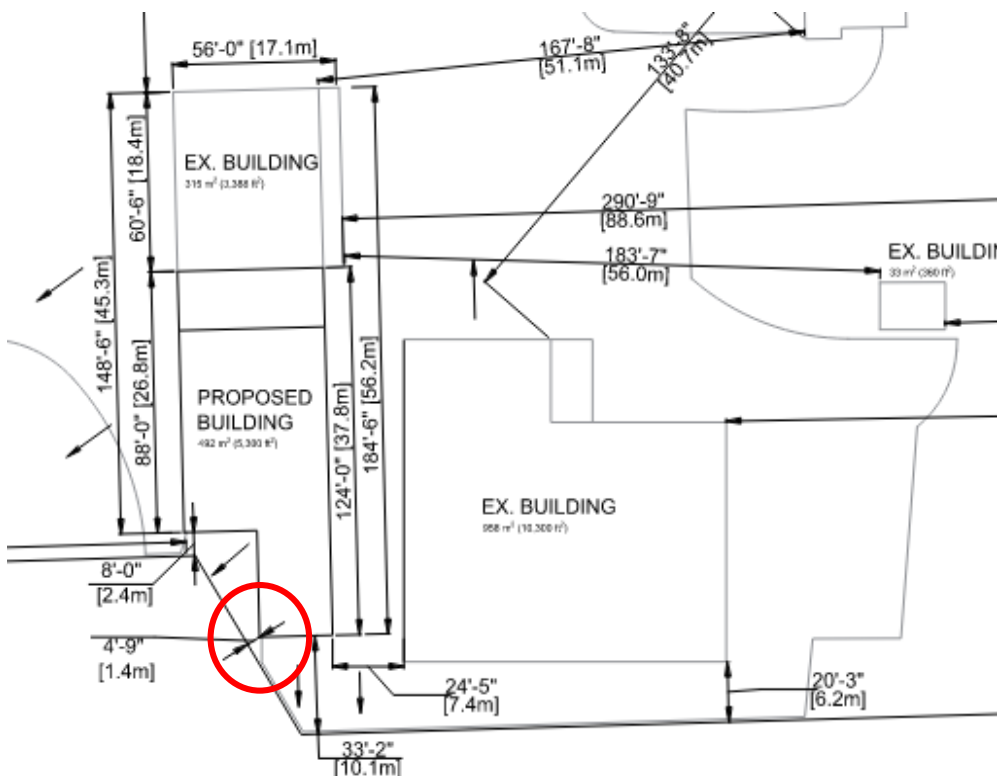
The first amendment is for an increase the commercial operation to facilitate an expansion to the building up to 492 square metres (5,295.84 square feet) to accommodate the growth of vehicle repair services. This expansion will therefore require an increase to the accessory building lot coverage from 1,000 square metres to 1,799 square metres.

2. Reduced Rear Yard Setback

The expansion will shift the edge of the building closer to the rear lot line where currently the rear yard setback is a minimum of 7 metres (22.96 feet).

Due to the awkward lot configuration, Administration considers the angled line as shown below in Figure 2 to represent the rear lot line. As such, the request is for a minimum rear yard setback of 1.4 metres (4.59 feet).

Figure 2: Requested Rear Lot Line Setback



3. Outside Storage Area in the Front Yard

The current site-specific zone (AR-31) permitted outside storage is for a maximum of six (6) motor vehicles allowed for retail sales. The proposal is asking to remove the specific retail sales of vehicles since the operation does not sell the vehicles, instead the requested outdoor storage is for storing the vehicles queued for repairs in the front yard. The Agricultural Related (AR) zone permits a maximum of 10% of outside storage and located in the rear or side yard and screened from view of the public streets. The requested change is have a maximum of 30% outside storage and located in the front yard.

4. Maximum Distance from Main Building

Administration reviewed the site plan and noticed a pre-existing condition where the distance from the main dwelling to the proposed accessory building intended for the expansion is slightly further than the maximum of 50 metres (164 feet), the existing building is 51.1 metres (167.65 feet). To capture this deviation, it has been added to the requested change to the zoning.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this application.

INTER-DEPARTMENTAL COMMENTS:

Building Department

The Building Department has no issues with the proposal and noted that an application for a building permit (including site plan with building matrix, and architectural, structural and mechanical drawings) is required. Development charges are applicable. Further, a fire route access is required to be shown on the site plan.

Operations and Engineering Department

No objections with the proposal.

Niagara Peninsula Conservation Authority (NPCA)

The NPCA has reviewed the status of the nearby watercourse and advises there is no flooding concern with the feature, therefore offer no objections to the proposal.

Enbridge

No objections to the proposed application and reserve the right to amend or remove development conditions.

CONCLUSION:

An application for an amendment to the zoning by-law has been submitted by Lofcore Ltd. on behalf of 1806018 Ontario Inc. (Linde Truck and Trailer) to facilitate the expansion of an existing commercial vehicle repair shop and to apply for new site specific regulations for an increased accessory building lot coverage, increase in outdoor storage and located in the front yard, removal of vehicle retail sales, reduced rear yard setback, and increased maximum distance from main building.

Once all stakeholder, agency, public and Committee/Council comments, concerns, issues and feedback is received and are appropriately addressed, Administration will complete a full assessment of the supplement information and prepare a recommendation report.

ATTACHMENTS:

Schedule A: Proposed Site Plan

Schedule B: Agency Comments

Prepared & Submitted by:

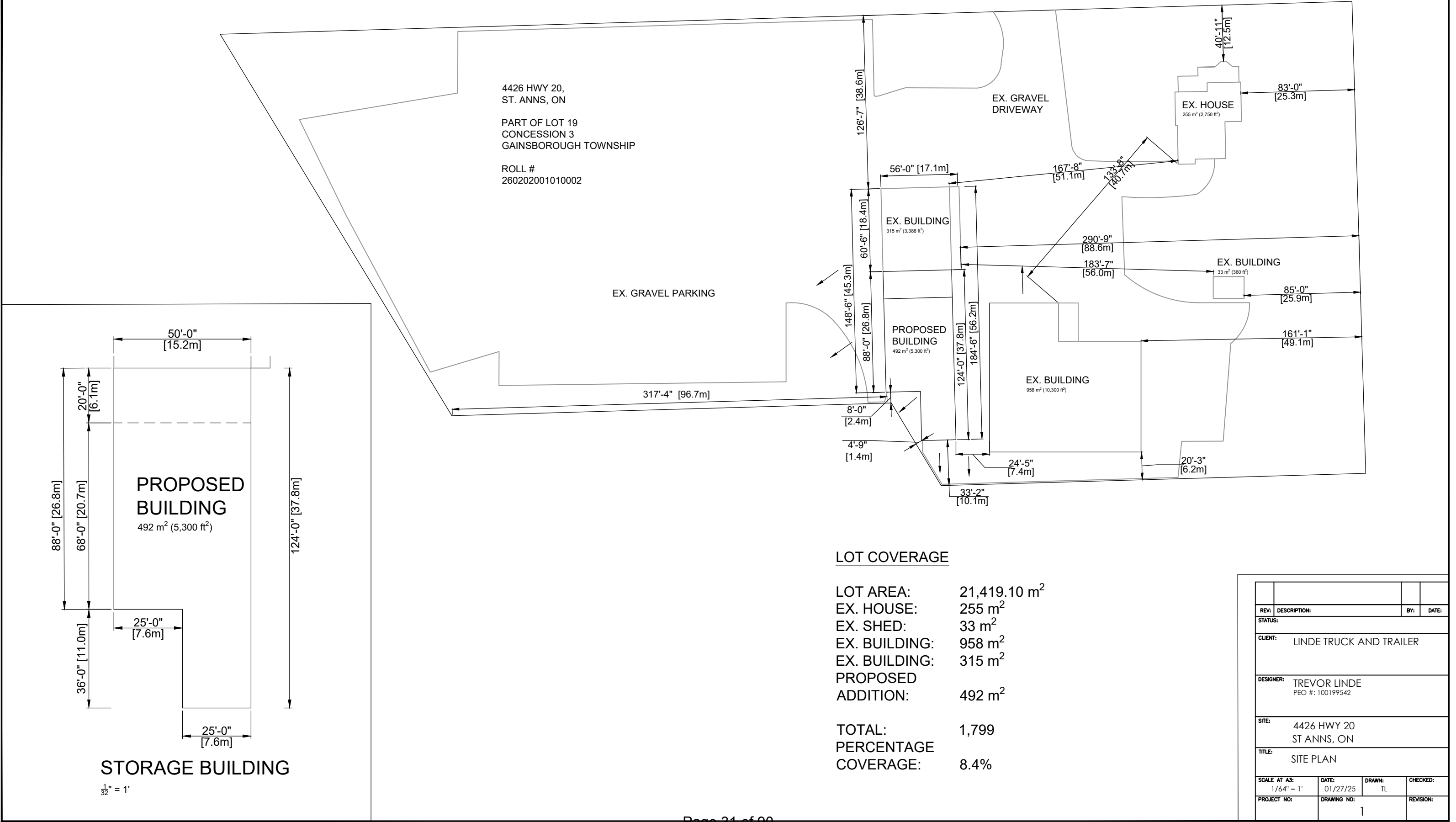
Susan Smyth
Manager, Community Planning & Design

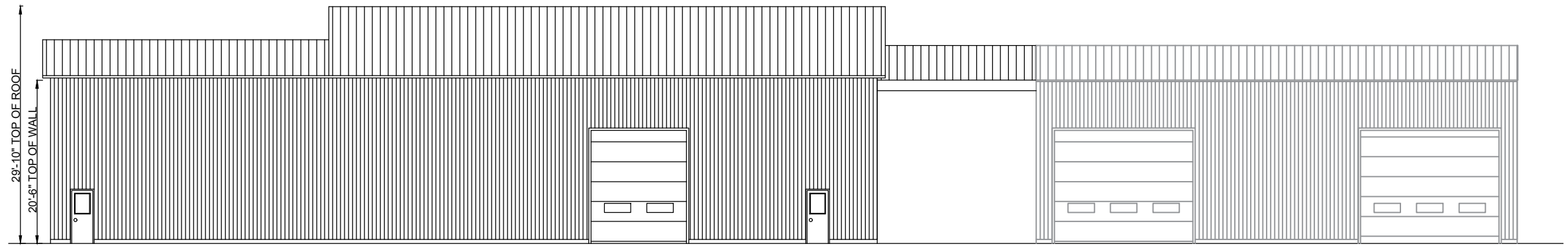
Approved by:

Gerrit Boerema
Director of Growth & Sustainability

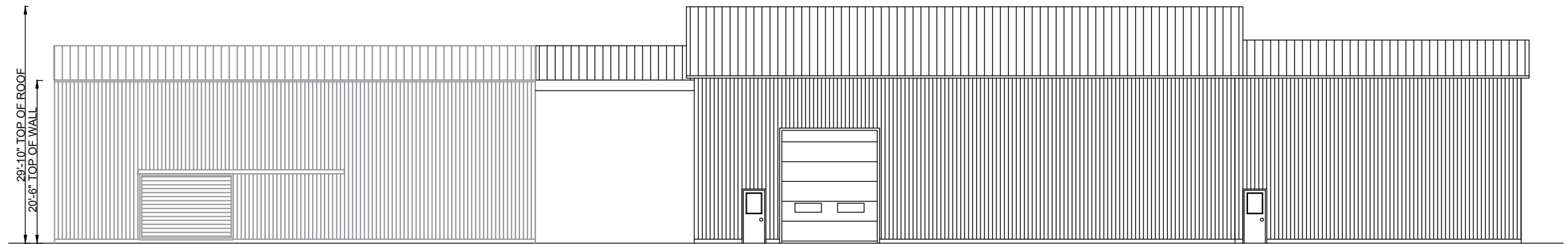
Truper McBride
CAO

HIGHWAY 20

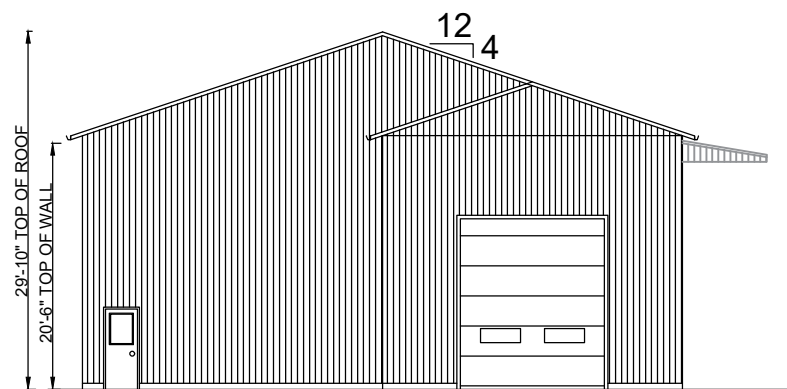




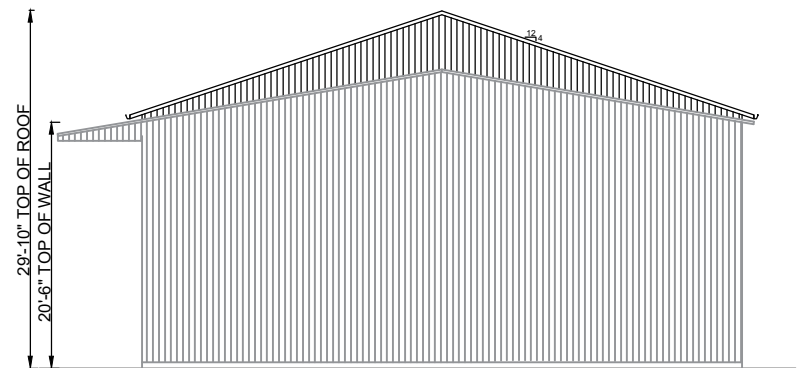
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

REV:	DESCRIPTION:	BY:	DATE:
STATUS:			
CLIENT: LINDE TRUCK AND TRAILER			
DESIGNER: TREVOR LINDE PEO #: 100199542			
SITE: 4426 HWY 20 ST ANNS, ON			
TITLE: ELEVATIONS			
SCALE AT A3: 1/16" = 1'	DATE: 01/27/25	DRAWN: TL	CHECKED:
PROJECT NO:	DRAWING NO: 2	REVISION:	

SCHEDULE B - PD-19-2025

Susan Smyth

From: Ben Agro
Sent: April 11, 2025 1:46 PM
To: Susan Smyth
Subject: RE: ZONING BY-LAW AMENDMENT APPLICATION SUBMISSION - 4426 Regional Road 20 (Linde Truck and Trailer) File No: 1601-014-24

Hi Susan,

Building comments as follows;

- 1) Building permit application with Building Permit Fees and Development Charges required
- 2) Building Matrix required
- 3) Architectural, Structural and Mechanical drawings required
- 4) Fire route access required

Thanks!
Ben

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.



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

Susan Smyth

From: Municipal Planning <MunicipalPlanning@enbridge.com>
Sent: April 16, 2025 10:39 AM
To: Susan Smyth
Subject: RE: ZONING BY-LAW AMENDMENT APPLICATION SUBMISSION - 4426 Regional Road 20 (Linde Truck and Trailer) File No: 1601-014-24

Thank you for your circulation.

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Willie Cornelio CET (he/him)
Sr Analyst, Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-6411
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

From: [Taran Lennard](#)
To: [Susan Smyth](#)
Subject: NPCA Review Response: 4426 Regional Road 20 File No: 1601-014-24
Date: May 2, 2025 9:17:23 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Susan,

The NPCA can confirm that we've no objections to the support of this application.

The NPCA has reviewed the status of the nearby watercourse and advises that we do not offer a flooding concern with the feature. The applicant should be aware that the larger parcel surrounding their lands includes a regulated watercourse. Any development or site alteration within the buffer of the feature would require review and approval by our Agency, should any works be proposed.

Thank you.



Taran Lennard
Watershed Planner II

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 277
www.npca.ca
tlennard@npca.ca

For more information on Permits & Planning, 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 41/24 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

DATE: May 12, 2025

REPORT NO: BLDG-06-2025

SUBJECT: **Recommendation Report**
Site Alteration Permit 1664 Abingdon Road
File No.3000-002-25

CONTACT: Ben Agro, Chief Building Official

OVERVIEW:

- An application for a site alteration permit has been submitted by David Castellan property owner of 1664 Abingdon Road.
- The owner of 1664 Abingdon Road is in the process of constructing a new dwelling on the property and are requesting a site alteration permit to import additional fill to the property.
- The estimated volume of fill to be imported is 2,200 cubic meters (220) loads of top soil to grade the property to the approved grading plan and to cover the single family building structure as per the approved plans.
- Under the Township's site alteration bylaw, site alteration in excess of 1,000 cubic meters, requires a public meeting and Council approval.
- A previous site alteration was approved by the Director in 2023 for less than 1,000 cubic meters, however that was not sufficient to grade the property.
- Submitted with this application is a grading plan, truck haul route, \$5,000.00 security deposit and soil report.
- A public meeting was held on April 14th where a number of residents submitted oral and written comments with concerns over the application.
- Administration is recommending approval of the site alteration application, subject to a site alteration agreement which addresses the concerns raised by the members of Council and the public.

RECOMMENDATION:

1. That Recommendation Report BLDG-06-2025 titled "Site Alteration Permit 1664 Abingdon Road", dated May 12th, 2025 be received; and,
2. That, the application for site alteration to import 220 loads (2,200 cubic metres) of topsoil be approved, subject to a site alteration agreement which requires additional security, regulates the number of trucks per day, imposes truck traffic control, regulates dust and road fowling, and provides a timeline to complete the works;

- and,
3. That, Council pass a bylaw to Authorize the Mayor and Clerk to sign and enter into the site alteration agreement with the owners as found in Schedule E.

ALIGNMENT TO STRATEGIC PLAN:

Theme #

- **Champion strategic and responsible growth**

BACKGROUND:

An application for site alteration has been submitted by David Castellán, the property owner of 1664 Abingdon Road. The subject property is located at 1664 Abingdon Road and is 4.2 acres in size. A building permit (BP#220207) for a new dwelling and septic system was issued May 11th, 2023, which is currently under construction.

A previous permit was approved by the Director in 2023 for less than 1,000 cubic meters, however that was not enough to complete the grading.

CURRENT SITUATION:

The application includes an existing approved grading plan highlighting the extent of the proposed top soil fill area, a truck haul route and additional information regarding the building design with earth material coverage to be brought to the property. These can be found as schedules to this report.

The Township's Site Alteration Bylaw 2016-41, as amended, requires a public meeting and requires Council approval for site alteration over 1,000 cubic metres of material.

Notices were circulated to neighbouring property owners on March 13th, 2025 and the public meeting was held on April 14th, 2025. A number of residents provided oral and written submissions to Committee and Administration citing several issues that arose as part of the first site alteration permit. These issues included truck traffic and queuing along Abingdon Road, dust and debris on the roadway, impacts to private property including fencing and septic, drainage and noise. The Township CBO met onsite with one of the adjacent property owners and the applicant to discuss some of the concerns raised at the public meeting.

The concerns around noise, dust and traffic are all valid concerns raised by members of the public, and as such, Administration has recommended that any approval of the site alteration application be subject to a site alteration agreement, as found in Schedule E to this report. This site alteration agreement as drafted requires the following:

- The site alteration works must be completed by June 30th, 2025 prior to the summer months to mitigate residents concern around use of their backyards.
- If an extension is needed, additional soil will not be permitted in the months of July or August, but trucks may resume deliveries in September

- A limit of 50 trucks per day, with no queuing on Abingdon Road or Regional Road 65 in front of the residents. This will allow the site alteration to be completed in a shorter time period, while avoiding traffic concerns.
- Soil importation is only permitted on weekdays between the hours of 8AM and 4:30PM.
- Full time on-site inspection and reporting at the cost of the applicant to track the quantity and quality of the material imported.
- An increased security deposit of \$10,000 to ensure works are done in accordance with the site alteration agreement.

The full site alteration agreement can be found in Schedule E.

FINANCIAL IMPLICATIONS:

Based on the quantity of fill material being imported to the site, an additional \$5,000 security is being requested to ensure the works are completed to the satisfaction of the Township. If the applicant does not comply with the site alteration bylaw or terms of the site alteration agreement, additional Administrative Monetary Penalties (AMPS) can be applied to achieve compliance.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

West Lincoln Building & Septic

The Township Building Inspector and CBO have met with the owner on site to confirm the proposed top soil material is required to complete the proposed approved grading plan and approved house plan with earth coverage. It appears that additional soil material is required to complete the project.

West Lincoln Engineering

A review has been completed of this site alteration permit application to import 2,200 cubic meters of fill to 1664 Abingdon Rd for placement over and around a new dwelling. The proposed haul route submitted with this application indicates that RR65 will be used through the Township to access Abingdon Road. This proposal is acceptable and a \$5,000 road security deposit has been received for any damage caused to Abingdon Road.

As per By-law 89-2000 there are reduced load restrictions in effect on Abingdon Road between March 1st and April 30th of every year. During this period, the weight limit is reduced to 5 tonnes per axle. An inspection of Abingdon Road will be completed prior to the hauling operation commencing, the Operations Department must be notified at minimum 48 hours in advance to complete this inspection otherwise the release of the road security deposit could be impacted.

A mud mat should be in place at the entrance to mitigate mud tracking onto Abingdon

Road, as per By-law 2016-41 the applicant is responsible to keep the road clean of tracked mud.

Niagara Peninsula Conservation Authority (NPCA)

The NPCA has reviewed the proposal for site alteration and has no objections as the location is outside of the NPCA Regulated area.

Region of Niagara

The Region has not provided comments with respect to this application.

PUBLIC COMMENTS

There have been no public comments received at the time of writing this report.

CONCLUSION:

An application for site alteration has been submitted to permit top soil fill of 2,200 cubic meters (220 loads) to complete the approved site plan and approved house design with earth coverage.

Administration has reviewed the application and the comments received as part of the public meeting and can recommend approval of the application, subject to the applicant entering into a site alteration agreement to ensure that the residents' concerns are adequately addressed.

ATTACHMENTS:

- A. Site Grading Plan
- B. Application and Additional Information
- C. Proposed Truck Haul Route
- D. Public Comments
- E. Draft Site Alteration Agreement
- F. Draft Authorizing Bylaw

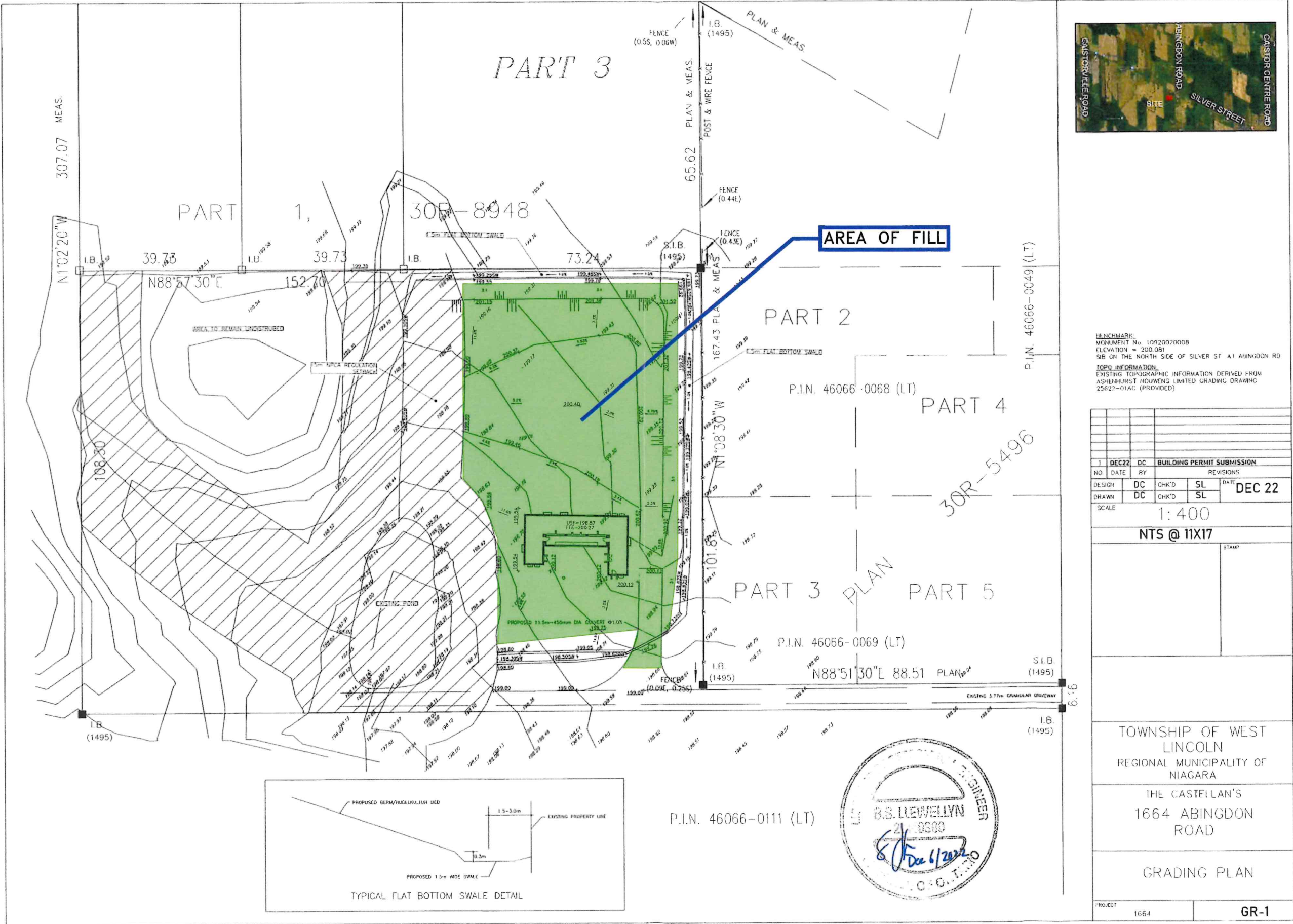
Prepared & Submitted by:

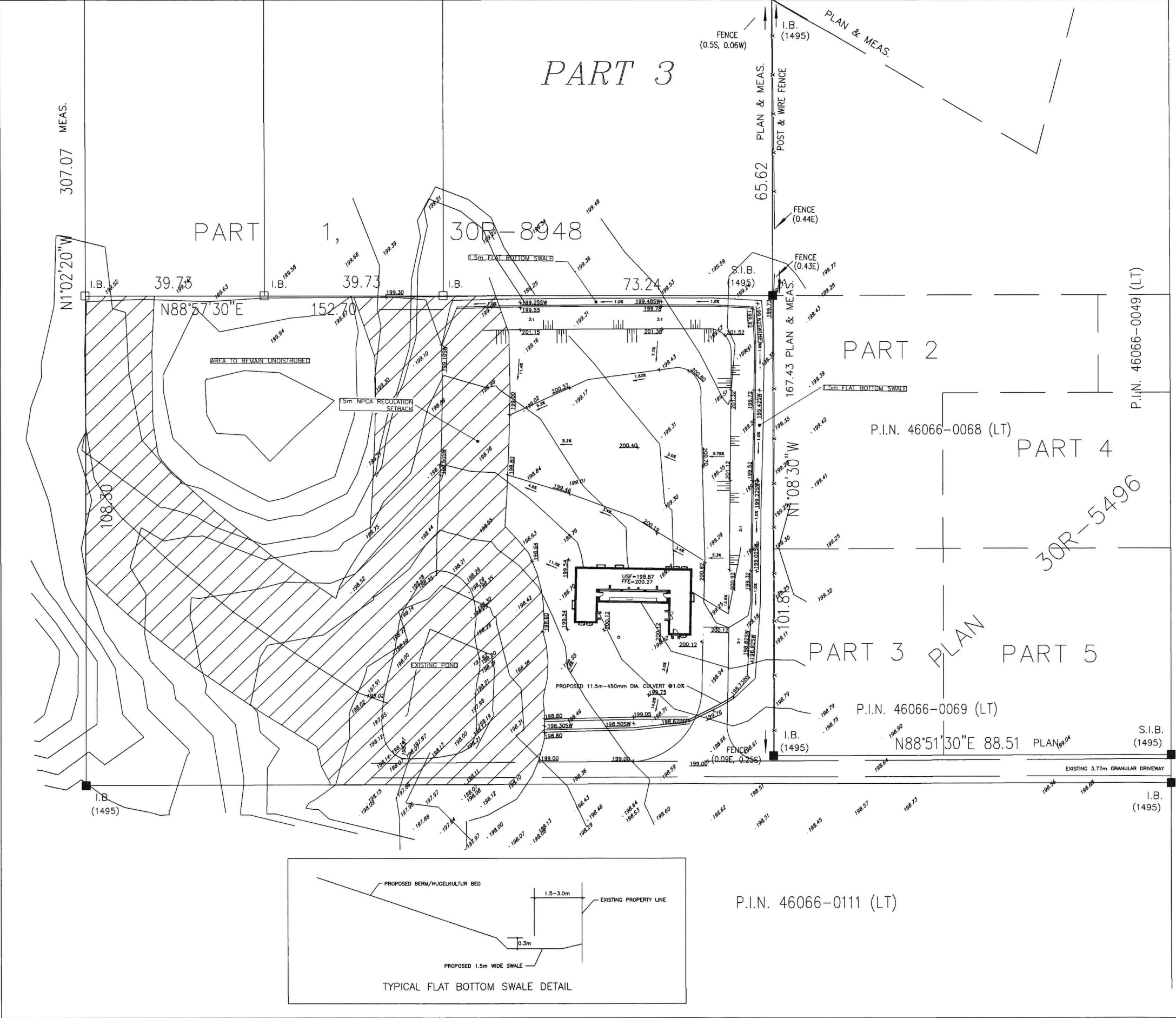
Ben Agro
Chief Building Official

Approved by:

Truper McBride
CAO

Gerrit Boerema
Director of Growth and Sustainability





BENCHMARK:
MONUMENT No. 10920020008
ELEVATION = 200.081
SIB ON THE NORTH SIDE OF SILVER ST. AT ABINGDON RD.
TOPO INFORMATION:
EXISTING TOPOGRAPHIC INFORMATION DERIVED FROM
ASHENHURST NOUWENS LIMITED GRADING DRAWING
25622-01AC (PROVIDED)

REVISIONS			
NO.	DATE	BY	DATE
DESIGN		CHK'D	
DRAWN		CHK'D	
SCALE 1:400			

STAMP

TOWNSHIP OF WEST LINCOLN REGIONAL MUNICIPALITY OF NIAGARA
THE CASTELLAN'S 1664 ABINGDON ROAD
GRADING PLAN
PROJECT 1664

available to the public, and specifically any application to Council relating to a site alteration in excess of 1,000 cubic metres shall become part of the public record.

In submitting this application and any supporting materials or information, I hereby acknowledge the above-noted and provide my consent.

Further, I understand and acknowledge that my application will be shared with the Niagara Peninsula Conservation Authority.


Signature:  Date: 03/05/25
Printed Name: David Castellan Title: ASO

Note: Original signature(s) are required for the record. In the case of a corporation, the signature(s) must be that of an officer(s) with authority to bind the corporation.

9) PERMISSION TO ENTER:

The applicant acknowledges that a site walk may be required in order to view the property and its relation to the surrounding lands, and in this regard authorizes members of Council (or a representative thereof), Township staff, Peer Review Consultants retained by the Township, and relevant External Agency Review Staff to enter onto the subject property for the purpose of evaluating the merits of the application, at an arranged time.

OWNER(S) / AGENT(S) SIGNATURE

Signature:  Date: 03/05/25
Printed Name: David Castellan Title: ASO

Note: Original signature(s) are required for the record. In the case of a corporation, the signature(s) must be that of an officer(s) with authority to bind the corporation.

IMPORTANT INFORMATION

- The security deposit will be refunded to the individual/company who provided initial payment following a final inspection by Township staff. Please note that the deposit will be applied to any unpaid taxes and/or water and sewer charges. Any application fee, municipal services fee, and agreement preparation fee are non-refundable. The deposit will be refunded upon cancellation of a permit, less the administration fee, provided that no work has been commenced.
- The owner hereby authorizes the Township of West Lincoln to enter onto the subject lands for the purposes of inspection or with labour and equipment to complete or repair any works as deemed necessary by the Township.
- The Township of West Lincoln may engage legal, engineering, hydrology, environmental, arborists, landscape or any other consultant as deemed necessary by the Director of Planning and Building in order to evaluate studies and/or agreements in which case the costs incurred for such evaluations shall be charged back to the applicant.
- Fees shall be adjusted upon completion of work where required to reflect totals based on accurate fill volumes verified by a professional engineer prior to final clearance.
- It is the landowner's responsibility to obtain all necessary approvals from any federal, provincial, regional or municipal agencies, including the conservation authority, prior to providing application for a site alteration permit.

1664 ABINGDON ROAD

Biotekt Homes



Project Summary

1664 is the first of its kind in Canada, it will be a 2,436 square foot bungalow, situated on a spacious 4-acre lot located in the Township of West Lincoln in the beautiful Niagara Region. Its design and construction prioritize sustainability, energy efficiency, and environmental consciousness.

► Materials and Construction Techniques:

The building's construction involves the utilization of cutting-edge materials and techniques. It is primarily built using Biotek Biocomposite recycled PET panels, an environmentally friendly material made from recycled PET (polyethylene terephthalate) that offers durability and sustainability benefits. These panels serve as the foundational elements for the structure.

► Insulation:

To optimize energy efficiency, the structure is encased in 6 inches of closed-cell spray foam insulation providing a minimum R-42 shield encasing the house, then covered with 8 to 24 inches of soil which will slow the exchange of heat from the structure to the outside. This insulation method helps maintain a comfortable indoor environment while reducing energy consumption by providing excellent thermal insulation and airtightness.

► Green Roof:

A distinctive feature of 1664 is its unique green roof design. The building's exterior is covered with 8 to 24 inches of soil and grass. This living roof not only provides natural insulation but also offers several environmental advantages. It helps regulate temperature, create an aerodynamic flow, mitigate stormwater runoff, reduce the urban heat island effect, and promotes biodiversity.

► Interior Design:

The interior design aims to complement the unique structure by incorporating modern amenities with a variety of stylish touches. Our goal is to create a bright, open space that does not feel like it's underground. Key features will include;

- a large chef's kitchen and pantry (375sqft+100sqft) featuring a 90" work station/sink, 60" gas stove, and almost 90sqft of usable counter space
- a main corridor that will ground the structure in nature with amazing views of the forest, a greenhouse space and natural finishes.
- a Moroccan inspired primary ensuite complete with riad style entry, and a large spacious shower

Background

- ▶ After the severe ice storm in the winter of 2012, I began the search for a piece of vacant land where I could build a house and reduce my reliance on the grid. The property at 1664 Abingdon Road was purchased in March 2013. It offered excellent southern exposure, seclusion from the road, and was just a 22-minute drive from the QEW. Following the land purchase, I began researching sustainable homes and eventually settled on a concept called an 'Earthship'. However, due to the labor-intensive construction involved, I opted for an alternative method. This alternative entailed incorporating key components of an 'Earthship', such as passive solar features, greywater recycling, and earth insulation. I collaborated with Biotekt to design **1664**, incorporating these principles into the home's construction.

During my research I began believing constructing homes to suit the environment and embracing sustainable living offers numerous advantages. These types of homes reduce reliance on traditional energy sources, decreasing the carbon footprint and contributing to a healthier planet. By integrating passive solar features like large windows for natural light and heat or incorporating materials that regulate temperature, these houses inherently consume less energy for heating and cooling. Moreover, building with sustainability in mind fosters a deeper connection to the surrounding ecosystem. Utilizing as many local and recycled materials in construction not only minimizes environmental impact but also supports local economies and reduces transportation emissions.



Land Usage

Our vision for the property revolves around sustainable living through the application of permaculture and homesteading principles. To maximize self-sufficiency and create a harmonious ecosystem, we have allocated specific areas for various purposes.

► Food Forest:

Embracing the concept of permaculture, approximately one acre of the land will be transformed into a diverse food forest. This area will feature an assortment of food-bearing trees and shrubs, strategically planned to mimic natural ecosystems, fostering biodiversity, and providing a perennial abundance of fruits, nuts, and edible plants. Careful consideration will be given to guild planting, intercropping, and companion planting, optimizing the use of space and resources while minimizing maintenance needs.

► Vegetable Gardens:

Spanning half an acre, our vegetable gardens will employ regenerative agricultural practices. Utilizing organic and no-till methods, we aim to cultivate a wide array of seasonal vegetables, incorporating crop rotation, companion planting, and mulching techniques to enhance soil fertility and promote a thriving, self-sustaining vegetable production system.

► Workshop and Storage:

A 30'x50' workshop, proposed in the southwest corner of the property, will serve as a multipurpose space that will not only function as a hobby shop but also as a storage area for tools and equipment essential for maintaining the homestead.

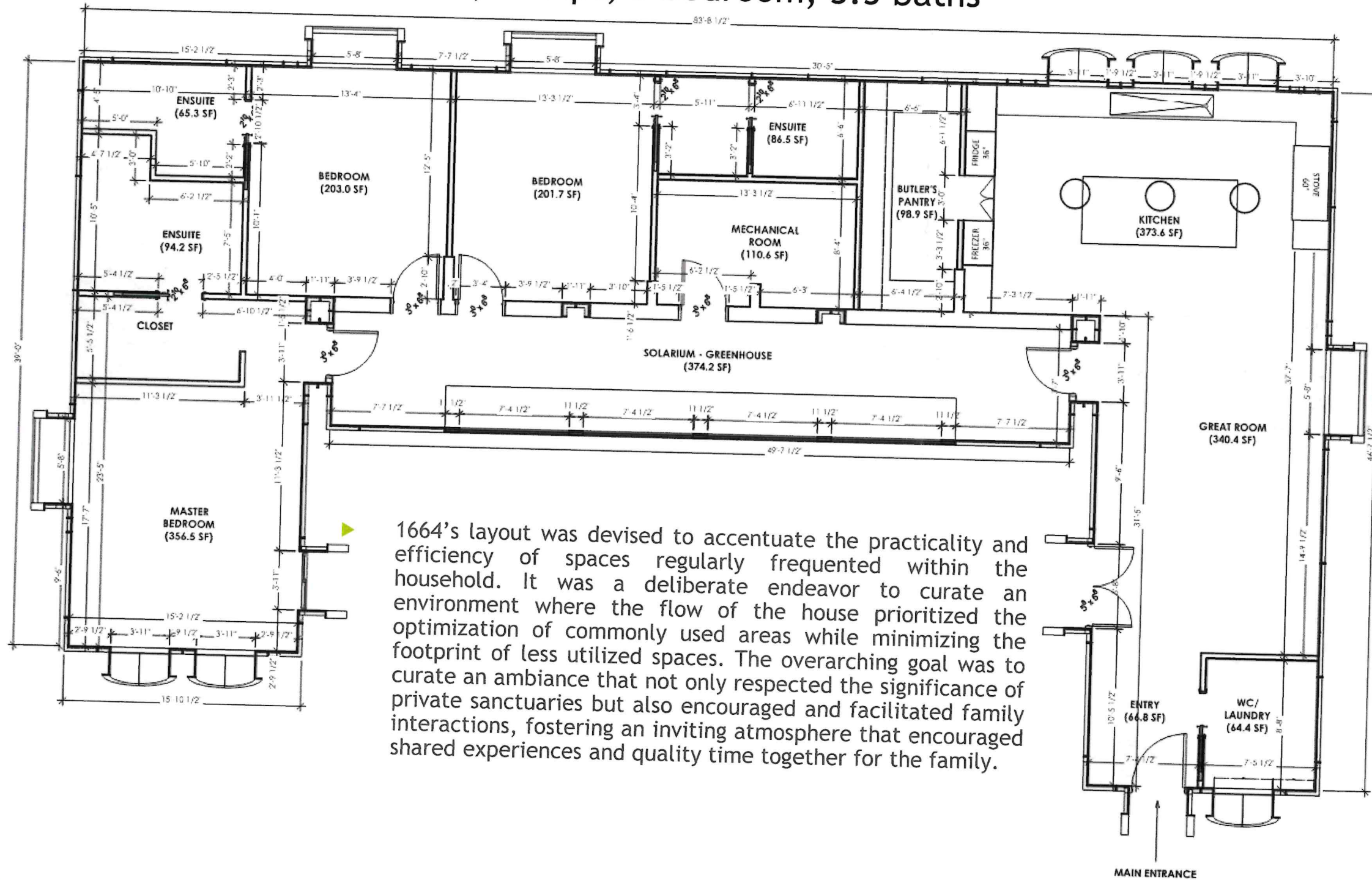
► Integration of Livestock and Pollinators:

In line with our commitment to holistic land use, plans are underway for a chicken coop and apiary, pending municipal approval of by-law changes. The integration of chickens for their role in pest control, soil fertilization through rotational grazing, and the establishment of an apiary for pollination services aligns with our vision of a regenerative and diversified homestead ecosystem.

Through these initiatives, our goal is to not only cultivate a bountiful harvest but also to foster a resilient and regenerative ecosystem that nurtures both the land and its inhabitants while adhering to the principles of permaculture and sustainable homesteading.



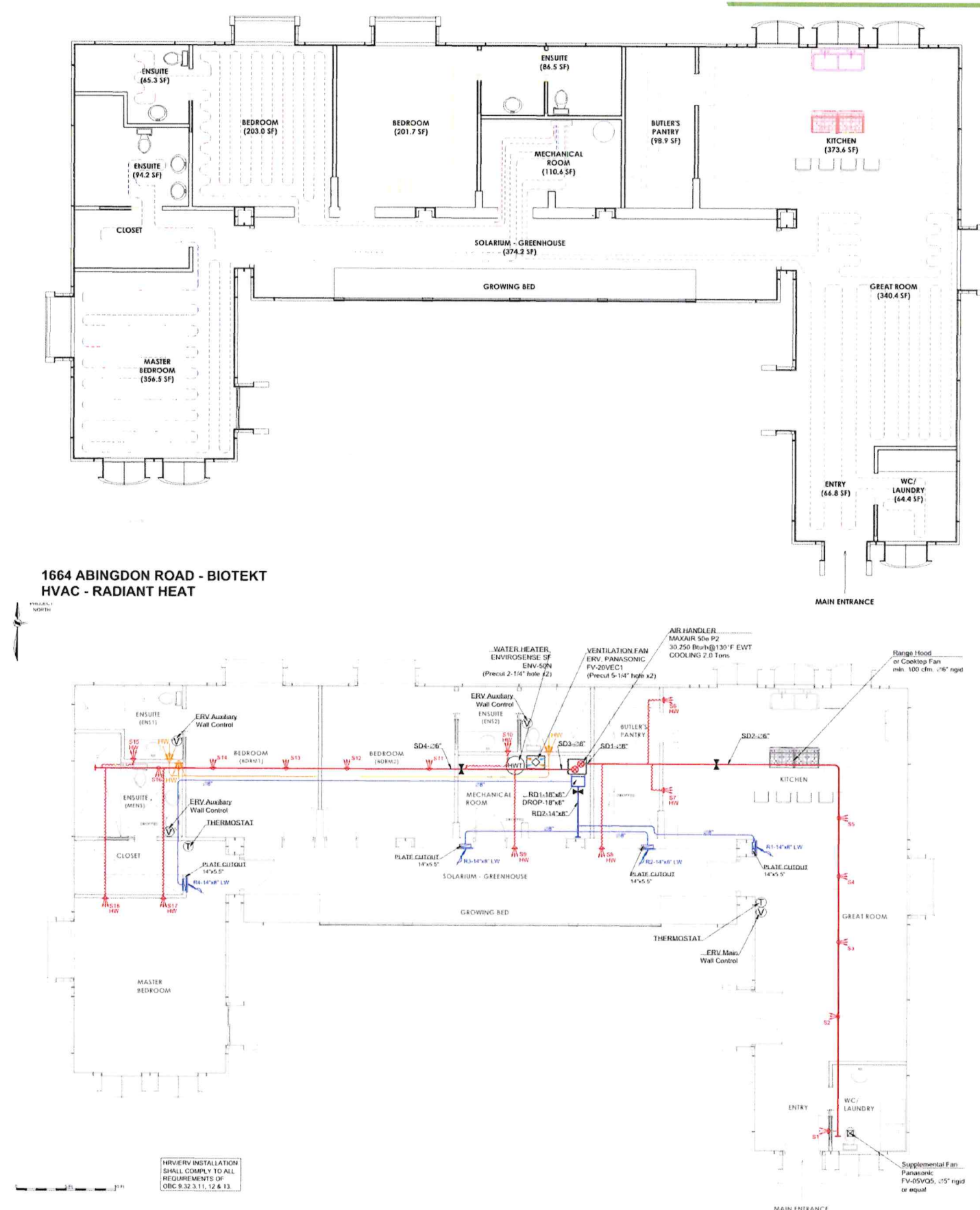
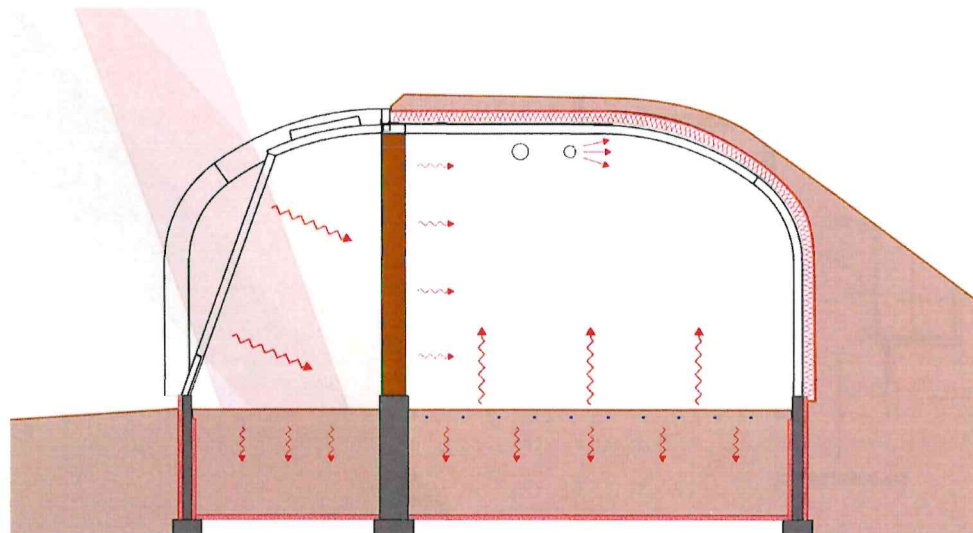
Floor Plan - 2,436sqft, 3 bedroom, 3.5 baths



1664's layout was devised to accentuate the practicality and efficiency of spaces regularly frequented within the household. It was a deliberate endeavor to curate an environment where the flow of the house prioritized the optimization of commonly used areas while minimizing the footprint of less utilized spaces. The overarching goal was to curate an ambiance that not only respected the significance of private sanctuaries but also encouraged and facilitated family interactions, fostering an inviting atmosphere that encouraged shared experiences and quality time together for the family.

Systems - HVAC

- ▶ 1664 will utilize multiple HVAC systems in order to maintain consistent temperatures with minimal input.
- ▶ Passive Solar - the southern exposure combined with the rammed earth wall will provide a no input heat source. The clay floors and rammed earth wall will store heat during the day and release the stored heat into the living space in the evenings.
- ▶ Radiant In-floor Heating - the floor substrate will consist of 40+ inches of compacted clay insulated from the surrounding earth, the in-floor radiant system will heat the space above while charging the earth battery below, eventually reducing the input required to bring the space to a comfortable temperature.
- ▶ Forced Air - The air system is designed by John Godden, the forced air system will round out the two other systems while providing air circulation and ventilation. The arched roof in the living space assists in reducing the volume of unused space being heated.



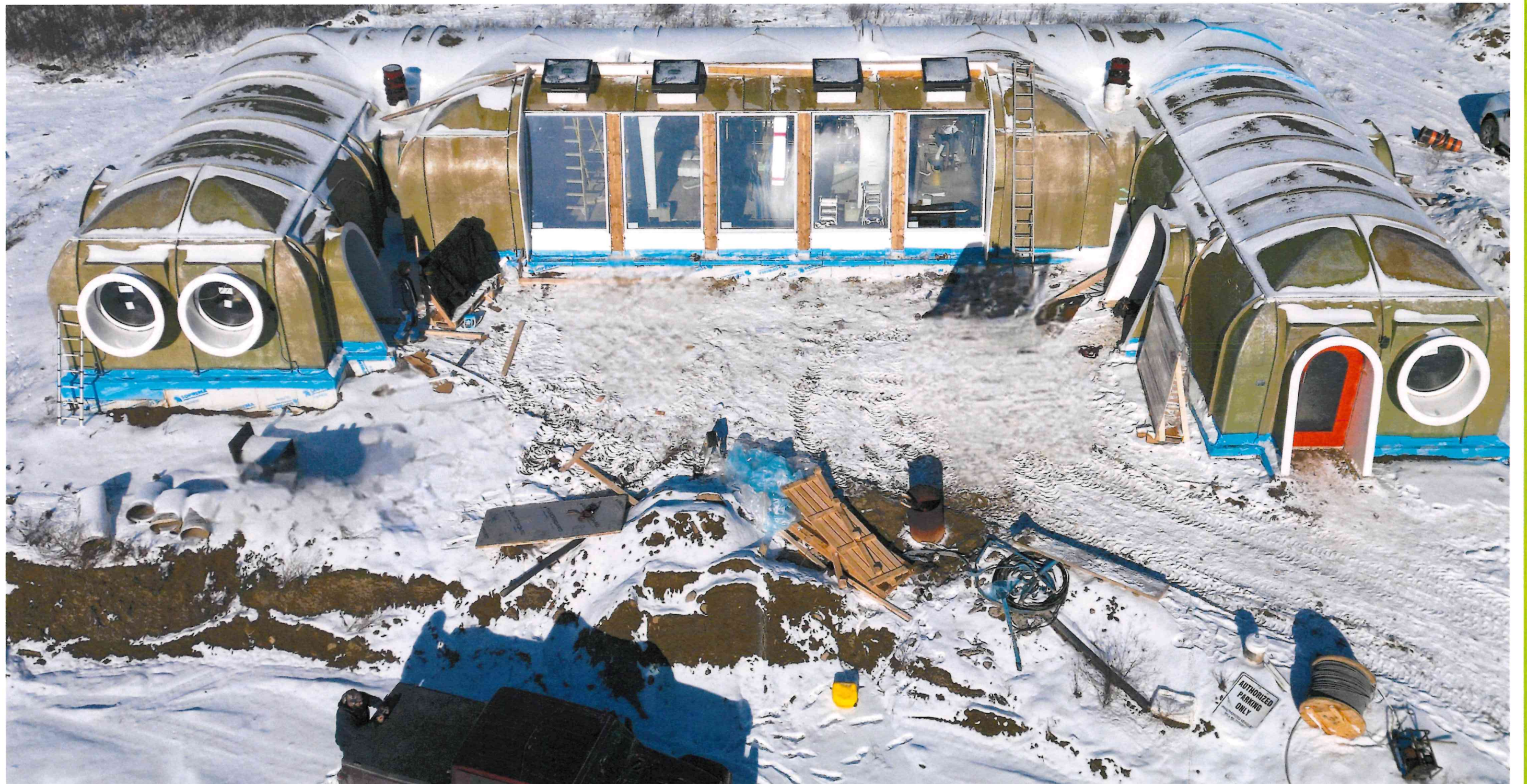
Systems - Greywater

- ▶ 1664 is taking an innovative approach towards sustainable water management. The Greyter system is designed to effectively filter and recycle wastewater originating from various sources, namely showers, bathroom sinks, and the washing machine. By implementing this system, the aim is to harness and repurpose "grey water" - wastewater that doesn't contain sewage - for a specific purpose: supplying the toilets. Grey water, after undergoing filtration via the Greyter system, will be diverted and used in flushing toilets. This forward-thinking strategy not only conserves freshwater resources but also minimizes the strain on the main water supply by repurposing otherwise discarded water.
- ▶ The excess water produced by the Greyter system undergoes an additional eco-friendly treatment step before ultimately being discharged into the septic system. This excess water, post-filtration, is channeled through a designated planter bed within the greenhouse space. The planter bed serves a dual purpose - it functions as a natural filtration system and as a green space within the greenhouse. As the water percolates through this planter bed, it undergoes a biofiltration process, where plant roots and beneficial microorganisms present in the soil assist in further purifying and cleansing the water. This natural filtration process not only ensures that any remaining impurities are removed but also enriches the soil and promotes a healthier ecosystem within the greenhouse. Only after this secondary treatment does the water flow into the septic system, minimizing the environmental impact and ensuring that the discharged water is cleaner and less harmful.

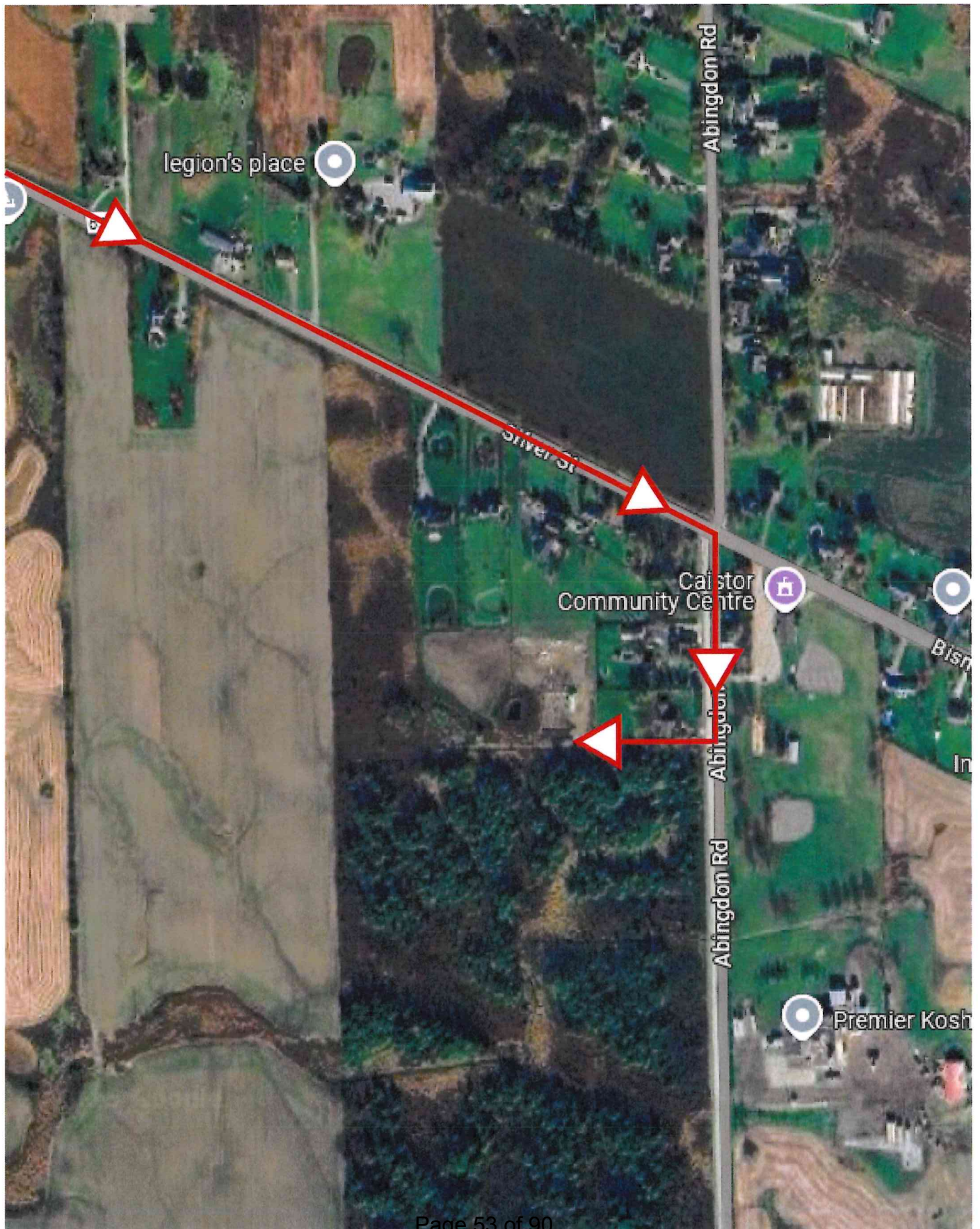


Flooring: Earthen Floor

- Earthen floors, offer an array of advantages, both practical and health-related. These floors, crafted from natural elements like clay and sand, exhibit remarkable environmental friendliness by reducing reliance on manufactured materials and minimizing carbon footprints. Their exceptional thermal mass properties ensure a consistent indoor temperature, fostering energy efficiency by naturally moderating heat in varying seasons. In addition to these practical benefits, earthen floors contribute to a concept known as grounding, establishing a direct connection between individuals and the Earth's natural energy. Furthermore, their breathable nature prevents moisture accumulation, mitigating the risk of mold and fostering a healthier indoor environment. This amalgamation of functional attributes and the holistic aspect of connecting to the Earth makes earthen floors an appealing choice for eco-conscious homeowners seeking sustainability and a serene, healthy living space.



PROPOSED HAUL ROUTE FOR SOIL IMPORT (1664 ABINGDON RD)



Gerrit Boerema

From: Paige Pearson <ppearson@npca.ca>
Sent: March 28, 2025 2:15 PM
To: Justin Paylove
Cc: Gerrit Boerema
Subject: FW: Site Alteration Notice of Public Meeting - 1664 Abingdon Road - Castellan
Attachments: Application Form.pdf; Fill Location Map.pdf; Proposed Haul Route Map.pdf; Notice of Public Meeting - Castellan Abingdon Road April 14 2025.pdf

Hi Justin,

The NPCA has reviewed the proposal to add fill material at 1664 Abingdon Road.

With consideration to the provided grading plan (dated, Dec/22), the proposed fill area shown in green does not encroach the NPCA 15 m watercourse buffer area identified. As all proposed fill area will be outside of the NPCA regulated limits, the NPCA has no objection to the proposed fill.

If you have any questions, please let me know.

Paige Pearson (She/Her)
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6
(O) 905.788.3135 Ext 205
www.npca.ca
ppearson@npca.ca

The NPCA completed its Watershed-based Resource Management and Conservation Area Strategies, paving the way for sustainable conservation across the Niagara Peninsula watershed. It's Watershed Natural Asset Analysis and Valuation for the Niagara Peninsula watershed offers new insights that redefine how we view nature. Explore them today!

-----Original Message-----

From: Gerrit Boerema <gboerema@westlincoln.ca>
Sent: March 13, 2025 11:57 AM
To: DL-Council Members <DL-CouncilMembers@westlincoln.ca>; Truper McBride <tmcbride@westlincoln.ca>; Justin Paylove <jpaylove@westlincoln.ca>; Barb Hutchinson <BHutchinson@westlincoln.ca>; Barb Behring <bbehrring@westlincoln.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; Tray Benish <tbenish@westlincoln.ca>; Mike DiPaola <mdipaola@westlincoln.ca>; Lisa Kasko-Young <lyoung@westlincoln.ca>; Katelyn Repovs <krepovs@westlincoln.ca>; Dave Lane <dlane@westlincoln.ca>; Taf Tsurro <ttsuro@westlincoln.ca>; Paige Pearson <ppearson@npca.ca>; Beth Audet <baudet@westlincoln.ca>; Jeni Fisher <jfisher@westlincoln.ca>; Susan Smyth <ssmyth@westlincoln.ca>
Cc: Ben Agro <bagro@westlincoln.ca>
Subject: Site Alteration Notice of Public Meeting - 1664 Abingdon Road - Castellan

Good Morning,

Please find attached a notice of public meeting for a site alteration application for 1664 Abingdon Road - Castellán. The property owner is requesting 2,200 cubic metres, or 220 loads of topsoil material on the property to complete grading around the newly constructed dwelling.

The applicant has submitted a \$5,000 road security deposit, a grading plan, a soils report and proposed haul route for the material.

If you have any questions or comments please send them to Ben Agro, CBO - bagro@westlincoln.ca

Gerrit,

Gerrit Boerema
Director, Growth and Sustainability
Tel: 905-957-3346 ext.5131
Email: <mailto:gboerema@westlincoln.ca>

The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

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

Gerrit Boerema

From: [REDACTED]
Sent: May 5, 2025 12:34 PM
To: Justin Paylove; Gerrit Boerema; Jason Trombetta
Subject: Concerns about 1664 Abingdon Road

Hello Justin:

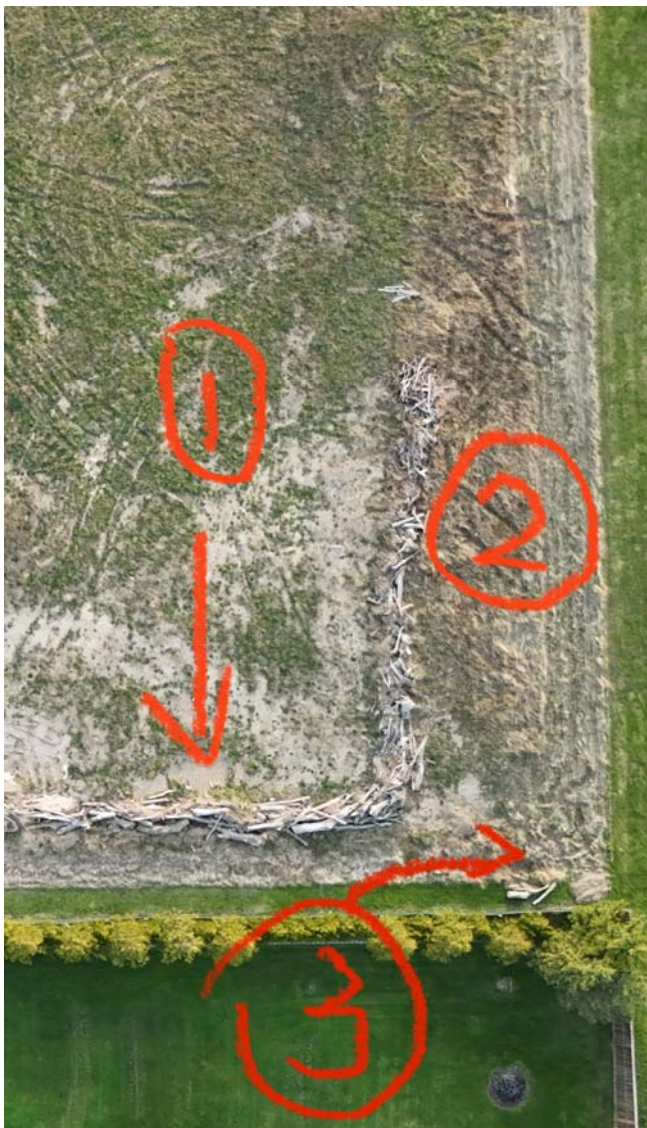
EMAIL PART 1...THEN EMAIL WAS OVER 20mb.....

We spoke last week over the phone about the above-mentioned property that belongs to David Castellan, and advised me to email you the photos THE DRONE PHOTOS COURTESY OF ZACH!!!!

I'm going to be filing single complaints about all of the concerns we have, since the photos and emails that have been sent to Brian over the last several years were never documented via the township or advised that there was a form to be completed, which is very frustrating!!!

The one issue I would like to bring up to you is the fact that David has deliberately placed old logs and a pile of dirt right to stop my neighbours and myself from going back there to keep it SHORT & CLEAN. In all the year Dave has owned the property he has maybe cut it 2 times. One time he went counter clock wise therefore all of the weeds clippings went into my back yard by the cedar trees and that caused several ticks on my property. The reason I know I had a tick problem is because the dog groomer told me that she had to stop grooming due to the fact that they pulled off 17 ticks crawling around her body.

I have also placed a fabric on my fence to make it more private and to stop the weeds from growing in my fence. My neighbour Zach can no longer cut behind the fence due to all of the garbage and tall weeds.



Above image #1 shows the log and dirt fence/Berm which is not even on his property line. Therefore how will he be cutting and maintaining the #2 circle???

#3 if you zoom in there is a new pile of dirt (no weeds on the pile) and logs he intentionally put there to stop allowing the back to be properly cut. This was placed since the town meeting on April 14th.

If you look just above the trees #3 and see the patch of green grass, that is what I have been cutting for years and the brown part is the swale that is covered in weeds at Zachs end, it's covered in garbage.



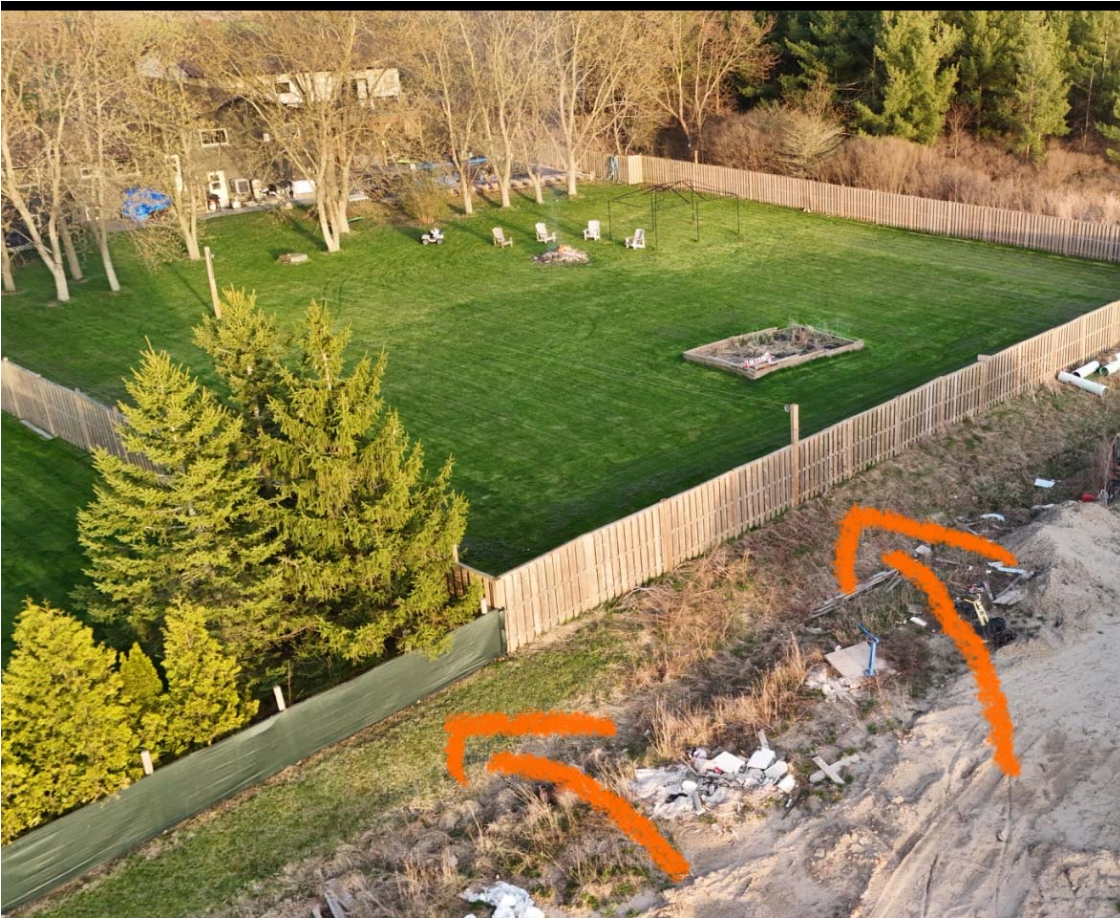
Above. Swale is covered with garbage and the right side is green stagnant water not flowing properly.

Kelly King

Gerrit Boerema

From: [REDACTED]
Sent: May 5, 2025 12:42 PM
To: Justin Paylove; Gerrit Boerema; Jason Trombetta
Subject: Concers1664 Abingdon Road

Part 2...Drone photos courtesy of Zach



Left side my property with grass and a privacy fence. Zach's right side weeds.
Swale starts at the end of the grass line.



Arrows indicate the swale and the circle shows something blocking it??? Right side again is the stagnant water, That Zach has mentioned and it causes a breeding ground for mosquitoes & West Nile.

I would like someone to reach out to Dave and ask why he blocked access to being able to cut the grass...YES it's his property but the neighbours & myself have been maintaining it for years. If he states because it's his property then please advise him that he needs to cut clockwise so the trimming goes into his property and once a week??? I have looked into the laws for West Lincoln and the reasonable height is 20 cm.

Thank you

Kelly & Wayne King

SITE ALTERATION AGREEMENT

THIS AGREEMENT made, in triplicate, this ____ day of _____, 2025.

BETWEEN:
THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
(hereinafter may be referred to as the "Township")

OF THE FIRST PART

And

David Castellan & Megan Griffiths
(hereinafter may be referred to as the "Owner")

OF THE SECOND PART

WHEREAS the Owner is the registered Owner of the property legally described as Concession 4, Part Lot 16 Caistor, Lot 4 of Plan 30R11882, municipally addressed as 1664 Abingdon Road in West Lincoln, Ontario and described in Appendix "A" attached hereto (hereinafter referred to as the "Property") in this Agreement;

AND WHEREAS Sections 142 through 144 of the Municipal Act, 2001, (hereinafter referred to as the "Act") authorizes Council of municipalities to pass a by-laws prohibiting or regulating the placing or Dumping of Fill, the removal of Topsoil, the alteration of the grade of land and requiring a Permit and requiring restoration and rehabilitation of the Site in the event of contravention of the by-law;

AND WHEREAS Section 9 provided that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

AND WHEREAS Section 391 of the Municipal Act, 2001, authorizes a municipality to impose fees or charges on persons, for services or activities provided or done by or on behalf of it or for the use of its property including property under its control and add fees and charges imposed by the municipality to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes;

AND WHEREAS the Owner has altered the grade of the Property in contravention with the Site Alteration By-law, but has applied and obtained approval for specific site alteration works on the property;

AND WHEREAS the Owner is required pursuant to Council support, as outlined in Report BLDG-05-2025 to enter into a Site Alteration Agreement in accordance with the Site Alteration By-law within 10 days of obtaining approval from Council;

AND WHEREAS all capitalized terms herein have the same meaning as in the Site Alteration By-law (being By-law No. 2016-41, as amended, and referred to as the Site Alteration By-law) unless otherwise defined herein;

NOW, THEREFORE that in consideration of the application for the Permit and after review of the application and of the covenants hereinafter set forth the parties hereto mutually covenant and agree as follows:

1. SITE ALTERATION OF PROPERTY

1.1 The Owner agrees that, by **June 30th, 2025** all placing or dumping, of fill onto the Property shall be completed in accordance with the Site Alteration By-law, the proposed engineered grading plan for the approved Site Plan and the Site Alteration Permit, unless an extension is approved by the Director of Growth and Sustainability in writing. No soil importation shall be permitted in the months of July and August.

1.2 It is the responsibility of the Owner:

1.2.1 To obtain the approval of the Director of Growth and Sustainability to obtain a Permit in accordance with the Site Alteration By-law and comply with all the terms and conditions of the Site Alteration By-law and the Permit including providing an updated grading and sediment and erosion control plan; and

1.2.2 To request that the Township carry out a final inspection of the site works and to obtain the approval of the Director that this By-law and the terms and conditions of the Permit have been complied with; and

1.2.3 To obtain any required entrance permits, and to correct any deficiencies with existing entrances or Township ditches and roads prior to release of the performance security; and

1.2.4 That no additional material, other than building materials for construction of the dwelling, be permitted on site; and

1.2.5 That the Owner provides upon execution of this agreement, a \$5,000 performance security to ensure that the site is graded and constructed to the satisfaction of the Township.

1.3 The Owner agrees that the works described in clause 1.1 and 1.2 above will be completed on or before **June 30th, 2025**, unless an extension is provided as per Section 1.1 of this agreement.

1.4 The Owner acknowledges and agrees that the Township has no control over and is not responsible or liable for any adverse effects or damage resulting from clauses 1.4.1 to 1.4.9 on the Owner's property or neighboring property or any other property as a result of the Permit:

1.4.1 Soil erosion;

1.4.2 Blockage of a watercourse;

1.4.3 Siltation in a watercourse;

- 1.4.4 Pollution of a watercourse;
 - 1.4.5 Flooding or ponding on adjacent lands;
 - 1.4.6 Flooding or ponding caused by a watercourse overflowing its banks;
 - 1.4.7 A detrimental effect on any trees;
 - 1.4.8 Detrimental effect on matters of inherent biological sensitivity such as aquifer recharge, water quality, unusual plants or wildlife and overwintering habitats;
 - 1.4.9 Injury or destruction of municipal trees;
 - 1.4.10 Negative impacts to wells on adjacent lands
- 1.5 The Owner acknowledges, accepts and agrees that, the Owner is responsible for any and all damage(s) to the road(s) resulting from the ingress and egress of vehicles involved in the placing or dumping of fill respecting the Site Alteration.
- 1.6 The Owner agrees to regular street sweeping and flushing as directed by Public Works and/or By-law staff.
- 1.7 The Owner agrees to install a mud mat at the entrance of the site and apply dust suppressant to minimize dust migration onto adjacent residential lands as required by By-law staff.
- 1.8 The Owner agrees to import the soil to the site will be confined to the hours of 8:00 am to 4:30 pm. All other works on site will be conducted within the noise bylaw of 7:00 am to 7:00 pm.
- 1.9 The Owner agrees to import no more than a maximum of 50 loads of soil per day, with no trucks queued up in front of residential properties on Abingdon Road or and Regional Road 65, and with no more than 5 trucks queued at any one time.
- 1.10 The Owner agrees to provide traffic control persons on site during the transporting of soil materials.
- 1.11 The Owner shall provide full time on-site inspection by a qualified person, at the owners expense when soil importation is occurring. Daily reports shall be provided to the Chief Building Official regarding the quantity and quality of material being imported.
- 1.12 The Owner agrees to notify all adjacent land owners to the subject property when soil importation is to occur through written mail or hand delivered notice.

2.0 SITE ALTERATION PERMIT

2.1 The Owner acknowledges and agrees that no Permit will be issued by the Township:

2.1.1 Until the Owner has paid all required fees and deposited the Security; or

2.1.2 If the Owner is in default under the Site Alteration By-law or any other applicable law.

3.0 GRADING

3.1 The owner agrees to grade the subject lands so as to not adversely impact any adjacent lands in accordance with the approved grading and sediment and erosion control plan, as identified as "Appendix B" to this agreement.

3.3 The owner agrees to install Silt Fencing as identified on the Approved Plan in accordance with OPSD 219.131 surrounding the area of soil importation and the driveway access.

4.0 SITE ACCESS

4.1 The owner agrees to obtain any required Entrance Permits from the Township, and correct any entrance, culvert or ditch works impacted by the site alteration.

5.0 SECURITY FOR PERFORMANCE

5.1 The Owner is to deposit with the Township at the time of execution of this Agreement a Security in the amount of **\$10,000.00** by way of cash or Letter of Credit (the deposit will be returned once the importing of soil material is completed) for:

5.1.1 All damages to Roads or ditches caused or resulting from the ingress or egress to the Site to which the Owner has been issued a Permit pursuant to the Site Alteration By-law; and

5.1.2 Performance of any other provision required by the Site Alteration By-law, the Permit or this Agreement

(collectively referred to as the "Obligations").

5.2 In the event that the amount of Obligations result in repairs or costs beyond the Security posted in 5.1, the Owner agrees and accepts that the Township will impose a fee for and equal to, the repair or costs and will:

5.2.1 Hold the Owner responsible and liable for all the costs to repair the Road(s) or ditches, and

5.2.2 Assign the repairs for the road(s) or ditch damage to a contractor in accordance with the Township's Procurement Policy, and

5.2.3 The cost of the road(s) or ditch damage repairs will become a fee imposed by the Township and such fee, will be added to the tax roll of property and collect such fee in the same manner as municipal taxes.

5.3 In the event of default the Owner agrees and consents to permit forces hired by the Township to enter upon the Property and undertake the works to be done under this Agreement, unencumbered and without restriction in any manner.

6.0 COVENANTS TO RUN WITH THE LANDS

6.1 All covenants and conditions set forth in this Agreement are and shall be deemed to be covenants running with the Property and it is hereby agreed between the parties of the First and Second Parts:

6.1.1 That every covenant and condition herein to the benefit of and is binding upon the parties of the First and Second Parts hereto and their heirs, executors, administrators, successors and assigns; and

6.1.2 That when the context so requires or permits the singular number is to be read as if the plural were expressed and the masculine gender as if the feminine or neutral, as the case may be, were expressed.

7.0 RELEASE OF PERFORMANCE SECURITY OR LETTER OF CREDIT

7.1 When the obligations set out in this Agreement have been fulfilled, including receipt, satisfactory to the Director that the provisions of this Agreement have been fully complied with (including, but not limited to an as-constructed drawing, statutory declaration and engineers certificate) and all works have been completed to the Satisfaction of the Township, the Owner's Security or the balance of the Owner's Security shall be released.

8.0 MUNICIPAL FREEDOM OF INFORMATION

8.1 The Owner acknowledges that this Agreement and any information or documents provided by it to the Township may be released pursuant to the provisions of the Municipal Freedom of Information and Protection of Privacy Act. This acknowledgement shall not be construed as a waiver of any right to object to the release of this Agreement or any information.

9.0 PENALTIES

9.1 The Owner agrees that failure to comply with the Township Site Alteration Bylaw and/or this agreement will result in penalties as described in the Township's Site Alteration Bylaw and Administrative Penalties Bylaw.

IN WITNESS WHEREOF the parties hereto have duly set their hands and seals as of the day and year first above written.

SIGNED, SEALED AND DELIVERED

In the presence of:

The Corporation of the Township of West Lincoln:
Per:

MAYOR CHERYL GANANN

JUSTIN PAYLOVE, CLERK

OWNERS:

WITNESS

David Castellan, Owner

WITNESS

Megan Griffiths, Owner

DRAFT

“APPENDIX A”

PROPERTY SUBJECT TO PERMIT

TO: David Castellan & Megan Griffiths

SUBJECT PROPERTY: Roll Number: 2602010003015300000

Address: 1664 Abingdon Road

Legal Description: CONCESSION 4, Part Lot 16, Caistor Part 4 of Plan 30R11882 TOWNSHIP OF WEST LINCOLN

DRAFT

“APPENDIX B”

INSERT APPROVED GRADING PLAN

DRAFT

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-##

A BY-LAW TO AUTHORIZE A SITE ALTERATION AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN AND DAVID CASTELLAN AND MEGAN GRIFFITHS, FOR LANDS LEGALLY DESCRIBED AS CONCESSION 4 PART LOT 16 CAISTOR, PART 4 OF RP 30R11882, IN THE TOWNSHIP OF WEST LINCOLN.

WHEREAS the Corporation of the Township of West Lincoln deems it expedient to enter into a Site Alteration Agreement with David Castellan and Megan Griffiths, for lands legally described as Concession 4 Part Lot 16 Caistor, Part 4 of RP 30R11882, In the Township of West Lincoln;

AND WHEREAS approval and authority for such Agreement is required;

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

1. THAT the Council of the Corporation of the Township of West Lincoln enter into a Site Alteration Agreement with David Castellan and Megan Griffiths, for lands legally described as Concession 4 Part Lot 16 Caistor, Part 4 of RP 30R11882, in the Township of West Lincoln;
2. That the Mayor and Clerk be and each of them is hereby authorized to sign the said Site Alteration Agreement and any other document or documents necessary to implement the intent of this By-law and the said Site Alteration Agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto and deliver the same to the appropriate parties.
3. That a copy of the said Site Alteration Agreement and any supplementary Agreements, when executed by the said parties shall be attached hereto as "Schedule A", and shall form part of this By-law, upon registration on title.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 26TH DAY OF MAY, 2025.

MAYOR CHERYL GANANN

JUSTIN PAYLOVE, CLERK

DATE: May 12, 2025

REPORT NO: PD-20-2025

SUBJECT: **Information Report – Zoning By-law Amendment for 171 Mill Street (File No. 1601-003-25) for Legion Villa Senior Residence**

CONTACT: Susan Smyth, Manager, Community Planning and Design
Gerrit Boerema, Director of Growth and Sustainability

OVERVIEW:

- An application for a Zoning By-law Amendment has been submitted by Quartek Group Inc. (Consultant/Agent) on behalf of Branch 393 Royal Canadian Legion Senior Citizens Complex – Legion Villa (Owner/Applicant).
- The proposal is to facilitate a new 6-storey, 52 unit apartment building intended to provide senior housing to supplement the existing 32 apartment dwelling units by the existing 2-storey building located at 171 Mill Street.
- The proposal seeks to rezone the site specific Institutional I-19 that currently permits a maximum of 32 apartment dwelling units, with a minimum of 45 metres of front yard depth and replace it with a new site specific Institutional zone that will permit a maximum of 84 apartment dwelling units, maximum building height of 6-storey or 24 metres.
- 171 Mill Street is accessed currently by an easement over 161 Mill Street and that will remain although capturing a 0 metre lot frontage in this amendment application. A separate emergency access will be maintained through an existing easement for vehicle and person access to St. Catharines Street.
- These parcels are subject to a consent and boundary adjustment (File No. B04/2023WL) where 1,774.3 square metres was transferred from 161 Mill Street to 171 Mill Street, with an easement over 161 Mill Street for lot frontage and access to Mill Street.
- The proposal is intended for a communal type of housing that is offering affordable senior living accommodations.
- Niagara Regional Housing (NRH) is an active partner in this venture assisting the Legion Villa secure some government funding to help with the final development approvals and construction of the project.

RECOMMENDATION:

1. That, Information Report PD-20-2025, title “Zoning By-law Amendment for 171

Mill Street (File No. 1601-003-25) for Legion Villa Senior Residence”, dated May 12, 2025 be received.

ALIGNMENT TO STRATEGIC PLAN:

Theme #1 and 2

- Build a safe, connected, caring and active community
- Champion strategic and responsible growth

BACKGROUND:

The subject lands are located on the south side of Mill Street, at the easterly dead-end cul-de-sac, municipally referred as 161-171 Mill Street, in the urban settlement of Smithville.

These are two separate lots (161 and 171 Mill Street) and bounded by the Twenty Mile Creek to the south, a municipal park to the west, private residences and the Royal Canadian Legion to the north, and former rail-line lands to the east. Refer to Figure 1 for the location of the subject lands.

Figure 1: Location of Subject Lands

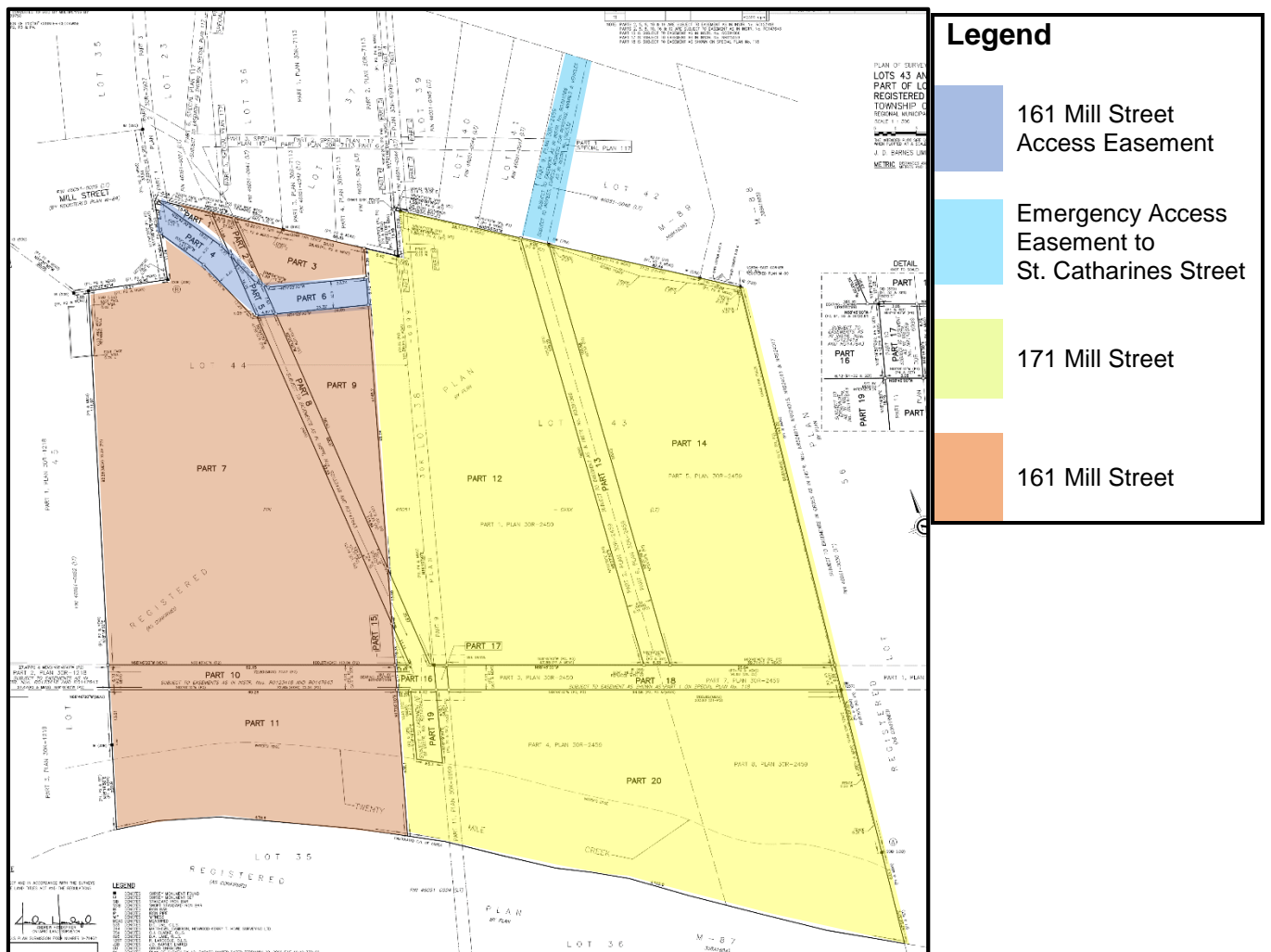


The subject lands include easements for municipal and Regional sanitary sewers. The easement for the municipal drain has been confirmed by the Township that it is no longer required and can be relocated elsewhere on the site. The transfer of ownership of this easement for the municipal drain from Legion Branch 393 to Legion Villa occurred in the summer of 2022 and this provided additional area to accommodate the proposed 52 unit apartment building located on 171 Mill Street.

Through a title search, an easement which is a right-of-way for ingress and egress to St. Catharines Street was confirmed. The easement is considered to be a viable future secondary emergency access to the property for emergency access only as the property does not have frontage on Mill Street.

Combined (161 and 171 Mill Street) are approximately 25,903 square metres in size and are occupied by two apartment dwellings, Legion Villa Seniors Citizen Complex Villa I and Villa II. Villa I (161 Mill Street) is 2-storeys in height with 30 residential units, and Villa II (171 Mill Street) is 2-storeys in height with 32 residential units. Refer to Figure 3 illustrates the new lot boundary for 171 Mill Street and access easements.

Figure 3: New Legal Lot Boundary for 171 Mill Street and Access Easements



The two parcels have been merged together and are in the process of being severed into two lots with 171 Mill Street being enlarged to accommodate the new building

The new lot areas following the severance is:

Site Location	New Lot Areas (m ²)	Hectares (ha)
161 Mill Street	9,829	0.983
171 Mill Street	16,074	1.607
Combined Total	25,903	2.59

CURRENT SITUATION:

Quartek Group Inc. is the acting agent and consultant representing the owner/applicant of Branch 393 Royal Canadian Legion Senior Citizens Complex (Legion Villa) for the zoning by-law amendment application.

The proposed development is a 6-storey apartment building with 52 dwelling units. The development is being proposed as a joint seniors affordable housing project between the Royal Canadian Legion and Niagara Regional Housing. The building footprint is expected to occupy 962 square metres and 5,900 square metres by gross area and will be situated between the two existing apartment dwellings at the subject lands.



The purpose of the amendment is to change the existing Institutional I-19 zone and its site specific provisions for a maximum number of dwelling units from 32 to 84 units. Additionally, to increase the maximum building height from a maximum of 15 metres to 24 metres or 6-storeys. Lastly, the minimum lot frontage from 30 metres to 0 metres with an easement for access over 161 Mill Street (which is the current situation).

Currently there is an Environmental Protection (EP) zone that straddles the two sites and was considered to be associated with a regulated watercourse of which was confirmed by the Niagara Peninsula Conservation Authority (NPCA) that the feature did not meet the definition of regulated watercourse pursuant of the Conservation Act and therefore can be removed. Therefore, the EP zone in this area will be amended. Refer to Figure 4 below.

Figure 4: Environmental Protection (EP) Zone Modification



The areas currently zoned as Environmental Protection (EP) and Environmental Conservation (EC) within the 30 metre edge of the Twenty Mile Creek and floodplain hazard limit will remain in effect.

The proposal will meet the Township's zoning parking requirements (1 space per 2 dwelling units) by accommodating 120 parking spaces with 5 additional accessible barrier-free spaces for the combined 114 dwelling units for 161 Mill Street (30 units) and 171 Mill Street (32 existing units and 52 proposed units).

FINANCIAL IMPLICATIONS:

The Board for the Legion Villa has requested a waiving of all development and building related fees. They have made a number of requests before Council. An additional letter from the Legion has been submitted to the Clerk regarding the waiving of fees. The fee for the zoning by-law amendment which the Legion has paid is \$10,619. They are also required to submit a site plan application which requires a fee of \$9,340 although a preliminary submission and fee of \$3,114 was submitted, leaving a balance \$6,226 when the site plan application is formally processed. These fees are per the Township's Consolidated User Fees and Charges by-law.

Through the 2025 Budget, Project 1213 was approved for an Affordable Housing Community Improvement Plan (CIP). Once established, the CIP will aim to establish a new housing partnership with multiple providers to address the Township's needs for affordable housing, through the potential to provide financial incentive programs. Until such time that a CIP is established, the Township has no mechanism to waive user fees.

INTER-DEPARTMENTAL COMMENTS:

Refer to Schedule C for the detailed agency comments.

Building Department

The Building Department has no issues with the proposal and requested the fire route and accesses be noted on the site plan. Regarding Development Charges, depending on the classification of the units, exemptions may apply.

Through the More Homes Built Faster Act, 2022, the Province introduced exemptions and discounts from municipal development-related charges for affordable residential units. These exemptions and discounts came into effect on June 1, 2024.

In accordance with the Development Charges Act, 1997, the Township's By-law (2024-70) for the Imposition of Development Charges specifically, Section 3.7 other exemptions under item (k) where development charges are exempted from Affordable Residential Units and Attainable Residential Units in accordance with Section 4.1 (1), (2), (3), (4) and (5) of the Act. Applicable units must be subject to agreements that provide for them to remain affordable residential units for 25 years. Units must also be sold or rented on an arm's length basis.

Township Development Engineering

The applicant needs to provide more information regarding the proposed emergency access as there is an existing hydro pole, private driveway and curb located within the easement to St. Catharines Street and it is unclear how the current easement is an accessible emergency access. The emergency access will need to be constructed to

Township standards.

A secondary connection to the watermain on St. Catharines Street will be necessary to meet fire flows for the proposed building. This needs to be confirmed and the location for this secondary connection through private lands secured in an easement.

Sanitary servicing for the proposed building is being proposed and to be provided by a connection to the existing 200mm sanitary sewer located within an easement through the Legion Villa site. This connection is acceptable however the estimated flows to the sanitary system expected to be generated by the new building needs to be identified. This information is to be provided to allow for confirmation of system capacity and allocation in the Township's network.

Originally the storm outlet from Mill Street was to an existing drainage course through the site, and this is likely the drainage course for which the easement is being eliminated and the channel being directed to a storm sewer to accommodate the new building. As this is an existing drainage condition to be accommodated on site and considering the minor area of the Mill Street cul-de-sac that drains to this outlet, the Township will not contribute to the cost of alterations to the site drainage or treatment of stormwater being directed to the proposed storm sewer. The proponent is required to provide an easement for this storm outlet in favour of the Township.

Region of Niagara

Regional Environmental Planning staff indicated that the Environmental Impact Study (EIS) requirement could be waived in lieu of a Landscape Plan/Restoration Plan, provided a minimum 30 metre setback is maintained from the surveyed watercourse top of bank.

The specific measurement be included in the future submission to show the proposed setback distance from the watercourse top of bank. Provided that a minimum 30 metre setback is confirmed, staff would offer no objection.

Ensure that natural self-sustaining vegetation is planted throughout the watercourse setback. Additional mitigation measures, such as sediment and erosion control fencing along the development limit, is recommended.

Niagara Peninsula Conservation Authority (NPCA)

There is no objections to the proposal subject to the EP zone remains with no amendment for the 100-year floodplain and preclude any development or site alterations unless in accordance with the expressed written policies of the Conservation Authority.

NPCA will require appropriate engineering analysis for any infilling of the swale on the site at the time of the future Site Plan Approval process to address this item and has no

objections for approval of the zoning amendment application at this time.

PUBLIC COMMENTS:

Two public comments have been received. There is opposition to the 6-storey building due to the building height and concern for loss of privacy to the neighbours in the area.

Concerns for noise during construction, flooding concerns, and that a fence or trees cannot prevent public to have access directly over their property and the view will be impacted.

Refer to Schedule D for the public comments received.

CONCLUSION:

An application for an amendment to the Zoning By-law has been submitted by Quartek Group Inc. (Consultant/Agent) on behalf of Branch 393 Royal Canadian Legion Senior Citizens Complex – Legion Villa (Owner/Applicant).

Once all stakeholder, agency, public and Committee/Council comments, concerns, issues and feedback is received and are appropriately addressed, Administration will complete a full assessment of the supplement information and prepare a recommendation report.

ATTACHMENTS:

Schedule A: New Legal Description and Lot Boundary

Schedule B: Proposed Site Plan

Schedule C: Agency Comments

Schedule D: Public Comments

Prepared & Submitted by:

Susan Smyth
Manager, Community Planning & Design

Approved by:

Gerrit Boerema
Director of Growth & Sustainability

Truper McBride
CAO

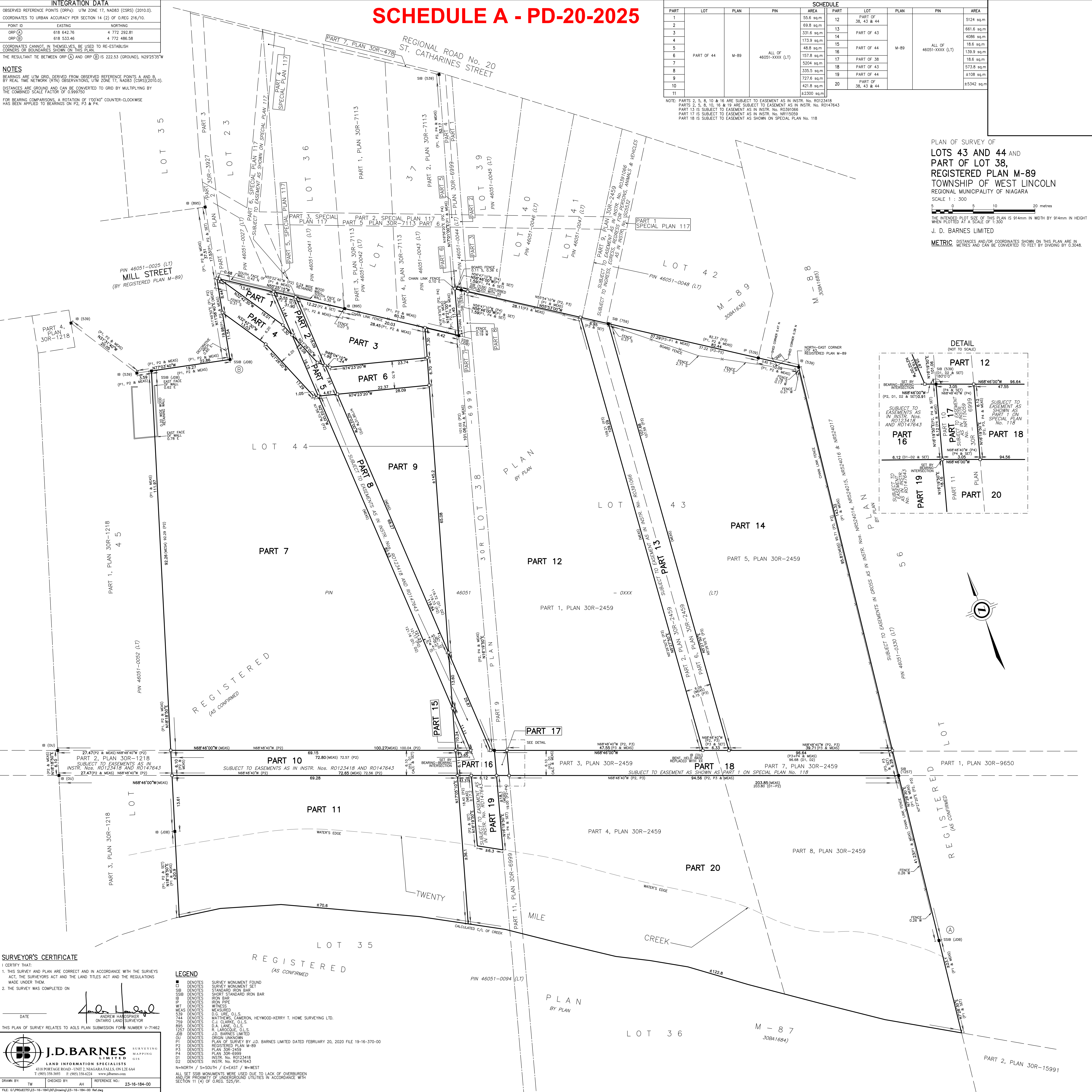
INTEGRATION DATA			
OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0).			
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O.REG 216/10.			
POINT ID	EASTING	NORTHING	
ORP (A)	618 642.76	4 772 292.81	
ORP (B)	618 533.46	4 772 486.58	
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.			
THE RESULTANT TIE BETWEEN ORP (A) AND ORP (B) IS 222.53 (GROUND), N29°25'35"W			
NOTES			
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).			
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999750			
FOR BEARING COMPARISONS, A ROTATION OF 1°00'40" COUNTER-CLOCKWISE HAS BEEN APPLIED TO BEARINGS ON P2, P3 & P4.			

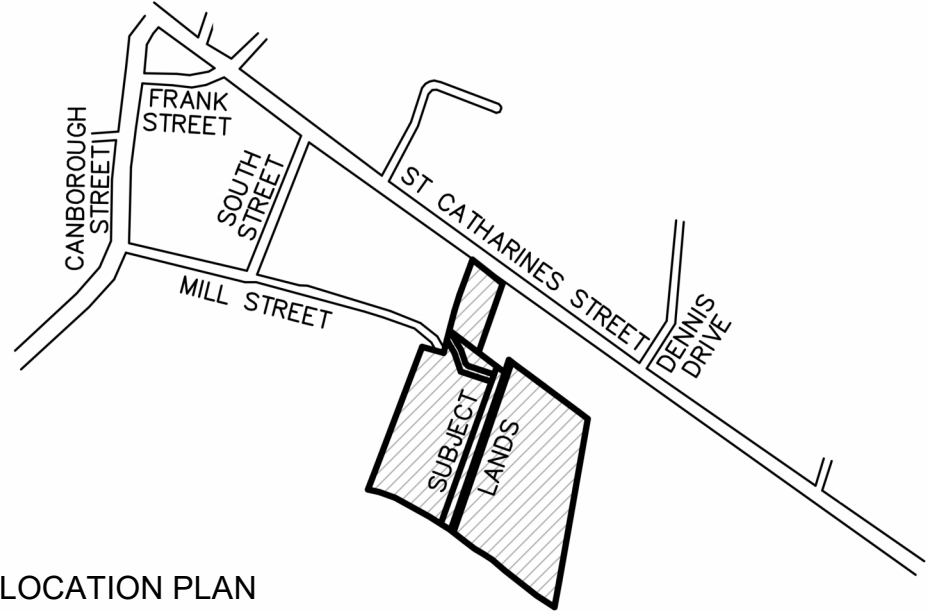
SCHEDULE A - PD-20-2025

SCHEDULE					
PART	LOT	PLAN	PIN	AREA	
1				55.6 sq.m	
2				69.8 sq.m	
3				331.6 sq.m	
4				173.9 sq.m	
5				48.8 sq.m	
6				157.8 sq.m	
7				5204 sq.m	
8				335.5 sq.m	
9				727.6 sq.m	
10				421.8 sq.m	
11				±2300 sq.m	
12	PART OF 38, 43 & 44				5124 sq.m
13	PART OF 43				661.6 sq.m
14	PART OF 44				4086 sq.m
15	PART OF 44				18.6 sq.m
16	PART OF 38				139.9 sq.m
17	PART OF 43				18.6 sq.m
18	PART OF 44				573.8 sq.m
19	PART OF 44				±108 sq.m
20	PART OF 38, 43 & 44				±5342 sq.m

NOTE: PARTS 2, 5, 8, 10 & 16 ARE SUBJECT TO EASEMENT AS IN INSTR. No. R0123418
PARTS 2, 5, 8, 10, 16 & 19 ARE SUBJECT TO EASEMENT AS IN INSTR. No. R0147643
PART 13 IS SUBJECT TO EASEMENT AS IN INSTR. No. R0391066
PART 17 IS SUBJECT TO EASEMENT AS IN INSTR. No. NRI15059
PART 18 IS SUBJECT TO EASEMENT AS SHOWN ON SPECIAL PLAN No. 118

PLAN OF SURVEY OF
LOTS 43 AND 44 AND
PART OF LOT 38,
REGISTERED PLAN M-89
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 300
J. D. BARNES LIMITED
METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.





LOCATION PLAN
NTS

161 MILL STREET		
CIVIC ADDRESS	161 MILL STREET, TOWNSHIP OF WEST LINCOLN, ON L0R 2A0	

171 MILL STREET		
CIVIC ADDRESS	171 MILL STREET, TOWNSHIP OF WEST LINCOLN, ON L0R 2A0	

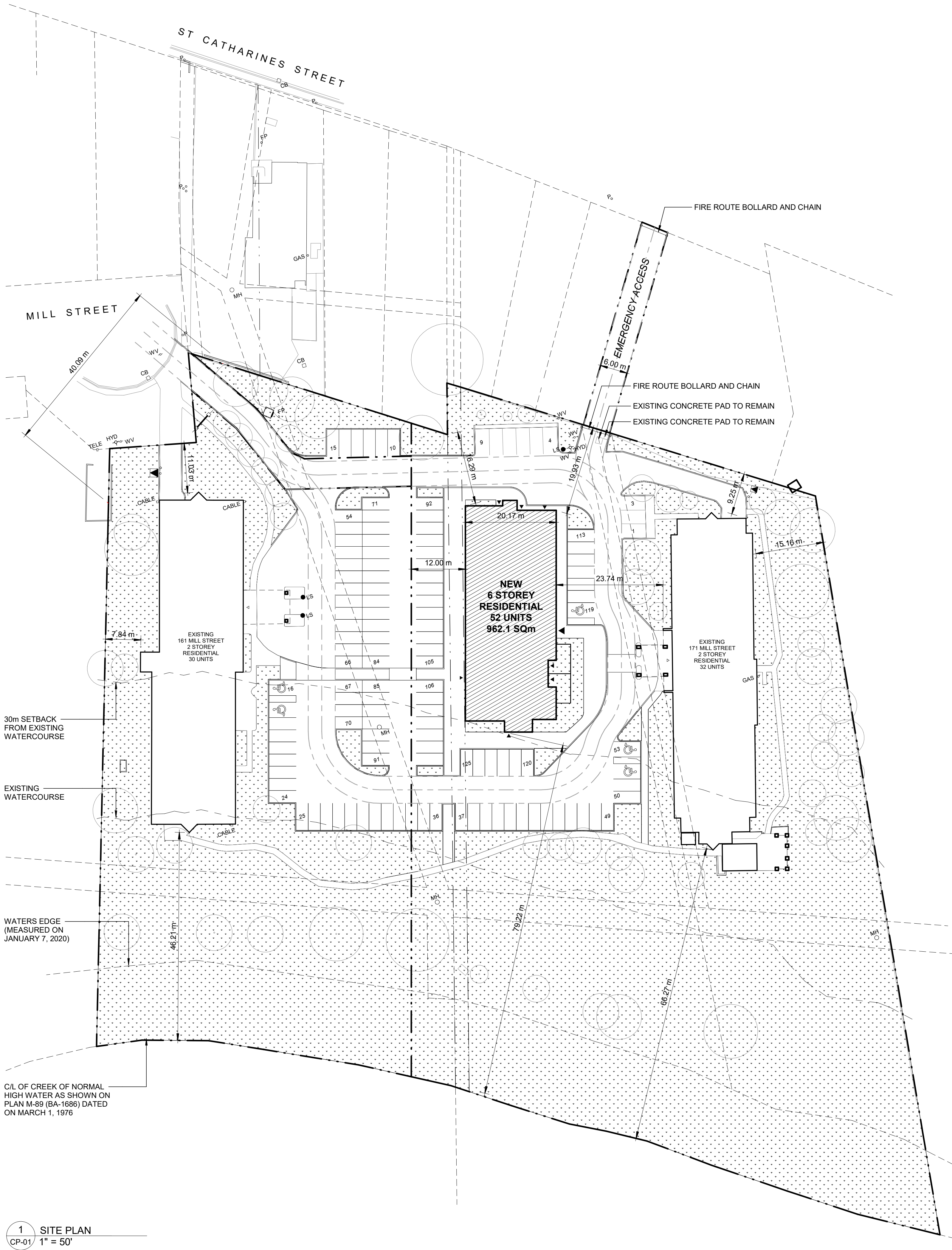
ZONING SUMMARY		
	REQUIRED	PROVIDED
ZONING	I	
LOT SIZE (HA.)	0.9821ha	
MINIMUM LOT FRONTAGE	30m	40.09m
MINIMUM FRONT YARD	7.5m	11.03m
MINIMUM INTERIOR SIDE YARD	7.5m	7.84m
MINIMUM REAR YARD	7.5m	46.21m
MAXIMUM LOT COVERAGE	50%	13.9%
MAXIMUM HEIGHT	15m	7.2m
MINIMUM LANDSCAPE AREA	10%	58.9%
MINIMUM LOT AREA PER UNIT	120m²/unit	327.63m²/unit

ZONING SUMMARY		
	REQUIRED	PROVIDED
ZONING	I-XX	
LOT SIZE (HA.)	1.6074ha	
MINIMUM LOT FRONTAGE	30m	0m
MINIMUM FRONT YARD	7.5m	9.25m
MINIMUM INTERIOR SIDE YARD	7.5m	12m
MINIMUM REAR YARD	7.5m	66.27m
MAXIMUM LOT COVERAGE	50%	13.9%
MAXIMUM HEIGHT	15m	24m
MINIMUM LANDSCAPE AREA	10%	70.5%
MINIMUM LOT AREA PER UNIT	120m²/unit	191.36m²/unit

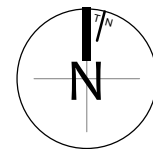
*ACCESS EASEMENT FROM 161 MILL STREET

PARKING SUMMARY		
	REQUIRED	PROVIDED
PARKING (1 space per 2 units)	15	63
BARRIER FREE PARKING STALLS	1	2

PARKING SUMMARY		
	REQUIRED	PROVIDED
PARKING (1 space per 2 units)	42	62
BARRIER FREE PARKING STALLS	2	3



1 SITE PLAN
CP-01 1" = 50'



D	CLIENT REVIEW	17OCT2024	NY
C	CLIENT REVIEW	13SEP2024	NY
B	CLIENT REVIEW	28FEB2024	NY
A	CLIENT REVIEW	22SEP2023	NY
Issue	Issued for	Date	Int.

Seal

Do not scale drawings. Report any discrepancies to Quartek Group Inc. before proceeding.
Drawings must be sealed by the Architect and / or Engineer prior to the use for any building permit applications and / or government approval. Seals must be signed by the Architect and / or Engineer before drawings are used for any construction.
All construction to be in accordance with the current Ontario Building Code and all applicable Ontario regulations.
All drawings and related documents remain the property of Quartek Group Inc., all drawings are protected under copyright and under contract.

Quartek
Architects • Planners
Engineers • Project Managers
T 905 984 8676
89 - 91 St. Paul Street, Suite 100,
St. Catharines, ON L2R 3M3
www.quartekgroup.com

Project Title

LEGION VILLA

161-171 MILL STREET

Drawing Title

SITE PLAN

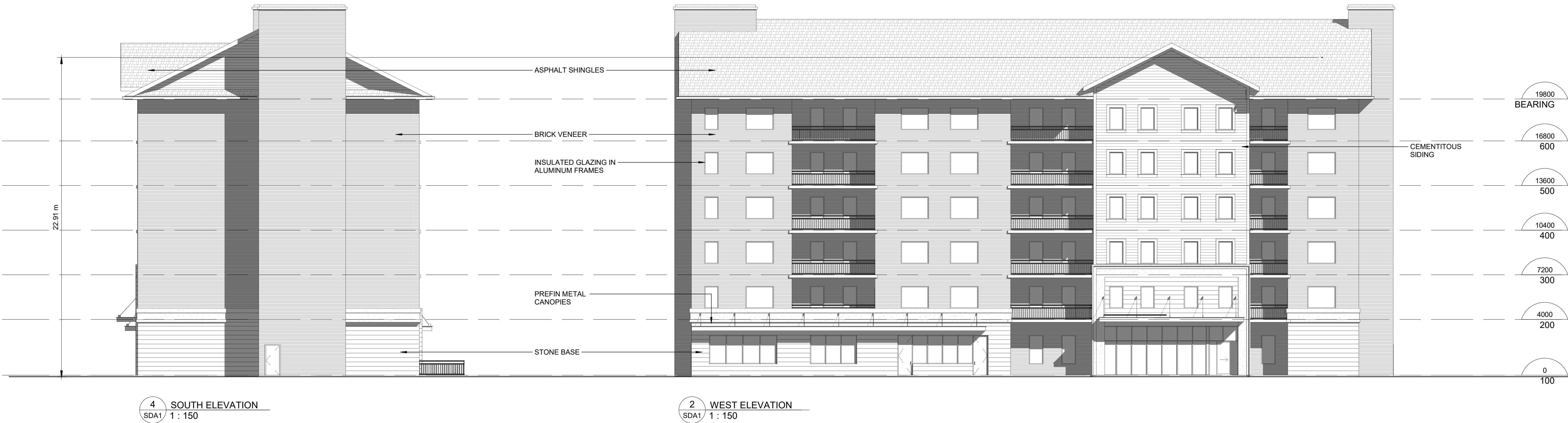
Drawn NY Designed by NY

Scale As indicated Date Created 08/28/23

Job Number 22095 Issue D

Drawing Number

CP-01



B	ZONING BYLAW	13SEP2024	NY
A	CLIENT REVIEW	22SEP2023	NY
Issue	Issued for	Date	Int.

Do not scale drawings. Report any discrepancies to Quartek Group Inc. before proceeding.

Drawings must be sealed by the Architect and / or Engineer prior to the use for any building permit applications and / or government approval. Scale must be signed by the Architect and / or Engineer before drawings are used for any construction.

All construction to be in accordance with the current Ontario Building Code and all applicable Ontario regulations.

All drawings and related documents remain the property of Quartek Group Inc. all drawings are protected under copyright and under contract.

Quartek

Architects • Planners
Engineers • Project Managers

T: 905 984 8676
89 - 91 St. Paul Street, Suite 100,
St. Catharines, ON, L2R 3M3
www.quartekgroup.com

Project Title

LEGION VILLA

161-171 MILL STREET

Drawing Title

ELEVATIONS

Drawn	NY	Designed by	NY
-------	----	-------------	----

Scale	1 : 150	Date Created	09/01/23
-------	---------	--------------	----------

Job Number	22095	Issue	B
------------	-------	-------	---

Drawing Number

SDA1

Susan Smyth

From: Ben Agro
Sent: March 27, 2025 10:39 AM
To: Susan Smyth
Subject: RE: PRELIMINARY SUBMISSION AGENCY CIRCULATION: 171 Mill Street - Legion Villa - Zoning By-law Amendment (File No. 1601-003-25)

Hi Susan,

RE;171 Mill St, Legion Villa

Building comments as follows;

- 1) Building permit application with Building Permit Fees and Development Charges required
- 2) Building Matrix required
- 3) Architectural, Structural and Mechanical drawings required
- 4) Fire route access required
- 5) Barrier Free requirements

Thanks!
Ben

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.



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

From: Susan Smyth <ssmyth@westlincoln.ca>
Sent: March 12, 2025 9:48 AM
To: Jennifer Bernard <jbernard@westlincoln.ca>; Dennis Fisher <dfisher@westlincoln.ca>; Tim Hofsink <thofsink@westlincoln.ca>; Ben Agro <bagro@westlincoln.ca>; Development Planning <devtplanningapplications@niagararegion.ca>; Carling Macdonald <Carling.Macdonald@niagararegion.ca>; Susan

Public Works Growth Management & Planning Division

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

Via Email Only

April 10, 2025

File Number: PLZBA202500647

Susan Smyth
Senior Planner
Township of West Lincoln
318 Canborough St., P.O. Box 400
Smithville, ON L0R 2A0

Dear Ms. Smyth:

Re: Regional and Provincial Comments
Application Type: Zoning By-Law Amendment
Township File Number: 1601-003-25
Applicant: Quartek Group c/o Nick Yamich
Location: 171 Mill Street, West Lincoln

Regional Public Works Growth Management and Planning Division staff have reviewed the preliminary submission of the Zoning By-law Amendment application for 171 Mill Street in the Township of West Lincoln ("subject property").

The applicant is proposing a site-specific zoning provision of the Institutional zone that addresses maximum building height, number of units permitted, and lot frontage in order to facilitate the development of a new senior residential apartment building containing 52 units.

Please note, as of March 31, 2025, Niagara Region no longer has land use planning responsibilities under the Planning Act. However, Niagara Region will continue providing planning support to the Township of West Lincoln for environmental planning matters in accordance with the service level agreement between the Township and Region.

Niagara Region will continue to comment on Planning Act applications as it relates to regional infrastructure. Comments related to regional infrastructure and waste collection must be addressed in accordance with the Memorandum of Understanding (MOU) for Engineering Services between the Region and the Township of West Lincoln.

The following comments are provided to assist the Township in their review of the application.

Natural Heritage

The subject property is impacted by the Region's Natural Environment System (NES), consisting of the Lower Twenty Mile Creek Wetland Complex (PSW) Significant Woodland, Other Woodland, Permanent and Intermittent Watercourse and Shoreline Areas. Policy 3.1.9.8.1 of the *Niagara Official Plan, 2022* (NOP) typically requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed on lands adjacent to natural heritage features.

At a site visit conducted on February 28, 2022, Regional Environmental Planning staff indicated that the EIS requirement could be waived in lieu of a Landscape Plan/Restoration Plan, provided a minimum 30 metre setback is maintained from the surveyed watercourse top of bank.

Based on a preliminary review of the Site Plan (prepared by Quartek, dated August 28, 2023), staff note that a minimum 30 metre setback appears to be illustrated from the surveyed watercourse top of bank in which no development and/or site alteration is proposed. That said, staff request that a specific measurement be included in the future submission to show the proposed setback distance from the watercourse top of bank. Provided that a minimum 30 metre setback is confirmed, staff would offer no objection to the application from an environmental perspective. Staff recommend that NES features and associated buffers are identified within an appropriately restrictive environmental zone.

Staff note that a Landscape Plan/Restoration Plan will be recommended as a requirement of future Planning Act applications to ensure that natural self-sustaining vegetation is planted throughout the watercourse setback. Additional mitigation measures, such as sediment and erosion control fencing along the development limit, will also be recommended.

Stormwater Management

A stormwater management brief will be required with future Planning Act applications, indicating in detail how the subject site stormwater will be accommodated and meet an enhanced water quality treatment prior to discharge from the site.

Waste Collection

Niagara Region provides curbside waste collection for developments that satisfy the requirements of its waste collection policy and procedure. The proposed development may be eligible to receive Regional curbside waste collection provided that the owners/tenants bring the waste to the curbside on their designated pick up day, and that

April 10, 2025

the following limits are not exceeded:

Multi-Residential Waste Collection Limits:

- Green – no limit (weekly)
- Waste – 2 bags/cans per unit to a max. of 24 bags/cans per building (bi-weekly)

Based on the size and nature of the proposed development, it is understood it will be unable to satisfy Region's waste collection requirements. Therefore, waste collection for the site will be the responsibility of the owner through a private contractor and not Niagara Region.

Circular Materials Ontario is responsible for the delivery of residential blue and grey box recycling collection services:

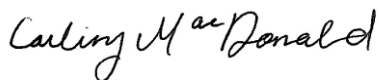
<https://www.circularmaterials.ca/resident-communities/niagara-region/>

Conclusion

Regional Public Works Growth Management and Planning Division staff offer no objection to the Zoning By-law Amendment application, subject to the satisfaction of the Township. As noted above, staff recommend that the environmental features identified in the Niagara Official Plan, and their associated buffers, are identified within an appropriately restrictive environmental zone.

Please send copies of the staff report and notice of the Township's decision on this application. If you have any questions related to the above comments, please contact me at carling.macdonald@niagararegion.ca.

Kind regards,



Carling MacDonald
Development Planner, Niagara Region

cc: Maggie Ding, P.Eng., Stormwater Management Engineer, Niagara Region
Phillipe Biba, Development Approvals Technician, Niagara Region
Adam Boudens, M.Sc., Senior Environmental Planner, Niagara Region

Susan Smyth

From: Municipal Planning <MunicipalPlanning@enbridge.com>
Sent: April 16, 2025 11:10 AM
To: Susan Smyth
Subject: RE: PUBLIC MEETING NOTICE - 171 Mill Street - Legion Villa - Zoning By-law Amendment (File No. 1601-003-25)

Thank you for your circulation.

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Willie Cornelio ^{CET} (he/him)

Sr Analyst, Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-6411
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

From: Susan Smyth <ssmyth@westlincoln.ca>
Sent: Friday, April 11, 2025 4:18 PM
To: Jennifer Bernard <jbernard@westlincoln.ca>; Ben Agro <bagro@westlincoln.ca>; Development Planning <devtplanningapplications@niagararegion.ca>; Carling Macdonald <Carling.Macdonald@niagararegion.ca>; Susan Dunsmore <Susan.Dunsmore@niagararegion.ca>; Lampman, Cara <Cara.Lampman@niagararegion.ca>; Paige Pearson <ppearson@npca.ca>; Taran Lennard <tlennard@npca.ca>; Six Nations <dlaforme@sixnations.ca>; Haudenosaunee <info@hdi.land>; Metis <consultations@metisnation.org>; District School Board Niagara <Michelle.McPhee@dsbn.org>; Niagara Energy <jim.sorley@npei.ca>; Catholic School Board <clark.euale@ncdsb.com>; Canada Post <Thomas.Dell@canadapost.postescanada.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Cogeco <randy.leppert@cogeco.com>; Rogers <newdevelopment@rci.rogers.com>; LandUsePlanning@HydroOne.com; Cynthia Summers <csummers@westlincoln.ca>; Beth Audet <baudet@westlincoln.ca>
Cc: Gerrit Boerema <gboerema@westlincoln.ca>; DL-Council Members <DL-CouncilMembers@westlincoln.ca>
Subject: [External] PUBLIC MEETING NOTICE - 171 Mill Street - Legion Villa - Zoning By-law Amendment (File No. 1601-003-25)

Good Afternoon,

From: [Taran Lennard](#)
To: [Susan Smyth](#)
Subject: RE: NPCA Review Response - 171 Mill Street
Date: April 10, 2025 3:02:10 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image007.png](#)

Hi Susan,

We appreciate the additional files and insight respecting this application. We recognize that the existing areas of EP Zone in the swale were removed from this Zone as a part of a previous application.

The NPCA recognizes that that main parcel will be seeking site-specific provisions within the Institutional (I) Zone to permit the development of a Senior Citizens Apartment Building on the subject lands. The NPCA does not offer objections. Further, there exists a 100-year floodplain on the property. The existing Environmental Protection (EP) Zone is set to remain with no amendment. The NPCA is supportive of this Zone, provided this zone is able to preclude any development or site alterations, unless in accordance with the expressed written Policies of the Conservation Authority.

The NPCA will advise that for future Planning applications, the NPCA will require detailed information respecting the filling in of the swale. While historic site visits had been undertaken and deemed the swale not to be a regulated watercourse, the NPCA notes that this swale does hold floodwaters under 100-year conditions. In accordance with an email from NPCA dated April 21st, 2022, the NPCA could be supportive of the filling of the swale, with an appropriate Engineering Analysis. While not an impact to this application, future applications (ie: Site Plan, if required) will need to address this element. Works permits will need to be applied for to NPCA at a later date (upon approval of any Planning applications). The NPCA would be pleased to discuss detailed requirements with the Applicant upon request.

As such, the NPCA is in a position to support this Zoning Bylaw Application. Future applications and/or Conservation Authority Works Permit(s) shall include detailed design elements respecting the project.

Should there be any questions, please let me know. Thank you.



Taran Lennard
Watershed Planner II

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 277
www.npca.ca
tlennard@npca.ca

Memo

To: Susan Smyth, Manager of Planning
From: Jennifer Bernard, Manager, Civil Land Development
Date: April 11, 2025
Re: Legion Villa – Preliminary Submission

A review was completed of the preliminary submission of the Legion Villa Zoning By-law Amendment Application; the following comments will require follow-up:

Servicing Feasibility Report

1. An emergency access is being proposed through an existing easement in favour of the Ministry of Transportation for ingress and egress to the site from St. Catharines St. There is an existing hydro pole, private driveway and curb located within the easement to St. Catharines St, how does the proponent propose this is an accessible emergency access? Is the proponent proposing to construct an access road to Township standards through the easement? How will the proponent be granted the use of this easement that is for the Ministry of Transportation? The Township Fire Department will provide final approval of the proposed emergency access in accordance with the Fire Code (NFPA 1141 – Standard for Fire Protection Infrastructure for Land Development in Wildland, Rural and Suburban Areas).

2. Section 2.1 suggests a secondary connection to the watermain on St. Catharines St will be necessary to meet fire flows for the proposed building. This needs to be confirmed and the location for this secondary connection through private lands secured in an easement.

3. Section 2.2 notes that sanitary servicing for the proposed building will be provided by a connection to the existing 200mm sanitary sewer located within an easement through the Legion Villa site. This connection is acceptable however the report does not identify the estimated flows to the sanitary system expected to be generated by the new building. This information is to be provided to allow for confirmation of system capacity and allocation in the Township's network.

4. Originally the storm outlet from Mill St was to an existing drainage course through the site. This is likely the drainage course for which the easement is being eliminated and the channel being directed to a storm sewer to accommodate the new building.

As this is an existing drainage condition to be accommodated on site and considering the minor area of the Mill St cul-de-sac that drains to this outlet, the Township will not contribute to the cost of alterations to the site drainage or treatment of stormwater being directed to the proposed storm sewer. The proponent is required to provide an easement for this storm outlet in favour of the Township as part of this Planning application.

[REDACTED]
Sent: May 2, 2025 10:48 AM

To: Justin Paylove <jpaylove@westlincoln.ca>

Subject: Legion Villa Planning Application File # 1601-003-25

Good Morning,

Thank you for sending the information of the 6 storey 52 unit apartment dwelling being proposed here in Smithville. As residents who lives right across the creek we would like to have our say in this application change.

As of right now we are opposed to this 6 storey building. Currently the 2 story buildings are a great neighbor. The trees and foliage of the creek provide privacy to us and the neighbours living in the area. With this new 6 story building all this privacy will be lost. Not only does this proposal affect the people living across the creek, but it reduces the privacy of people as far away as Hwy 20 running through town. Currently we do not have a problem with an additional 2 story - 32 apartment dwelling being proposed to supplement the town with additional housing for seniors but more that that is not something that we as residents in Smithville are ok with. Let us know how we can speak at this meeting coming up and how we can get our voice heard going forward.

Best Regards,

Garett & LeeAnna Van Iperen
[REDACTED]

From: Rachel [REDACTED]

Sent: May 4, 2025 9:16 PM

To: Justin Paylove <jpaylove@westlincoln.ca>

Subject: File # 1601-003-25

To whom it may concern,

We have lived at our current home for almost a decade never could we have imagined such a building would be proposed in this location. This proposed project is not supported by our home in which you will be building and affecting our direct view and privacy. There is no fence I can build or tree that will change the ability for people to have access directly over our property and the view that will be my backyard. We moved away from the city for this exact reason and to have such a building basically in our backyard is heartbreaking. The environment, flooding and one way in and out for that amount of additional units is absolutely ridiculous. As my husband works nights and sleeps often during the day the building noise would directly affect him so we would like further info on the building time frame that comes with this proposal. We sincerely hope the environment hinders this plan moving forward it is not an appropriate location for this proposed structure. As I can not be at the meeting I request minutes to be forwarded to this email. [REDACTED]