

Growth Strategy and Economic Development

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

Via Email Only

June 25, 2024

Region File: PLMV202400722

Taya Taraba
Secretary Treasurer of the Committee of Adjustment
City of Port Colborne
66 Charlotte Street
Port Colborne, ON, L3K 3C8

Dear Ms. Taraba:

**Re: Regional and Provincial Comments
Proposed Minor Variance Application
City File: A17-24-PC
Owner: Mary and Ed Dias
Agent: Brianna Bodorkos
4871 Mapleview Crescent
City of Port Colborne**

Staff of the Regional Growth Strategy and Economic Development Department has reviewed the proposed Minor Variance for lands municipally known as 4871 Mapleview Crescent in the City of Port Colborne.

The applicant is proposing to construct a new dwelling on the subject property. Staff understand from the application form that the applicant requires minor variances related to increasing the overall lot coverage and reducing the front yard setback. The property is designated 'Rural' in the City of Port Colborne Official Plan and zoned 'Rural Residential' in the City of Port Colborne Zoning By-law 6575/30/18.

The following comments are provided from a Provincial and Regional perspective to assist the Committee with their consideration of the application.

Provincial and Regional Policies

The property is designated 'Rural Lands' in the *Provincial Policy Statement, 2020* (PPS), *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* (Growth Plan), and *Niagara Official Plan, 2022* (NOP).

The PPS states development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted. The NOP states that the predominant use of rural lands will continue to be agriculture, but some non-agricultural related development may be permitted under limited circumstances. The NOP permits the redevelopment of legally existing uses within the Rural Lands designation, provided new municipal services are not required, the proposal does not expand into key natural heritage features and key hydrologic features (unless there is no alternative and is limited in scope), does not introduce new incompatible uses, and is in accordance with the Minimum Distance Separation Formulae (MDS).

The proposal is to demolish the existing dwelling on-site and construct a new dwelling with the general footprint of the existing dwelling. No municipal services are required as the property is on private services (as detailed below). The property is not impacted by the Region's Natural Environment System and does not introduce new incompatible uses as the surrounding neighbourhood consists of single-detached dwellings. City staff are responsible for ensuring MDS setbacks are achieved. The City should be satisfied that MDS is met for the subject property.

Archaeological Potential

The PPS and NOP state that development and site alteration shall not be permitted within areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province. Staff note that the property is mapped within Schedule K of the NOP.

Upon review of the application and available aerial imagery, there is currently an existing one-storey dwelling on the subject land. The application proposes to demolish the existing house and construct a larger home within the general footprint of the existing house. As the proposed dwelling will be in the location of the existing dwelling, staff offer no archaeological assessment requirements.

In the event that any resources are unexpectedly encountered through construction activities, the following advisory clause is provided for information:

"If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the police and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C."

Private Sewage System

No record was found for the existing sewage system on the property. The applicant is proposing to demolish the existing dwelling, decommission the existing septic system and install a new class 4 sewage system to accommodate the proposed dwelling.

The existing septic system is located east of the dwelling and the exact location of the inground bed is unknown. The applicant has obtained a septic permit for a class 4 sewage system to service the proposed dwelling. The location of the dwelling has changed slightly from what was approved for the septic permit application. The new location will leave enough room for the approved sewage system to be installed and meet all setbacks as per the Ontario Building Code.

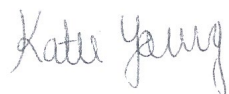
Therefore, our department has no objections to the minor variance as submitted given that the location of the dwelling has not changed in a way that would negatively impact the installation of the class 4 sewage system as approved.

Conclusion

Regional Growth Strategy and Economic Development staff offer no objection to the proposed minor variance application for increased lot coverage and reduction of the front yard setback to facilitate the construction of a new single-detached dwelling on the property from a Provincial or Regional perspective.

Should you have any questions regarding the above comments, please contact the undersigned at Katie.Young@niagararegion.ca. Please send notice of the Committee's decision on the application when available.

Kind regards,



Katie Young, MCIP, RPP
Senior Development Planner

cc: Devon Haluka, Private Sewage System Inspector