

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

August 2, 2024

Region File: PLMV202400797

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: A20-24-PC
Owners: Emily and Andrew Brondes
Agent: Isaac Adams
1628 Third Concession Road
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 1628 Third Concession Road in the City of Port Colborne.

The applicant is requesting permission to increase the height of an accessory structure on the property to 7.1 metres (m), whereas the City of Port Colborne Zoning By-law 6575/30/18 permits a maximum height of 6 m.

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 subject land is within the 'Rural Settlement Area' under the *Provincial Policy Statement, 2020* (PPS), designated 'Rural Settlements' within *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* (Growth Plan), and designated 'Rural Settlement of Bethel' in the *Niagara Official Plan, 2022* (NOP).

The PPS states that within rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. Consideration to rural characteristics, the scale of development, and the provision of appropriate service levels shall be considered when directing development to this area. The Growth Plan similarly notes that growth will be limited in rural settlements and municipalities are encouraged to plan for a variety of cultural and economic opportunities within rural settlements to serve the needs of rural residents and area businesses.

The NOP builds on the direction of the Provincial plans and notes that a limited amount of development will occur outside of urban areas to achieve the employment and population forecasts in Table 2-1. Rural Settlements are to be the focus of development outside of the urban area boundaries and should be planned to encourage residential infill development that builds on the rural character and characteristics of the surrounding area. There should be adequate amenities to serve the needs of rural residents, area businesses, and surrounding nearby agricultural community, active transportation infrastructure should be considered, increased resilience to climate change should be considered, and the Region's natural environment system should be protected. Furthermore, rural settlements will be serviced by sustainable private water and wastewater treatment systems.

The proposal involves the construction of an accessory structure in the footprint of a garage that was recently demolished. Subject to the below comments, staff offer no objection to the proposed Minor Variance for building height.

Natural Environment System

The subject property is impacted by the Region's Natural Environment System (NES), consisting of Other Wetland. Consistent with NOP Policy 3.1.9.7, new development or site alteration adjacent to a natural heritage feature or area generally requires an Environmental Impact Study to demonstrate that there will be no negative ecological or hydrological impact to the feature.

However, staff understand that the minor variance is required in support of building height and that the construction of a new accessory structure in the same footprint of a recently removed garage is underway. As such, in this instance, staff have no formal requirements for the application and offer no objection to the minor variance.

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. The subject land is mapped within Schedule K of the NOP as an area of archaeological potential.

Staff acknowledge that the accessory structure has been constructed and therefore disturbance has taken place. Accordingly, staff offer no archaeological assessment requirements. Staff advise that future *Planning Act* applications involving any development or site alteration on the property may require an archaeological assessment.

Private Sewage System

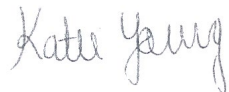
A permit was issued in 2024 for a class 4 sewage system to service the existing dwelling and accessory structure. The new sewage system has been installed, inspected, and is awaiting final approval. The floor plans for the accessory structure are consistent with what was approved for the septic permit. Therefore, our department has no objections to the proposed accessory structure given that it is consistent with what was approved for the septic permit.

Conclusion

Staff of the Growth Strategy and Economic Development Department offer no objection to the proposed minor variance application as it relates to height for an accessory structure. The City should be satisfied that all local provisions are met.

If you have any questions regarding the above comments, please contact the undersigned at Katie.Young@niagararegion.ca. Please send a copy of the staff report and 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
Adam Boudens, Senior Environmental Planner / Ecologist