

## **Planning and Development Services**

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7  
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### **Via Email Only**

September 9, 2022

Region File: D.18.07.ZA-22-0067  
D.11.07.SD-22-0034

David Schulz, BURPI, MCIP, RPP  
Senior Planner  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, ON, L3K 3C8

Dear Mr. Schulz:

**Re: Regional and Provincial Comments  
Proposed Draft Plan of Subdivision and Zoning By-law Amendment  
City File: ZBA D14-06-22 & DPS D12-01-22  
Applicant/Agent: Upper Canada Consultants  
Owner: 2600261 Ontario Inc.  
Northland Estates (south of Barrick Road and west of West Side Road)  
City of Port Colborne**

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Regional Planning and Development Services staff has reviewed the above-mentioned Draft Plan of Subdivision and Zoning By-law Amendment applications for Northland Estates, located south of Barrick Road and west of West Side Road in the City of Port Colborne. Regional staff received circulation of the applications from the City on August 16, 2022, with the associated review fees received August 19, 2022.

The Draft Plan of Subdivision application proposes to subdivide the property into 122 lots for single-detached dwelling units, 10 blocks for 50 street-townhouse dwelling units, 1 block for 50 mixed-use commercial and residential units, and a single block for a park, stormwater management facility, and environmental conservation, respectively. The concurrent Zoning By-law Amendment application is to permit and regulate the proposed land uses.

As discussed in the comments below, Regional staff are unable to support the proposed Draft Plan of Subdivision and Zoning By-law Amendment as an Environmental Impact Study ("EIS") Addendum is required to confirm the proposal will not have significant negative impacts on the Region's Core Natural Heritage System (refer to the "Natural Heritage" section).

A pre-consultation meeting was held with the Owner, Agent, and staff from the City and Region on May 27, 2021. The following preliminary comments are provided to assist the owner/agent in revising the submission materials in order to confirm consistency and conformity with Provincial and Regional policies.

## **Provincial and Regional Policies**

The subject lands are located within a 'Settlement Area' under the *Provincial Policy Statement, 2020* ("PPS") and within the 'Designated Greenfield Area' in *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* ("Growth Plan"), and designated 'Urban Greenfield Area' in the *Regional Official Plan* ("ROP").

The PPS directs growth to Settlement Areas, and encourages the efficient use of land, resources, infrastructure and public service facilities that are planned or available. The Growth Plan contains policies that encourage the development of Designated Greenfield Areas into complete communities, with a diverse mix of land uses and range of housing types, taking into account affordable housing and densities that meet the projected needs of current and future residents. The ROP permits a full range of residential and commercial uses generally within the Urban Area, subject to the availability of adequate municipal services and infrastructure. The policies promote higher density development in Urban Areas and support growth that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara. The Growth Plan and ROP directs that designated Greenfield Areas are to be planned to achieve a minimum density target of 50 people and jobs per hectare across all Greenfield Areas.

Staff has reviewed the submitted *Planning Justification Report*, prepared by Upper Canada Consultants (dated July 2022), which identifies that the proposal will yield a density of approximately 50.27 people and jobs per hectare (based on 222 units, a total developable area of 10.95 hectares, 2.28 persons per household as provided for in Table 4-1 of the ROP, and assuming 5% of the residential units would generate "at home" employment). This meets the minimum density target of 50 residents and jobs per hectare, and will contribute to meeting the overall density target for Greenfield Areas across the City of Port Colborne. Regional staff acknowledges that local compatibility considerations and interface with neighbouring land uses is a local planning matter to be addressed by City planning staff and Council.

## **Natural Heritage**

The subject property is impacted by the Region's Core Natural Heritage System ("CNHS") consisting of the Onondaga Escarpment Locally Significant Wetland ("LSW") Complex and Significant Woodland. As such, consistent with ROP Policy 7.B.1.11, an Environmental Impact Study ("EIS") is required in support of any development/site alteration to demonstrate that there will be no significant negative impact on the features

or their ecological or hydrological function. Staff has reviewed the *Environmental Impact Study*, prepared by Beacon Environmental Limited (dated July 2022), that was circulated with the application and offer the following comments.

The natural heritage features on the subject property were previously assessed by Groundwater Ecological Management Services ("GEMS"). GEMS confirmed the presence of both LSW and Significant Woodland and prepared a Constraints Summary Report, dated December 16, 2020. Prior to preparation of the Report, Regional Environmental Planning Staff staked the extent of the Significant Woodland boundary, in collaboration with environmental staff from GEMS, in August 2019. The extent of wetland was staked by the Niagara Peninsula Conservation Authority (NPCA) in collaboration with GEMS staff in August 2019 as well. Within the Constraints Summary Report, GEMS proposed a new Significant Woodland Boundary which differed significantly from the boundary approved by Regional staff. As such, within Regional e-mail correspondence with the planning consultant (Michael Sullivan, LandPro Planning Solutions) retained by the property owner, dated March 29, 2021, staff identified that any changes proposed to the originally approved Significant Woodland boundary required Regional approval, which would necessitate visiting the property again. The same e-mail correspondence also included direction to complete updated field surveys and identified additional items that would need to be addressed in the final EIS Report (attached).

Within the July 2022 EIS prepared by Beacon Environmental Limited, the presence of LSW and Significant Woodland are confirmed present on-site, however, Beacon refutes the agency approved boundaries of both features. Consistent with comments provided in the above-noted e-mail correspondence between the Region and the consultant retained by the property owner, staff are unable to move forward until Regional staff approve the new woodland boundary and NPCA staff approve the new wetland boundary. Further, staff note that not all of the field surveys were updated as outlined in previous correspondence, and as such updated amphibian, breeding bird, snake and turtle studies may be required. Staff are available to work with Beacon to determine an appropriate scope of work to address current deficiencies. The EIS also indicates that the findings of the monitoring with respect to endangered bats will be provided as an addendum to the EIS when completed. The results of updated field surveys and feature boundary revisions may have implications for the final approved extent of developable area on the subject lands.

Staff also reviewed the *Water Balance Study*, prepared by Terra-Dynamics Consulting Inc. (dated June 3, 2022) in support of the development and note that the water balance assessment appears to be based on a 30 m buffer from the mapped extent of LSW on the site. As the EIS has recommended a 15 m LSW buffer, the Water Balance Study should be updated to align with the buffer recommendations contained in the EIS.

At this time, Environmental Planning staff cannot recommend conditions of approval as additional information is requested to confirm that the proposal will not have significant

negative impacts to the CNHS. An EIS Addendum is requested to address the concerns summarized above.

Please note that the NPCA continues to be responsible for the review and comment on planning applications related to their regulated features. As such, the NPCA should be consulted with respect to the LSW and requirements under their Regulations.

Regional Environmental Planning staff look forward to working with the applicant and are available to meet to further discuss the above comments, if desired. Contact information for Regional Environmental Planning staff is included in the Conclusion.

## **Land Use Compatibility**

The PPS states that sensitive land uses (including residential) shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise, and other contaminants. A Noise Study was requested by Regional staff at the pre-consultation meeting to assess land use compatibility given the proximity of the subject lands to nearby commercial uses and Highway 58.

Regional staff has reviewed the *Environmental Noise Feasibility Study*, prepared by Valcoustics Canada Ltd. (dated July 20, 2022) submitted in support of the proposed development. The Noise Study was completed in order to assess on-site sound levels in accordance to the Ministry of the Environment, Conservation, and Parks ("MECP") NPC-300 Guidelines. A summary of the Noise Study, including the findings and recommended mitigation measures applicable to each identified noise source is provided for consideration below.

### **Transportation Noise Sources**

The subject lands are within close proximity to West Side Road (Highway 58), which generates road traffic. The Noise Study found that nearby transportation noise sources will exceed MECP NPC-300 thresholds and recommends that the following construction standards and site elements be used in order to achieve indoor and outdoor sound levels for the proposed development that meet NPC-300 Guidelines:

- Exterior wall construction with a Sound Transmission Class ("STC") rating of 54 and exterior windows with a STC rating of up to 28 are required to meet the indoor noise criteria for the dwellings on Lots 1 to 3;
- STC 37 exterior walls and exterior windows with a STC rating of up to 32 are required at the residential dwelling units in the mixed-use building;
- Exterior wall and window construction meeting the minimum non-acoustical requirements of the Ontario Building Code (OBC) will be sufficient at all remaining dwellings;

- Dwellings on Lots 1 to 3 and the mixed-use building require mandatory air conditioning to allow windows to remain closed for noise control purposes;
- Dwellings on Lots 7 to 25 and 75, 77 to 86 and in Blocks 127 and 128 require the provision for adding air conditioning; and
- A 1.8 m high sound barrier is required for the dwellings on Lots 20 to 25.

In addition, warning clauses are recommended to be registered on title and included in Offers of Purchase and Sale and Lease/Rental agreements in order to advise future occupants of potential noise exceedances.

### Stationary Noise Sources

The Noise Study assessed nearby existing commercial and institutional facilities, including Christian Life Assembly Church (484 Barrick Road) and the Port Colborne Mall (287 West Side Road). The only stationary noise source associated to the Church is the rooftop mechanical equipment, and given the distance separation (with a roadway and existing residential uses), no significant noise impact is expected. The stationary noise sources of significance is the Port Colborne Mall, specifically the rooftop mechanical equipment at the main building, truck movements on-site, vehicle repair activities at the Canadian Tire service area, forklift movements at the Canadian Tire, and the air pump at the Canadian Tire gas bar.

The Noise Study determined that noise generated from the Port Colborne Mall exceeds sound level limits that can feasibly meet NPC-300 Class 2 (an area with acoustical environment that has qualities representative of both Class 1 (urban area) and Class 3 (rural area)) receptor based standards for Lots 75, Lots 77-85, and Block 133 (mixed-use building).

In order to meet the Class 2 sound level limits, the Noise Study identifies that a sound barrier of up to 3.0 m in height along the west property line of the mall and a sound barrier of up to 6.5 m in height to screen the dwellings and mixed-use building on the north side of Northland Avenue would be required. The Noise Study acknowledges that constructing a sound barrier is not possible since the driveway access to both the Port Colborne Mall and the dwellings along Northland Avenue needs to be maintained. The Noise Study considers an alternative option to sound barriers, which includes at-source mitigation; however, the excess noise is primarily due to forklift movements at the Canadian Tire Garden Centre, as well as delivery truck activity (Lot 75). To meet the sound level limits, the forklifts would need to have their operations significantly restricted, which is not considered feasible for the business.

#### Class 4 Designation

The Noise Study recommends that portions of the development (Lot 75, Lots 77-85, and Block 133) be designated by the City as a Class 4 area to provide increased sound thresholds for stationary source noise impacts. The Noise Study outlines that the Class 4 area is necessary given that mitigation to meet the Class 2 area above is not feasible. The Study indicates there are no predicted excesses over the Class 4 guideline limits. The City (as the approval authority for these applications) is the decision maker as to whether or not to apply the Class 4 area designation in this instance.

With a Class 4 area, a warning clause is required to be registered on title to inform future occupants of the noise in accordance with MECP NPC-300.

#### **Archaeological Potential**

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

Based on the Ministry of Heritage, Sport, Tourism and Culture Industries' ("MHSTCI") Criteria for Evaluating Archaeological Potential, the subject property exhibits potential for the discovery of archaeological resources due to the presence of 2 registered archaeological sites within 300 metres (m) of the property and location along a historic transportation route (West Side Road).

A *Stage 2 Archaeological Assessment*, prepared by Detritus Consulting Ltd. (dated June 14, 2022) was submitted with the applications. The Stage 2 Archaeological Assessment identifies that at Stage 1 Background Study, prepared by Archaeological Assessments Ltd. was completed on June 14, 2011, which identified the potential for the recovery of pre-contact Aboriginal, post-contact Aboriginal, and Euro-Canadian material culture and recommended a Stage 2 assessment be completed.

The Stage 2 assessment was conducted on May 18, 2022 involving test pit surveys at 5 m internals of the subject lands and resulted in no identification and documentation of archaeological resources. The Stage 2 assessment recommended no further archaeological assessment of the Study Area. Regional staff require acknowledgement from the MHSTCI regarding the Stage 2 assessment.

Recognizing that no archaeological assessment, regardless of intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff recommends the inclusion of a standard warning clause, relating to deeply buried archaeological materials that may be encountered during grading and construction activities in the subdivision agreement.

## Technical Comments

### General Site Servicing

Regional staff note that servicing works will be under the jurisdiction of the City of Port Colborne and will require the construction of new water, sanitary, and stormwater infrastructure to service the proposed development. As a condition of Draft Plan Approval, the applicant is required to obtain the necessary Environmental Compliance Approval Certificates for the new municipal infrastructure from the MECP. Niagara Region will also require the future submission of a written undertaking and acknowledgement, as well as a clause in the future subdivision agreement, to acknowledge that servicing allocation for the subdivision will not be assigned until the plan has been registered.

### Regional Sewage Pumping Station

The proposed development is within the Steele Street Sewage Pumping Station (“SPS”) sewershed. This sewershed experiences significant Inflow/Infiltration and may have limited capacity. The Region will require a sanitary servicing report which outlines the timing/phasing of construction and the expected dry and wet weather sewage flows for the proposed development. Functional servicing report should review and provide comment on the Steel Street SPS with regard to the additional flow. The 2021 Master Servicing Plan information can be found using the following link:

<https://www.niagararegion.ca/projects/www-master-servicing-plan/default.aspx>

A detailed breakdown of the anticipated dry and wet weather flows/phasing and timing will be required to determine if there are any capacity constraints at the SPS. The flow of 255 L/c/day is to be used for these calculations.

### Stormwater Management

Regional staff reviewed the Stormwater Management (“SWM”) Plan included in the submitted *Functional Servicing Report*, prepared by Upper Canada Consultants (dated July 2022). The plan proposes water quality and quantity control be met through lot grading, roof leaders to ground, grassed swale at rear yard and a wet pond, and a new channel, i.e. an extension of the municipal drain through petition of drainage work, for an unimpeded discharge of the development stormwater across the adjacent private lands. The SWM strategy, in principle, is satisfactory to Regional staff. The following comments are offered in an effort to assist City staff with review of the future City storm infrastructure:

- a) Add a scenario of 24-hour storm in the model analysis to ensure the pond is sufficient sized;
- b) Add the pond forebay length in Table 8 to compare with the requirements;

- c) Clarify the required erosion control, i.e. 25mm storm runoff be captured and released over a period of 24 hours, is met;
- d) Consideration be given to measures to mitigate thermal impact due to 1 meter permanent pool and prevent from water leakage through rock crack, if necessary; and
- e) Stress test of climate change in channel design may be considered at the discretion of City.

### Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Corporate Waste Collection Policy. The proposed residential lots are eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following curbside limits are met:

Single-detached and Townhomes:

- Recycling: Unlimited Blue/Grey Boxes, Collected Weekly;
- Organics: Unlimited Green Bins, Collected Weekly; and,
- Garbage: 2 Garbage Bags/Cans, Collected Bi-Weekly.

The Draft Plan of Subdivision was reviewed for potential Regional curbside waste collection services to be provided throughout the entirety of the proposed development. Regional staff acknowledge that the single-detached lots and townhomes proposed along the future municipal streets will be eligible for Regional curbside waste collection services. Please note that if the development is to be phased, in order to facilitate Regional curbside waste collection services, the owner will be required to submit a revised draft plan showing a temporary turn-around/cul-de-sac with a minimum curb radius of 12.8 metres for all dead-end streets.

Regional staff note that waste collection services for the mixed-use condominium block will be the responsibility of the owner through a private waste collection contractor as it would not be eligible for on-site Regional waste collection.

Regional staff note that in order for Regional waste collection services to be provided, the developer/owner shall comply with Niagara Region's Corporate Waste Collection Policy and complete the Application for Commencement of Collection. The required forms and policy can be found at the following link: [www.niagararegion.ca/waste](http://www.niagararegion.ca/waste)

### **Conclusion**

At this time, Regional Planning and Development Services staff do not consider the proposed Draft Plan of Subdivision and Zoning By-law Amendment applications to be consistent with the PPS, or conform to the Growth Plan and ROP as an EIS Addendum



is required to confirm the proposal will not have significant negative impacts on the Region's Core Natural Heritage System. The requested EIS Addendum will impact the Draft Plan and updated studies (Planning Justification Report, Noise Study, Servicing Reports, Stormwater Management Plan) will be required to support a revised proposal.

Should you have any questions, please contact the undersigned or Diana Morreale, Director of Development Approvals at [Diana.Morreale@niagararegion.ca](mailto:Diana.Morreale@niagararegion.ca).

For questions related to the Natural Heritage comments, please contact Adam Boudens, Senior Environmental Planner at [Adam.Boudens@niagararegion.ca](mailto:Adam.Boudens@niagararegion.ca) or Cara Lampman, Manager of Environmental Planning at [Cara.Lampman@niagararegion.ca](mailto:Cara.Lampman@niagararegion.ca)

Kind regards,



Katie Young  
Development Planner

CC: Aimee Alderman, MCIP, RPP, Senior Development Planner  
Diana Morreale, MCIP, RPP, Director of Development Approvals  
Adam Boudens, Senior Environmental Planner  
Cara Lampman, Manager of Environmental Planning  
Susan Dunsmore, P.Eng, Manager of Development Engineering  
Maggie Ding, P.Eng, Stormwater Management Engineer

**From:** [Boudens, Adam](#)  
**To:** [Mike Sullivan](#); [Lampman, Cara](#)  
**Cc:** [Karlewicz, Lori](#); [Tristan Knight](#); [Fricke, Britney](#); [Jessica Abrahamse](#)  
**Subject:** RE: Northlands Ave Subdivision - Port Colborne  
**Date:** Monday, March 29, 2021 12:11:00 PM

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Hi Mike,

Regional Environmental Planning staff have reviewed the Constraints Summary Report, prepared by Groundwater Environmental Management Services (GEMS) (revised date December 16, 2020) that was completed for the Northlands Development in the City of Port Colborne. Based on our review of the Report and discussions from the meeting that took place on January 29<sup>th</sup>, 2021, staff provide the following comments for your consideration:

- The majority of field surveys were completed in 2013, which is beyond the standard shelf life of 5 years typical of environmental field work. As such, staff request that the following surveys be updated:
  - Amphibians;
  - Bats;
  - Botanical Inventories;
  - Breeding Birds;
  - Reptiles; and,
  - Turtles.

Should your environmental consultant be of the opinion that one or more of these surveys should not be included within the Environmental Impact Study (EIS) scope; Regional staff may entertain a reduced scope if sufficient information is provided. To ensure that the scope of work is agreed upon by all parties/agencies, staff request that a revised Terms of Reference (TOR) be prepared for Regional review and approval.

- A water balance will be required to demonstrate no hydrologic impacts to the wetlands on the subject lands. The final EIS should describe the pre- and post-development surface water drainage patterns and assess impacts to the wetlands.
- Section 3.1 of the Constraints Summary Report indicates that Regional Staff participated in staking the boundary of the wetland. Staff note that Regional staff did not participate in the wetland staking exercise and as such request that this be reflected in all future Reports/Studies.
- Any changes proposed to the Significant Woodland boundary that was staked by Regional staff on August 7, 2019 requires Regional approval. Please contact a

member of the Environmental Planning team to coordinate a site visit if changes are proposed.

- The future Tree Saving Plan (TSP) required for this application should identify all trees that are 10 cm diameter at breast height (DBH) or larger. The Constraints Summary Report indicates that only trees above 20 cm DBH were tagged to date.
- The Constraints Summary Report indicates that the woodland proposed to be removed measures approximately 4.17 ha. Staff note that the final Environmental Impact Study (EIS) will need to clearly demonstrate how the test of no negative impact will be achieved. As such, staff encourage the applicant to explore all opportunities to preserve vegetation on the subject lands to the extent possible.

Please do not hesitate to contact me if you have any questions or require additional information.

Kind regards,

Adam

**Adam Boudens**

Senior Environmental Planner/Ecologist

Planning and Development Services, Niagara Region

1815 Sir Isaac Brock Way, P.O. Box 1042

Thorold, ON L2V 4T7

Phone: **905-980-6000 ext. 3770** Toll-free: 1-800-263-7215

[Adam.Boudens@niagararegion.ca](mailto:Adam.Boudens@niagararegion.ca)

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**From:** Mike Sullivan

**Sent:** Wednesday, March 24, 2021 1:49 PM

**To:** Boudens, Adam ; Lampman, Cara

**Cc:** Karlewicz, Lori ; Tristan Knight

**Subject:** Northlands Ave Subdivision - Port Colborne

**CAUTION:** This email originated from outside of the Niagara Region email system. Use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Earlier this week we received NPCA comments on the ECA for this development. Would you please advise when we will receive comments from the Region on same.

Thank you,

Mike

Michael Sullivan, RPP, MCIP, EP

President | Principal Planner

# Ministry of Transportation Comments

**David Schulz**

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**From:** Lagakos, Ted (MTO) <Ted.Lagakos@ontario.ca>  
**Sent:** August 18, 2022 10:03 AM  
**To:** David Schulz  
**Cc:** Deluca, Peter (MTO); Nunes, Paul (MTO); Aurini, Shawn (MTO); MacLean, Alex (MTO)  
**Subject:** RE: Port Colborne - DPS D12-01-22 & ZBA D14-06-22 - Circulation - Northland Estates

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Morning David,

Thank you for bringing this site to our attention. The following is the ministry's comments on the subject applications.

## General Comments

We have no objection in principle with the proposed applications.

Subject lands are located within the ministry's permit control limits (extends up to 800m from MTO property); hence, MTO permits will be required (e.g. grading/servicing, building and land use, etc..). Please be aware that ministry permits will need to be secured prior to the commencement of any on-site works.

All above and below ground structures (including but not limited to, frontage roads, fire routes, stormwater management facilities [ponds/drainage channels], sidewalks, retaining walls and servicing/utilities) must be setback a minimum of 14.0m from all future ministry property limits (See "Subdivision Comments" for new ministry property limits/setback requirements). Please ensure that the ministry's setback requirements are stipulated in the zoning by-law.

Noise attenuation features (e.g. earth berms) must be contained within the subject lands and setback a minimum of 0.3m from all ministry property limits.

Encroachment onto the highway right-of-way will not be permitted.

Ministry does not permit any lighting trespass onto our right-of-way.

Direct access to ministry lands will not be permitted. All access to the subject site will be via the internal municipal road system.

## MTO Conditions of Approval

Please include the following Conditions:

1. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a stormwater management report indicating the intended treatment of the calculated runoff.
2. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, detailed grading, servicing, survey and internal road construction plans.
3. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a traffic impact study to assess the impacts on Highway 58 and identify any related highway improvements.

## General Notes

1. Stormwater Management Reports must adhere to accepted ministry policies/standards and must be signed and stamped by the Drainage Engineer.
2. Traffic Impact Studies must adhere to accepted Ministry practices/standards and must encompass the full build-out of the entire development (e.g. all phases if any).
3. Any identified highway improvements will require the owner to enter into a legal agreement with Ministry of Transportation whereby the owner agrees to assume financial responsibility for all necessary associated highway improvements.

The following will be required under the **Notes to Approval:**

1. Clearance of Conditions

The contact for all Ministry conditions of approval, including the submission and approval of all required reports, plans and agreements, etc. is:

Mr. Ted Lagakos  
Senior Project Manager  
Highway Corridor Management Section – Central Operations  
Ministry of Transportation  
7<sup>th</sup> Floor, Building D, 159 Sir William Hearst Downsview,  
ON, M3M 0B7  
Phone No: (416) 268-3932  
Email: [ted.lagakos@ontario.ca](mailto:ted.lagakos@ontario.ca)

All ministry submissions should be provided in electronic form.

Please make the applicant aware that the Ministry does not clear individual conditions. The ministry issues a single "Clearance Letter" once all plan conditions have been addressed to our satisfaction.

Ministry draft plan comments may need to be updated/revised if the applicant delays securing ministry clearances and/or ministry priorities change.

## 2. MTO Permits

Ministry Building and Land Use permits will be required for individual building lots within 395 m from the centre point of Northland Ave/Highway 58 and Barrick Road/Highway 58 and 45 m from all ministry property limits.

Ministry permits are required prior to any on site grading being undertaken.

Sign permits are required for signing within 400m of the Highway 58.

Permit inquiries can be directed to Mr. Peter Deluca, Corridor Management Officer, at (647) 248-8548 or [peter.deluca@ontario.ca](mailto:peter.deluca@ontario.ca)

Information regarding the ministry's application process, forms and the policy (see specifically Highway Access Management Guidelines and Storm Water Management resources) can be found at the link:

<http://www.mto.gov.on.ca/english/engineering/management/corridor/building.shtml>

I trust that this is satisfactory. We would appreciate receiving a copy of the City's decisions on these applications. Note that review of any technical submissions will not commence until the ministry receives confirmation that the above MTO draft plan conditions/requirements and notes have been accepted by the City.

Please do not hesitate to contact me if you have any questions.

Take care,

Ted Lagakos  
Senior Project Manager (Niagara/Hamilton)  
Highway Corridor Management Section - Central Operations

Ministry of Transportation  
159 Sir William Hearst Avenue, 7<sup>th</sup> Floor  
Toronto, ON M3M 0B7

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Web: [www.mto.gov.on.ca/english/engineering/management/corridor](http://www.mto.gov.on.ca/english/engineering/management/corridor)