

July 31, 2019

Our File No.: PLMV201900574

BY E-MAIL ONLY

Town of Pelham  
P.O. Box 400, 20 Pelham Town Square  
Fonthill, ON L0S 1E0

Attention: Nancy Bozzato, Town Clerk / Secretary-Treasurer

**Subject: Application for Minor Variance, (A21/2019)**  
CON 14 PT LOT 11  
594 River Road Pelham ON L3B5N6

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Further to our review of this file, the following is offered for your information.

This application has been made to vary several of the Town's existing zoning by-law provisions to permit the construction of an accessory building (detached garage) at the above noted property.

The subject property backs on to the Welland River. NPCA mapping indicates the property is impacted by a steep slope and flood hazard associated with this section of the River. As such, development of this property will be subject to the NPCA's current Regulations and Land Use Policies. The comments below are offered in that context.

In accordance with NPCA policies, no new development or site alterations are permitted within a flood hazard. The floodplain elevation at this property is 174.81m. After reviewing our mapping, the proposed site plan and confirming the location of the garage during a site visit by NPCA staff, the location of the proposed works appear to not be impacted by the floodplain hazard.

During a recent site visit by NPCA staff, it was also confirmed that the topography of the property is such that the lands can be defined as a potential hazard land versus a regulated valley slope. This is because the angle of the slope is less than 3(h):1(v). Authority objectives when reviewing applications and proposals on lots adjacent to steeper slopes would pertain to minimizing soil erosion and sedimentation, protecting life and property from the potential for slope stability problems, and ensuring that the natural integrity of the valley slope is maintained over the long term.

In light of the above, the NPCA's Hazard Land policies apply to this proposal. These policies require that a Geotechnical Engineer confirm the proposed activities will not have any impact on the stability of the existing slope over the long term. It must be demonstrated that all hazards and risks associated with the site have been addressed to the satisfaction of the Geotechnical Engineer and the NPCA prior to the NPCA supporting development. As this information was not provided with this application, **this is required prior to the NPCA supporting this application.**

NPCA Hazard Land Policies are also consistent with Section 3.1, *Natural Hazards* of the Provincial Policy Statement of which the NPCA also has a responsibility to provide comments on with respect to the review of Planning Applications. Specifically, Section 3.1.7 permits development on a hazardous site where it is demonstrated that the effects and risk to public safety are minor and could be mitigated.

Given that the recommendations/findings of the Geotechnical Study have the potential to change or alter the proposed plans which may change the scope of this application, the NPCA recommends that this **application be deferred** until such time that a Geotechnical Study has been reviewed and approved by the NPCA.

Lastly, as the proposed works fall within the NPCA's regulated lands, a Work Permit from this office will be required prior to the issuance of any building permits from the Town.

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter.

Yours truly,

A handwritten signature in dark ink, appearing to read "S. Mastroianni". The signature is fluid and cursive, with a large initial "S" and a stylized "M".

Sarah Mastroianni,  
Watershed Planner  
(905) 788-3135, ext. 249

cc: Curtis Thompson, Planner, Town of Pelham  
Amy Parks, Regulations Officer, NPCA