
VIA E-MAIL ONLY

July 9, 2020

Sarah Leach, BA.

Administrative Assistant to the Clerk

Administration Services

20 Pelham Town Square, P. O. Box 400

Fonthill, Ontario L0S 1E0

Submission for Minor Variance Application

Location: 1328 Effingham Street

In the Town of Pelham

Our File: MV-20-0019

Regional Planning and Development Services staff have completed a review of the provided materials which were provided as part of an application for a minor variance at 1328 Effingham Street in the Town of Pelham.

The above-noted documents were received by Regional staff on June 19, 2020. The submitted Minor Variance application is proposing to replace and construct a new garage, having the same set back as the existing from: Section 7.4(f) "Minimum Side Yard" to permit a minimum side yard of 0.6 metres whereas the by-law requires 9.0 metres. The following comments are provided from a Regional and Provincial perspective based on the information submitted in order to assist the Town in reviewing the application.

Archaeological Potential

The Provincial Policy Statement (PPS) and Regional Official Plan (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 (including the construction of buildings and structures requiring approval under the *Planning Act*) and site alteration (activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of the site) are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved.

The property has high archaeological potential, as a result of proximity to a watercourse that runs along the west property line; however, this potential is void as a result of the disturbance from the existing garage in the same location as the proposed accessory structure. Although Regional staff do not require the completion of an archaeological

assessment, Regional staff have included a standard warning clause included in the appendix.

Private Sewage System

Private Sewage System inspection staff have reviewed the application to replace an existing one storey garage into a two storey garage. The proposed garage will not encroach on the existing sewage system which is located in the south west corner of the dwelling and was approved by the Regional Public Health Department in 1989. Please note, the second storey of the garage cannot contain any living space, bedrooms or plumbing fixtures as this would increase sewage flows and would require a new sewage system to be installed meeting current building code requirements.

Therefore, we would have no objections to the application provided the garage does not contain any living space, bedrooms or plumbing fixtures.

CONCLUSION

Based on the analysis and comments above, Regional staff offers no objection to the application, subject to the Conditions outlined in the Appendix.

If you have any questions or wish to discuss these comments please contact the undersigned at extension 3345, or Susan Dunsmore, Manager Development Engineering, at extension 3661.

Best Regards,



Matteo Ramundo
Development Approvals Technician
Niagara Region

Attention: Appendix- Regional Conditions for Site Plan Approval

cc. Britney Fricke, Senior Development Planner, Niagara Region
Susan Dunsmore, Manager Development Engineer, Niagara Region

APPENDIX
Regional Conditions for Minor Variance
1121 Effingham Street, Town of Pelham

1. Should deeply buried archaeological remains/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, the Archaeology Programs Unit of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-212-8886) must be notified 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. 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, the Ministry of Heritage, Sport, Tourism and Culture Industries 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.