

VIA E-MAIL ONLY

July 27, 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: 590 Canboro Road  
In the Town of Pelham

Our File: MV-20-0027

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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 590 Canboro Road in the Town of Pelham.

The above-noted documents were received by Regional staff on July 15, 2020. The submitted Minor Variance application is proposing the construction of an addition to the dwelling. The application was made to recognize the current side yard setback distance of 2.43 metres and for relief from: Section 7.4(e) "Minimum Exterior Side Yard" to permit a minimum exterior side yard of 3.85 metres whereas the bylaw requires 8 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 was identified at a pre-consultation meeting as having high archaeological potential based on the Ministry of Heritage, Sport, Tourism and Culture Industries' (MHSTCI) Criteria for Evaluating Archaeological Potential due to proximity (within 300m) to several watercourses to the west, south and east. As the Town has an approved Heritage Master

Plan, Regional staff defer to the Town on any requirements for 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 construct an 86 sq meter addition (Car port with dwelling above) with a covered porch on the existing property. No records were found for the existing sewage system on the property however a tank replacement was completed in 2018 and approved by this department. No visible defects were noted with the sewage system at the time of our inspection. The proposed addition would require a new sewage system to be installed on the property meeting building code requirements.

Please note, our department cannot approve of the covered porch as it is being proposed over the septic tank. The tank must be 1.5 m from any structure and no structure shall be built over the tank.

Regional staff have included conditions for the minor variance in the appendix to address these comments.

## **Conclusion**

Based on the analysis and comments above, Regional staff offers no objections to the proposed addition provided a new sewage system is installed to accommodate the increased flows for the site and future plans address the need for separation between the covered porch and the septic tank to comply with the Ontario building code requirements.

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  
Caitlin Goodale, Private Sewage System Inspector, Niagara Region

**APPENDIX**  
**Regional Conditions for Minor Variance**  
**590 Canboro Road, Town of Pelham**

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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.
2. That prior to the issuance of a building permit the owner shall apply to the Niagara Region's Planning and Development Services Department for a private sewage system permit.
3. That the owner agrees to move the proposed septic system or covered porch in order to meet the requirements of the Ontario Building Code.