



# The Town of Niagara-On-The-Lake

Department of Community  
& Development Services  
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1593 Four Mile Creek Road  
P.O. Box 100  
Virgil, Ontario  
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**Report:** CDS-18-019 **Committee Date:** April 09, 2018

**Due in Council:** April 16, 2018

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**Report To:** Community & Development Advisory Committee  
**Subject:** 421 Johnson Street - Request for Sanitary Allocation

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## 1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 the request for sanitary allocation for one new dwelling unit at 421 Johnson Street be approved.

## 2. PURPOSE / PROPOSAL

The purpose of this report is to review a request for sanitary allocation, submitted by the agent for the property owner, which is a condition of consent for the creation of one new lot for single-detached dwelling use at 421 Johnson Street. Given the restrictions related to sanitary capacity for Old Town and Virgil, Town Staff recently completed a review of the remaining sanitary capacity in these two urban areas with the existing sewage treatment plant.

## 3. BACKGROUND

An application for Zoning By-law Amendment with respect to the lands to facilitate the development of a new parcel for the construction of a single-detached dwelling was approved on July 17, 2017. Subsequently, an application for consent (B-30/17) to create one new lot for residential use was granted provisional approval at the Committee of Adjustment hearing on October 19, 2017. One of the conditions of approval requires that permission be obtained to connect to the municipal sanitary system, including confirmation from Council that capacity is allocated for the new lot. In order to fulfill this condition of consent, the property owner has now put forward a request to Council for sanitary allocation. The request was submitted in the form of a letter, attached as **Appendix A** to this report.

Staff are not aware of a firm date for operation of the new wastewater treatment plant, and accordingly are limited to evaluating the capacity of the existing plant for the purposes of determining available capacity for new development.

#### **4. DISCUSSION / ANALYSIS**

Staff recently completed a review of the most recent Regional report on reserve sanitary servicing capacity and an analysis of all unbuilt approved and draft-approved residential development in Old Town and Virgil. Through the review, it was estimated that there is remaining available capacity for 18 residential dwelling units. Capacity has since been granted to one of the available residential dwelling units. As such, Staff estimate that capacity remains for approximately 17 residential dwelling units. This amount represents less than 5% of the available capacity in the existing plant, and accordingly is consistent with section 4.6 of Town Policy CC-GEN-006A, "Allocation of Wastewater Servicing Policy", which reserves up to 5% of available capacity for "specific development projects considered to be in the broader interests of the overall community", including infill development.

Staff note that there is an additional request for sanitary allocation being considered as part of this agenda for 723 King Street. If both the request for servicing allocation at 421 Johnson Street and the request for servicing allocation at 723 King Street are granted approval, there would be remaining capacity for 15 dwelling units.

#### **5. STRATEGIC PLAN**

Not applicable.

#### **6. OPTIONS**

Not applicable.

#### **7. FINANCIAL IMPLICATIONS**

There are no added costs to the Town as a result of this approval for sanitary allocation. The applicant is responsible for all costs associated with connecting to the sanitary sewer system.

#### **8. COMMUNICATIONS**

Staff will continue to monitor residential development in the Virgil and Old Town urban areas to ensure that the remaining available capacity is not surpassed prior to the new wastewater treatment plant coming online. This threshold is subject to change depending on the timing of specific developments and whether any fail to secure final approval.

#### **9. CONCLUSION**

Staff estimate that there is sufficient reserve capacity for the new lot (one new dwelling unit) at 421 Johnson Street. Staff recommend that Council approve the request for sanitary allocation.

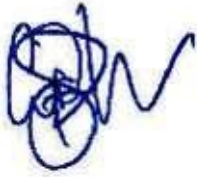
Respectfully submitted,



**Liam Murphy**  
Student Planner



**Eric Withers, MCIP, RPP**  
Manager of Planning (A)



**Craig Larmour**  
Director of Community  
& Development Services



**Holly Dowd**  
Chief Administrative Officer

ATTACHMENTS



Appendix A - Request for Sanitary Allocation.pdf

WEB ATTACHMENTS

ATTACHMENTS FOR LINK

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First Capital of Upper Canada - 1792



**SUSAN WHEELER + ASSOCIATES**  
Urban Planning Consultants

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March 8, 2018

Town of Niagara-on-the-Lake  
1593 Creek Road  
P.O.Box 100  
Virgil, ON  
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Attention: Mrs. Denise Horne

**421 Johnson Street**  
**Part of Lots 87 & 88, Registered Plan TP-86**  
**Town of Niagara-on-the-lake**  
**Request for Waste Water Allocation**

Dear Denise,

The above mentioned property was granted three consents on October 25, 2018. Two of the three consents, file number B-28/17 and B-29/17, related to additional lands to be purchased by the adjoining homeowner to augment the frontage of his property by 10.157m and to 'break the consent' previously granted to create the lot at 435 Johnson Street in the late 1980's.

The third consent created a new lot fronting on Newark Street for a single family dwelling unit (Part 4 on the Plan of Survey).

The lot at 435 Johnson Street is fully serviced and no new development is proposed on the additional lands acquired through consent and as a result no wastewater allocation is required.

The newly created lot, Part 4, is an infill lot and requires Council approval for wastewater allocation.

One of the Conditions of Final Approval of the consent requires the Owner to obtain permission for Part 4 to connect to the municipal sanitary system including confirmation from Council that capacity is available.

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It is understood that there are a limited number of allocations granted each year to accommodate infill development. It is respectfully requested that allocation of available capacity be granted to service the new lot known as Part 4 in accordance with Town policy.

Yours Sincerely,

A handwritten signature in cursive script that reads "Susan Wheeler".

Susan Wheeler, RPP, Principal  
Susan Wheeler & Associates