



FULTON RURAL EMPLOYMENT LANDS CONSTRAINTS REPORT

REVISED FINAL VERSION 2 – DECEMBER 2025





Table of Contents

1	Introduction	1
1.1	Purpose	1
1.2	Timeline.....	2
2	Provincial Direction on Natural Heritage	3
2.1	Provincial Planning Statement, 2024	3
2.1.1	Provincially Significant Wetlands (PSW)	3
2.1.2	Habitat of Endangered and Threatened Species.....	4
3	Official Plan Policies	8
3.1	Hamlet Settlement Area.....	8
3.2	Natural Heritage System.....	9
3.2.1	Core Natural Heritage System Policies	10
3.2.2	Environmental Protection Area (EPA) Policies	11
3.2.3	Environmental Impact Study (EIS) Requirements	12
4	Niagara Peninsula Conservation Authority	14
4.1	Niagara Peninsula Conservation Authority Regulation Limit and Constraints.....	14
4.1.1	Regulated Areas	15
4.1.2	Development Constraints and Requirements.....	15
4.2	NPCA Permit Application Process	16
4.3	Development Implications	16
5	Zoning	17
5.1	Zoning By-law.....	17
5.2	Existing Zoning Constraints.....	18
5.3	Development Implications	18
6	Constraints Mapping	19
6.1	Implications of Watercourse.....	21
7	Conclusion	21

Table of Figures

Figure 1-1: Study Area	1
Figure 1-2: Extract from Township of West Lincoln Official Plan Schedule 'D-2' Hamlet Boundaries	2
Figure 2-1: Extent of Wetlands in Study Area. Source: Ontario GeoHub / MNR	4
Figure 2-2: Study Area within NHIC 1km Grid	5
Figure 2-3: Study Area showing area considered by the third-party Evaluation Report in pink	7
Figure 3-1: Extract from Township of West Lincoln Official Plan Schedule 'C-1' Natural Heritage System. The Study Area is shown in orange outline. ...	9
Figure 3-2: Extract from Township of West Lincoln Official Plan Schedule 'C-2' Natural Heritage System – Environmental Protection Area. The Study Area is shown in orange outline.	9
Figure 3-3: Township of West Lincoln Official Plan Table 10-1: Core Natural Heritage System Components Adjacent Lands	11
Figure 4-1: Study Area and NPCA Regulation Limit	14
Figure 5-1: West Lincoln Zoning Map: Study Area	17
Figure 6-1: Constraints map showing developable lands within the Study Area	19

1 Introduction

1.1 Purpose

The Township of West Lincoln has retained WSP to prepare a Land Use Plan and accompanying reports for lands in the Hamlet of Fulton known as the Fulton Hamlet Rural Employment Study Area (the “Study Area”). The Study Area was added to the West Lincoln settlement area boundary through the Region of Niagara Official Plan (ROP) and Township Official Plan Amendment No. 62 (OPA 62). The project will deliver an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBLA) to establish land use designations, policies and zoning regulations for a designated Rural Employment Area on the subject lands.

This Constraints Report was undertaken to support analysis of the development feasibility of the Study Area. The Study Area refers to the lands within the Fulton Hamlet Settlement Area located West of South Grimsby Road 18, East of South Grimsby Road 19 and North of Highway 20 (Figure 1-1). Constraints are factors that may limit the development potential of the Study Area.

The purpose of this report is to provide a balanced assessment of constraints to help inform land use decisions of all stakeholders involved in this project. To do so, this report establishes a baseline understanding of the Study Area’s existing conditions, including natural heritage features and related policies. This report then identifies ecological and hydrological constraints relevant to the proposed vision for the Study Area. It concludes with a constraints map and analysis of the Study Area that summarizes findings related to development potential.



Figure 1-1: Study Area

1.2 Timeline

On July 18th, 2022, OPA 62 was adopted by the Council of the Township of West Lincoln. The changes introduced in OPA 62 incorporate updated population and employment growth forecasts to 2051 in order to conform with the Region of Niagara's Official Plan. OPA 62 adds additional lands to the hamlet boundaries of Fulton and changes the land use designation on those lands from 'Good General Agricultural Area' to 'Hamlet Settlement Area (Figure 1-2). This change corresponds to the boundaries identified within the Niagara Region Official Plan.

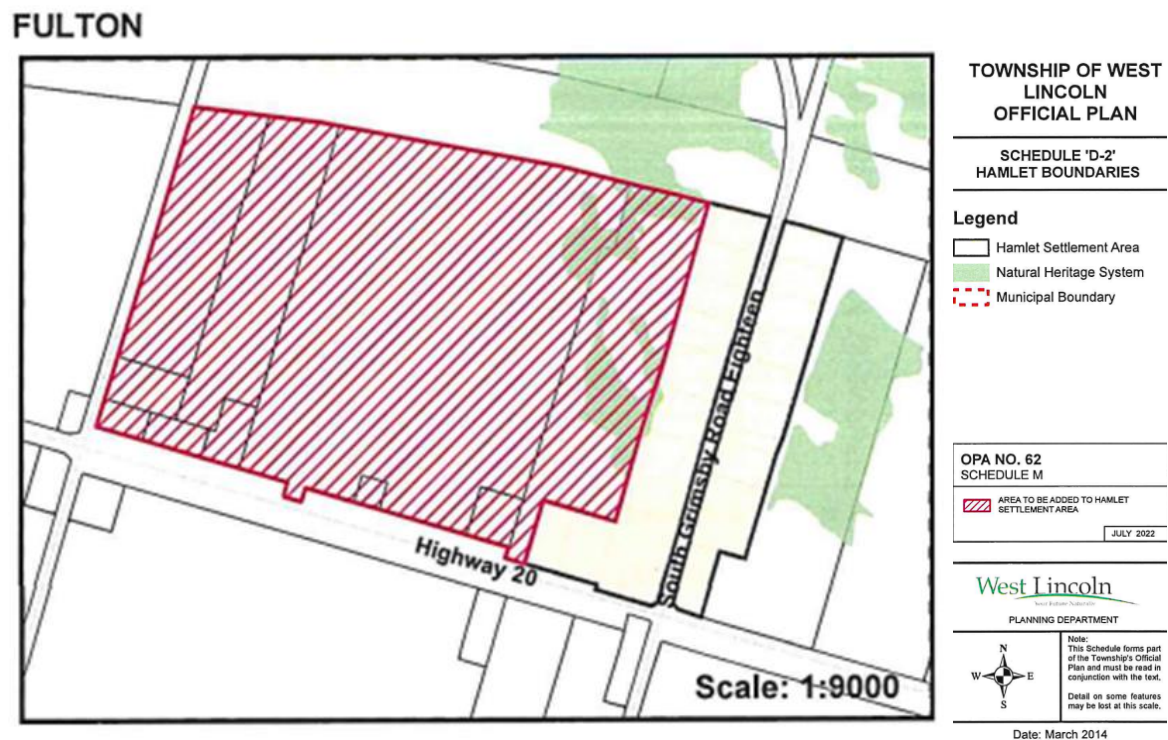


Figure 1-2: Extract from Township of West Lincoln Official Plan Schedule 'D-2' Hamlet Boundaries

At the end of 2024 the Township retained WSP to undertake a planning study to prepare a land use plan and zoning by-law amendment to provide policies and zoning regulations for the use of the subject lands for Rural Employment. The scope of work includes public consultation, identification of development constraints and stakeholder engagement. This Constraints Report reviews policy direction on Natural Heritage Systems and features. It uses this policy analysis to identify lands that are not appropriate for development within the Study Area as well as areas that require further study or review before development may be permitted. The Constraints Report should be read in conjunction with the Background Report which provides a broader summary of all the relevant policy direction for the Study Area. The finalization of these two reports represents the conclusion of Phase 1 of the planning study before the preparation of more detailed technical analyses.

2 Provincial Direction on Natural Heritage

2.1 Provincial Planning Statement, 2024

Under Section 3 of the Planning Act, all planning decisions must be consistent with the Provincial Planning Statement, 2024 (The “PPS”). The PPS provides policy direction on matters of provincial interest related to land use planning and development in Ontario including growth management, protection of natural heritage features and areas, areas of employment, and land use compatibility.

Chapter 4.1 of the PPS addresses natural heritage features such as significant wetlands, fish habitat, significant woodlands, significant valleylands, habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest.

Policy 4.1.2 highlights the importance of maintaining, restoring, or, where possible, improving the diversity and connectivity of natural features within a given area. The PPS also mentions the need to protect the long-term ecological function and biodiversity of natural heritage systems, acknowledging the essential linkages between natural heritage features, surface water, and groundwater features.

2.1.1 Provincially Significant Wetlands (PSW)

Policy 4.1.4 of the PPS prohibits any development and site alteration in significant wetlands in Ecoregions 5E, 6E and 7E, which cover Southern Ontario. North of these Ecoregions, policy 4.1.5 prohibits development and site alteration in significant wetlands unless it can be “demonstrated that there will be no negative impacts on the natural features or their ecological functions.”

The Study Area is located in Ecoregion 7E. Therefore, PPS policy 4.1.4 effectively provides a complete prohibition on any development in significant wetlands within the Study Area. Significant wetlands are mapped and identified by the Ministry of Natural Resources (MNR) using the Ontario Wetland Evaluation System (OWES). As shown in Figure 2-1, the northeast portion of the Study Area contains a Provincially Significant Wetland (PSW). This provincial designation is also reflected in the Region’s natural heritage mapping, and in the Town’s Official Plan which designates these lands as “Environmental Protection Area”.

Policy 4.1.8 of the PPS prohibits development and site alteration on adjacent lands to natural heritage features such as significant wetlands. This policy is implemented through policies in the local Official Plan that defined requirements for Environmental Impact Studies (EIS) as well as specific buffer distances.

Ontario Wetland Evaluation System

MNR develops and maintains the manual that guides the evaluation of wetlands in the province. The OWES provides criteria that must be used, and it is the only means of determining whether a wetland is provincially significant. A wetland evaluation “must be carried out only by persons

who have been approved by the Ministry of Natural Resources as having the necessary qualifications...”¹ Wetlands are evaluated for both their biological and hydrological features, as well as their human utility and their capacity to provide benefits to people (e.g., flood attenuation, recreation, improvement of water quality, etc.)

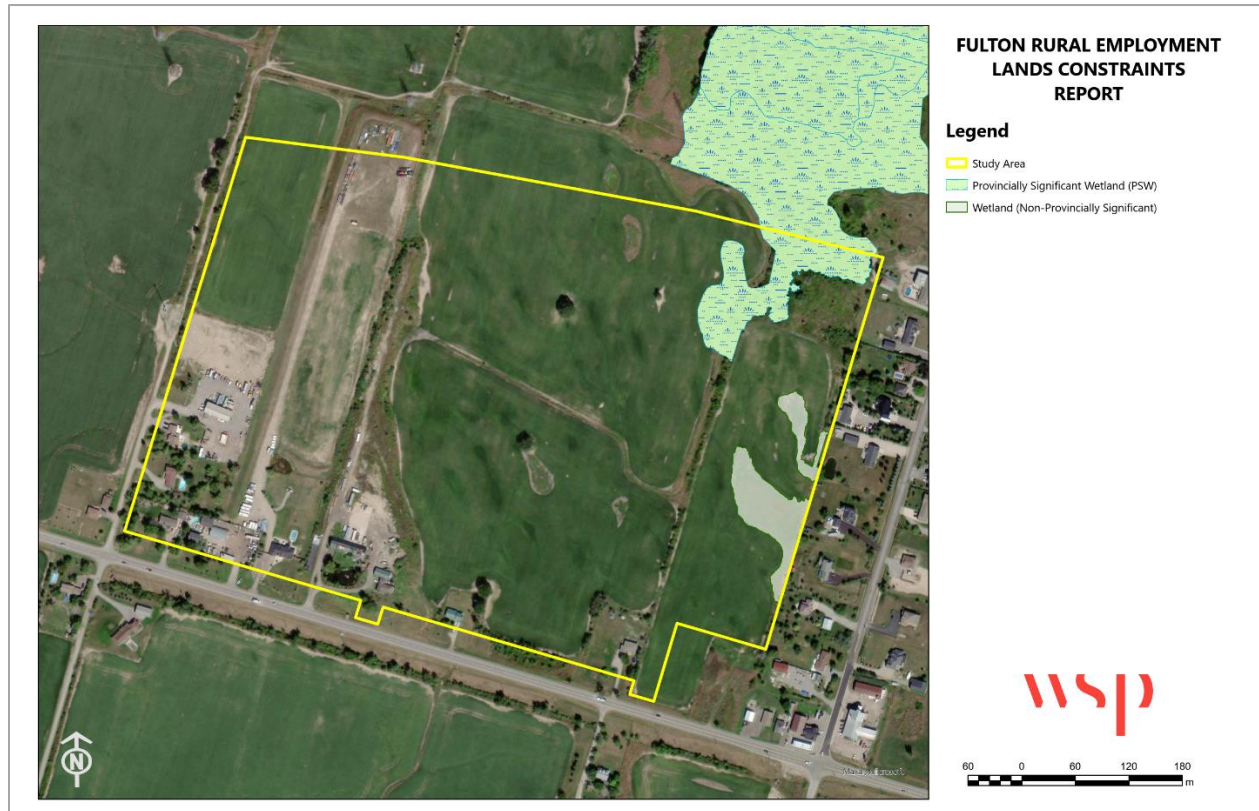


Figure 2-1: Extent of Wetlands in Study Area. Source: Ontario GeoHub / MNR

A wetland that has been deemed provincially significant will retain its status until a re-evaluation occurs.² While a re-evaluation is necessary to change the status of a wetlands (i.e., significant or not), the OWES recognizes that wetlands are dynamic natural systems and boundaries may change over time. Mapping updates can be undertaken when new information becomes available or if the extent of the wetland changes.³ These updates can be done without undertaking a re-evaluation to alter the status of the wetland. Mapping updates must also be undertaken in accordance with OWES and verified by a trained wetland evaluator.

2.1.2 Habitat of Endangered and Threatened Species

Policy 4.1.7 of the PPS prohibits any development and site alteration in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

¹Ministry of Natural Resources, “Ontario Wetland Evaluation System - Southern Manual, 4th Edition” King’s Printer for Ontario: 2022, p.5.

² Ibid., p.6

³ Ibid.

Township of West Lincoln

Fulton Rural Employment Land Use Plan | Constraints Report

Greater direction for the management of endangered and threatened species is provided through the federal *Species at Risk Act* (SARA) and through the provincial *Endangered Species Act, 2007*.

This Constraints Report evaluated the presence of species at risk in the Study Area through a desktop exercise using information from Land Information Ontario (LIO) as well as a review of previously completed natural heritage assessments. The report reflects data from the Ontario Natural Heritage Information Centre (NHIC). The data from the NHIC was supplemented with information from Wetland Evaluation Report prepared by Deer Leap Forestry Services, dated October 7, 2024.

Ontario Natural Heritage Information Centre (NHIC)

The Ministry of Natural Resources (MNR) provides information on provincially tracked species through the Natural Heritage Information Centre (NHIC). The NHIC collects data on species sightings as well as areas of land that support key elements of biodiversity.

The NHIC tracks any plant or animal species that is listed under the federal *Species at Risk Act* (SARA), as part of the list of Species at Risk in Ontario (SARO) under the *Endangered Species Act, 2007*, or any other species or ecosystem with a conservation status rank of S1 (critically imperiled), S2 (imperiled) or S3 (vulnerable). Species ranked S4 and S5 are considered relatively secure. This ranking system aligns with the national and international methods and global ranks maintained by NatureServe Canada and NatureServe.

Any reported observations are reviewed and evaluated before being entered into the provincial records. Due to the sensitive nature of the data, the NHIC generalizes the location information and publishes all occurrences within a series of 1km x 1km squares.

The Fulton Employment Lands Study Area covers two squares of the NHIC grid as seen in _ below.



Figure 2-2: Study Area within NHIC 1km Grid

Township of West Lincoln

Fulton Rural Employment Land Use Plan | Constraints Report

In the two NHIC squares that overlap with the Fulton Study Area, there have been observations of Species at Risk, which are listed on the Species at Risk in Ontario (SARO) list, under the *Endangered Species Act, 2007*. There have also been recorded observations of two species (Upland Sandpiper and Perfoliate Bellwort) which are considered to be Species of Conservation Concern, but which are not listed on the SARO list. Recorded observations are shown in the table below:

Common Name of Species	SARO Status	Conservation Status Ranking
Upland Sandpiper	None	S2B
Perfoliate Bellwort	None	S1S2
Cucumber Tree	Endangered	S2
Red-headed Woodpecker	Endangered	S3
Eastern Ribbonsnake	Special Concern	S4
Eastern Milksnake	Special Concern	S4
Snapping Turtle	Special Concern	S4

While the presence of species at risk has been documented in the NHIC, any future development application will be required to undertake its own site-specific evaluation and screening for Species at Risk.

Third-Party Reports

In preparing this Constraints Report, the project team has also reviewed third-party reports that have been shared with the Township of West Lincoln. Notably, the owner of 9031 Highway 20 in the Study Area provided a Wetland Evaluation Report (the “Evaluation Report”) that was prepared by Deer Leap Forestry Services and dated October 7, 2024.

The Evaluation Report notes that field visits to the wetland at 9031 Highway 20 were conducted on the following dates:⁴

- March 27, 2024
- April 1, 2024
- May 9, 2024
- May 15, 2024
- June 15, 2024
- August 12, 2024

⁴ Deer Leap Forestry Services. “Wetland Evaluation, Alex Josic, 9031 Highway 20,” October 7, 2024. p. 4

Township of West Lincoln

Fulton Rural Employment Land Use Plan | Constraints Report

During these field visits, the report notes that there were no sightings of provincially significant animal or plant species.⁵

This Constraints Report acknowledges the information contained in the third-party evaluation report as well as the redesignation of a portion of the wetland in the Study Area from “Provincially Significant Wetland” to “Wetland (Non-Provincially Significant)”. However, the area considered by the Evaluation Report represents a portion of the overall Study Area (Figure 2-3). Therefore, observations and conclusions from the Evaluation Report cannot be used to inform land use plans in the broader Study Area. Moreover, further on-site investigation may be required at the time of a development application in order to determine if the lands contain any other natural heritage features.

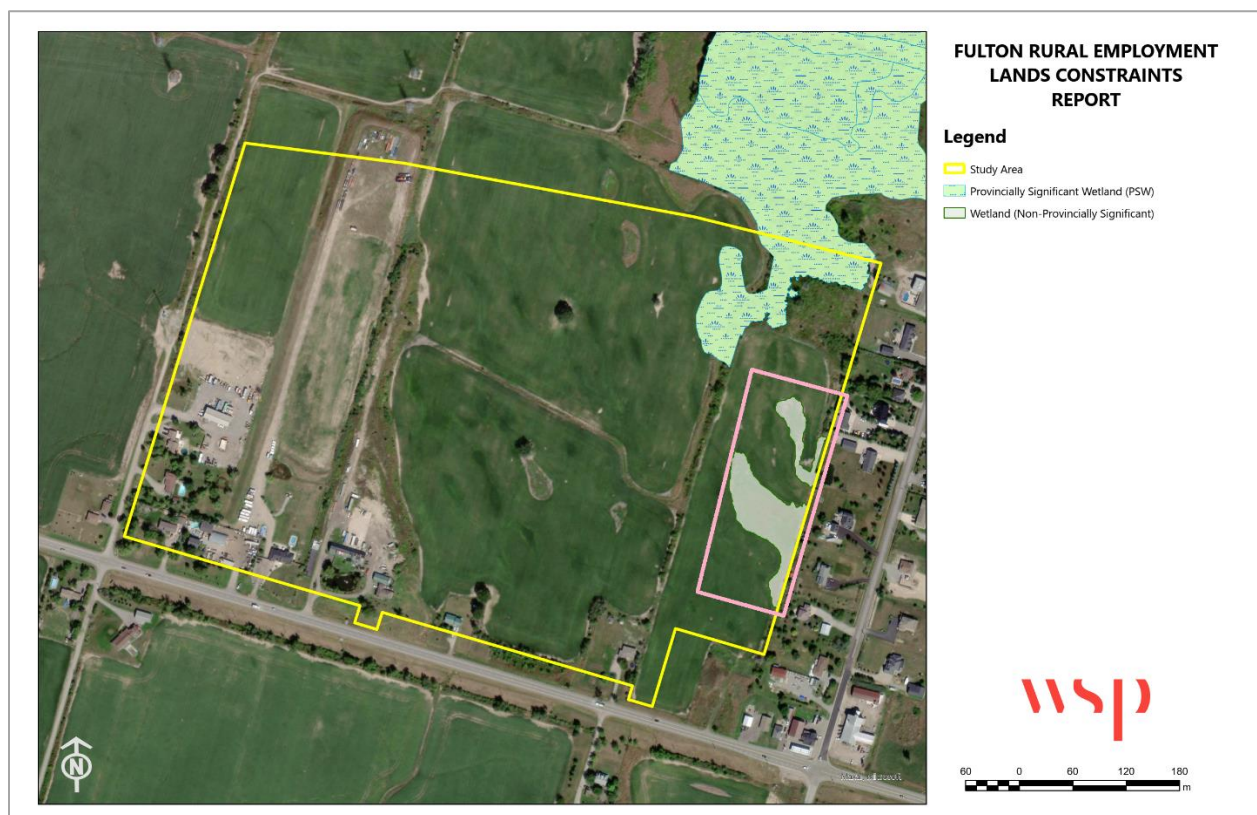


Figure 2-3: Study Area showing area considered by the third-party Evaluation Report in pink

⁵ Ibid. p. 30-31.

3 Official Plan Policies

3.1 Hamlet Settlement Area

As per **Policy 2.2.18 (f)** in OPA 62, the Study Area is now designated as 'Hamlet Settlement Area' in the Township of West Lincoln Official Plan. Policies related to the 'Good General Agricultural Area' no longer apply to the Study Area. Key Official Plan policies related to 'Hamlet Settlement Areas' include:

- **Policy 7.2.3 (c):** The protection of residential uses within Hamlet will be given priority over other uses, especially in the case of neighbouring uses which are deemed not compatible. The onus will be on the new non-residential use to ensure compatibility with adjacent residential uses.
- **Policy 7.2.3 (i):** New commercial and industrial uses shall be permitted by a Zoning By-law amendment, and in considering an application to rezone for such uses, the Council shall have due regard to the compatibility of the proposal with neighbouring residential uses.
- **Policy 7.2.3 (k):** Development in the Hamlet will not be required to comply with Minimum Distance Separation requirements and the boundary of the Hamlet Settlement shall establish the setback for MDS II calculations for new or expanding livestock operations from a Type B land use.

Further guidance regarding the servicing of developments in the Hamlet Settlement Area is provided in **Policy 7.3** which states:

It is not expected that the Hamlet Settlement Areas will be provided with municipal sanitary sewer facilities. Communal systems are also not permitted in Hamlet Settlement Areas.

Development in Hamlet Settlement Areas, subject to policies set out in Sections 7 shall proceed with individual water and sewage disposal facilities (i.e. private wells and septic tanks) provided that such development is in accordance with all other policies of this Plan, the policies of the Ministry of the Environment and Energy, the Ministry of Municipal Affairs and Housing, or the authority having jurisdiction, and provided that Council is satisfied that no adverse impacts will be experienced.

While OPA 62 redesignated the Study Area lands from 'Good General Agricultural Area' to 'Hamlet Settlement Area', the current study intends to create a 'Rural Employment' designation for these lands. This approach aligns with direction from the Niagara Official Plan (NOP) policy 8.13.4 which states that the additional lands in Fulton

[have] been added to the Fulton rural settlement to accommodate forecasted rural employment growth. This area shall be designated in the Township of West Lincoln's Official Plan for rural employment land uses.

In developing a 'Rural Employment' designation, this study will also conform to policies related to Natural Heritage protection that are found in Chapter 3 of the Niagara Official Plan.

3.2 Natural Heritage System

The Study Area is partially designated within the Natural Heritage System (NHS) and contains Environmental Protection Areas (EPA), including Provincially Significant Wetlands (PSWs) as identified on Schedules B-3, C-1, and C-2 of the Township of West Lincoln Official Plan. Figure 3-1 and Figure 3-2 show the Natural Heritage System and Environmental Protection Area designations in relation to the Study Area. These designations limit development and require compliance with the policies outlined in **Section 10.7.2** of the Official Plan.

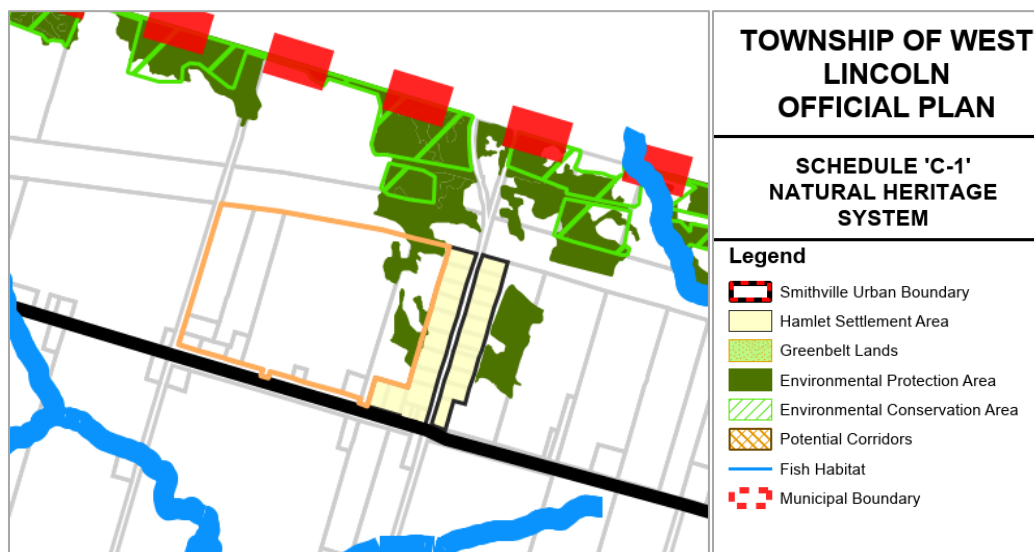


Figure 3-1: Extract from Township of West Lincoln Official Plan Schedule 'C-1' Natural Heritage System. The Study Area is shown in orange outline.

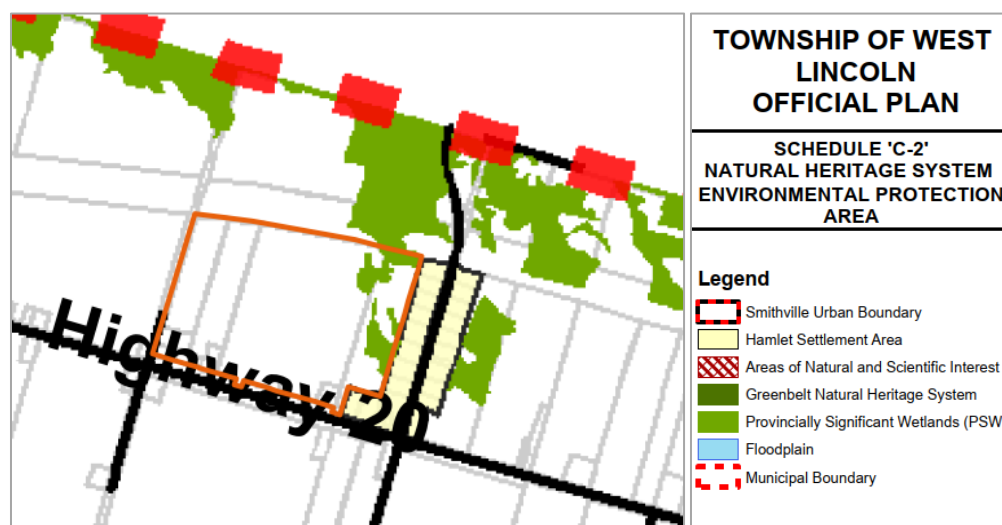


Figure 3-2: Extract from Township of West Lincoln Official Plan Schedule 'C-2' Natural Heritage System – Environmental Protection Area. The Study Area is shown in orange outline.

3.2.1 Core Natural Heritage System Policies

The Study Area is partially within the Core Natural Heritage System, which includes both Environmental Protection Areas (EPA) and Environmental Conservation Areas (ECA). **Figure 3-1** shows that the Study Area contains lands with the EPA designation.

Key Constraints Imposed by the Core Natural Heritage System (**Section 10.7.2**) include:

- Development and Site Alteration Restrictions (**10.7.2 (b)**): All activities must comply with the Healthy Landscape Policies (**Section 10.2**) and Core Natural Heritage System Policies.
- Boundary Adjustments (**10.7.2 (g)**): Boundaries of Core Natural Areas may only be adjusted through environmental studies, with significant modifications requiring an Official Plan Amendment (OPA).

Development Implications:

- Development and site alteration are prohibited within EPA-designated lands, except for permitted conservation-related uses.
- Residential, commercial, or industrial development is not permitted unless an Official Plan Amendment (OPA) is obtained.
- An Environmental Impact Study (EIS) is required for any development application within or adjacent to a core NHS component.
- Figure 3-3 outlines the specific distance where an EIS shall be required in relation to applicable Environmental Protection Areas.
- Vegetation Protection Zones (VPZs) and setback requirements further reduce developable land.

Table 10-1: Core Natural Heritage System Components: Adjacent Lands	
Core Natural Heritage System Component	Adjacent Lands Where an EIS Shall Be Required for Development Applications
Environmental Protection Area <ul style="list-style-type: none"> • Provincially Significant Life Science Area of Natural and Scientific Interest • Provincially Significant Wetland • Habitat of Threatened and Endangered Species 	All lands within 50 metres. All lands within 120 metres All lands within 50 metres.
Environmental Conservation Area	All lands within 50 metres.
Fish Habitat	All lands within 30 metres of the top of bank.
Where a component of the Core Natural Heritage System lies within the Provincial Greenbelt Plan, Natural Heritage System adjacent lands mean all lands within 120 metres of the natural heritage feature or key hydrologic feature anywhere within the Protected Countryside.	

Figure 3-3: Township of West Lincoln Official Plan Table 10-1: Core Natural Heritage System Components Adjacent Lands

3.2.2 Environmental Protection Area (EPA) Policies

The Study Area contains areas designated as Environmental Protection Areas (EPA), which include Provincially Significant Wetlands (PSWs) and significant habitat for threatened and endangered species.

Key Constraints Imposed by EPA Policies (Section 10.7.2 (c)) include:

- Development Prohibition (10.7.2(k)): No development or site alteration is allowed within the EPA designation, except for:
 - Forest, fish, and wildlife management activities;
 - Conservation projects in the public interest; and
 - Passive recreational uses that do not negatively impact ecological functions.
- Minor Boundary Adjustments (10.7.2(g)): Only permitted through environmental studies; significant changes require an Official Plan Amendment (OPA).

Development Implications:

- No development is permitted within EPA-designated areas, severely restricting land use.
- A 30m minimum buffer setback is required around wetlands and natural features.

Township of West Lincoln

Fulton Rural Employment Land Use Plan | Constraints Report

- There are strict limitations on permitted land uses, with only conservation-related activities allowed.

Key Constraints Imposed by PSW Policies (Section 10.7.2. (c), (k)) include:

- Strict Prohibition on Development and Site Alteration (10.7.2(c), (k)): No new development is permitted within PSW-designated areas.
- Vegetation Protection Zones (VPZs) (10.7.2(v)): A minimum 30m setback is required around PSWs, limiting developable land.
- No Agricultural Expansion: Agricultural land within PSWs cannot be expanded or converted for other uses.
- Infrastructure Constraints: Any necessary infrastructure projects must demonstrate that no feasible alternatives exist.
- Environmental Impact Assessment required for development adjacent (within 120 metres) of the PSW to demonstrate there will be no negative impact on the PSW.

Development Implications:

- Total prohibition on new buildings or site alteration within PSWs.
- The 30m buffer requirement reduces available developable area.
- No agricultural expansion is permitted within PSWs.
- Development adjacent to the PSW must demonstrate there will be no negative impacts.
- Infrastructure projects must avoid development within PSWs unless demonstrated that it is absolutely necessary and no feasible alternatives exist.

3.2.3 Environmental Impact Study (EIS) Requirements

The Study Area contains areas within and adjacent to the Natural Heritage System (NHS). Development proposals near or within the NHS require an Environmental Impact Study (EIS) to assess potential impacts.

Key Constraints Imposed by EIS Requirements (Section 10.8) include:

- An EIS is mandatory for Development within or Adjacent to the NHS (10.8 (a)).
- An EIS must assess the potential impact of a specific development proposal.
- Pre-consultation is Required (10.8 (b)): The Township, Region, and NPCA determine the scope of the study.
- Independent Peer-Review May Be Required (10.9 (c)): The Township may mandate a third-party review, at the applicant's expense.
- Exemptions (10.8 (d)): Projects authorized under a Provincial or Federal Environmental Assessment (EA) process are exempt.

Township of West Lincoln

Fulton Rural Employment Land Use Plan | **Constraints Report**

Development Implications:

- All development proposals within or adjacent to the NHS require an EIS, adding time and cost to the development process.
- The EIS must demonstrate no negative impact on NHS features, provincially significant wetlands, and wildlife habitats.

4 Niagara Peninsula Conservation Authority

4.1 Niagara Peninsula Conservation Authority Regulation Limit and Constraints

Based on the **Niagara Peninsula Conservation Authority (NPCA) Policies for Planning and Development in the Watersheds (April 15, 2024)**, portions of the Study Area fall within the NPCA Regulation Limit due to the presence of a watercourse and proximity to a Provincially Significant Wetland (PSW). These features are regulated under Ontario Regulation 41/24 as per the Conservation Authorities Act, restricting development within and adjacent to these areas.

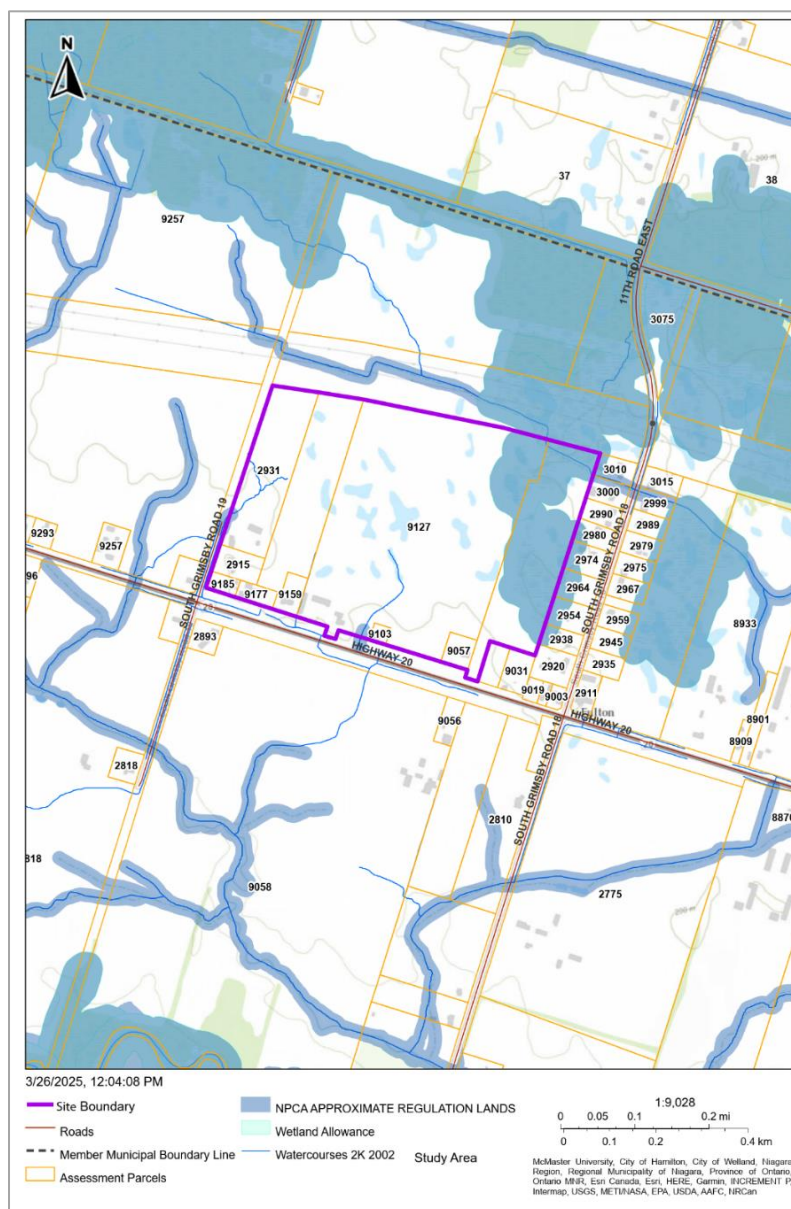


Figure 4-1: Study Area and NPCA Regulation Limit

4.1.1 Regulated Areas

The NPCA regulates development in the following areas:

- Watercourses, including associated floodplains and meander belts.
 - Wetlands, with adjacent regulated lands extending 30 metres beyond the wetland boundary.
 - Hazardous lands, including areas prone to flooding, erosion, and slope instability.
-

4.1.2 Development Constraints and Requirements

The development constraints and requirements under the NPCA are outlined below.

Wetlands and Adjacent Lands (Section 8.2.2):

- No development, site alteration, or interference is permitted within Provincially Significant Wetlands or within 30 metres without NPCA approval.
- A Vegetation Protection Zone (VPZ) or buffer may be required to protect wetland function and prevent adverse impacts.

Watercourses (Section 9.0):

- NPCA permits are required for any construction, grading, or alteration near watercourses.
- A minimum development setback of 15 to 30 metres from the stable top of bank or meander belt is typically required.
- Development must not increase flood risk or cause erosion.

Stormwater Management (Section 2.11):

- Post-development flows must not exceed pre-development levels.
- Stormwater systems must control both quantity and quality of runoff to avoid downstream impacts.

Hazard Slopes (Section 5.1):

Through discussion with NPCA staff, it was noted that there is a stretch of hazard slope which seems to make up a berm along the western property line of 9127 Hwy 20. This slope is 4m tall and steeper than 3:1, which is the threshold to be considered a stable slope. This hazard slope (berm) is manmade and was created when a significant amount of fill was brought to the property. NPCA does permit works on/around this slope but may require measures be taken to ensure stability. Future development on this site could require the removal of the berm.

4.2 NPCA Permit Application Process

As the Study Area contains lands within the NPCA Regulation Limit, an NPCA Permit Application will be required for development of those lands.

Permit Requirements (Section 3.3):

- Any development or site alteration within the NPCA regulated area requires an NPCA permit.
- Applications are reviewed to ensure compliance with flooding, erosion, and natural heritage protection policies.

Technical Studies and Compliance (Sections 3.7, 9.2, 10.2):

- Proposals may require:
 - An EIS to assess ecological impacts.
 - A Stormwater management plan to address runoff and water quality.
 - A Slope stability or hydraulic analysis to evaluate flood risk and erosion.

Enforcement and Monitoring (Section 3.7):

- The NPCA may impose monitoring conditions to ensure compliance with permit approvals.
- Non-compliance may result in enforcement actions, including fines and restoration requirements.

4.3 Development Implications

- **Permit Requirement:** Any development within the regulated area must be reviewed and permitted by NPCA.
- **Reduced Developable Area:** Regulatory buffers from wetlands and watercourses reduce the net buildable area of the study area.
- **Required Studies:** Environmental Impact Study (EIS), slope stability, stormwater, and hydraulic assessments may be necessary to permit for development.
- **Early Consultation:** Early coordination with NPCA is recommended to confirm constraints and permitting pathways.

5.1 Zoning By-law

- Agricultural “A”
- Agricultural – Temporary Use Provision 15 “A (T-15)”
- Rural Residential “RuR”
- Service Commercial “C3”
- Environmental Protection “EP”

17

5.2 Existing Zoning Constraints

The existing zone categories impose the following development constraints:

- Agricultural “A”
 - Permits only agricultural and limited agricultural-related uses.
 - Large minimum lot size requirements (typically 40 hectares for new lots).
 - Severances for development generally **not permitted** outside agricultural use.
 - Agricultural – Temporary Use Provision 15 “A (T-15)”
 - Same permissions as the Agricultural Zone with an additional temporary use permitted.
 - The Temporary Use Provision (T-15) allows for outdoor storage of rain barrels at 9127 Regional Road 20. This provision has an expiry date of February 10, 2028, as directed by the Ontario Land Tribunal in the decision OLT-25-000150.
 - Rural Residential “RuR”
 - Permits only single detached dwellings as a principal use.
 - Accessory buildings or structures are permitted as accessory uses.
 - Does not permit employment or commercial uses beyond home occupations.
 - Service Commercial “C3”
 - Permits a broad range of commercial uses (e.g., gas stations, repair garages, garden centres).
 - Does not permit general industrial or manufacturing uses.
 - Environmental Protection “EP”
 - Permits only conservation uses and passive recreation
-

5.3 Development Implications

A Zoning By-law Amendment (ZBLA) will be prepared to implement the Rural Employment Area designation established through OPA 62. The amendment will:

- Establish appropriate employment land uses consistent with the Rural Employment designation.
- Address access, servicing, and infrastructure requirements.
- Ensure compatibility with adjacent residential, commercial, and agricultural uses through appropriate zoning standards (e.g., setbacks, buffering, permitted uses).

6 Constraints Mapping

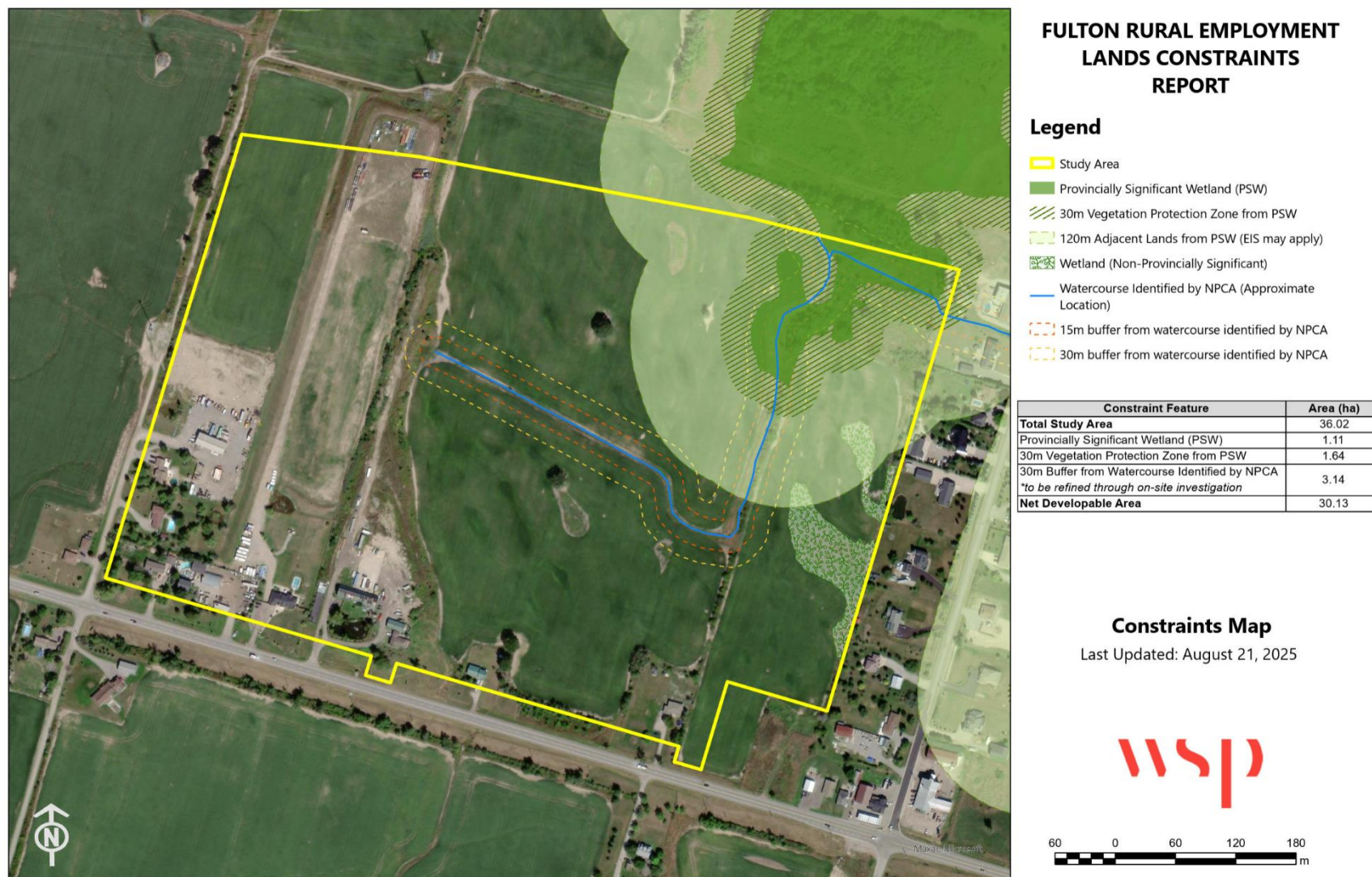


Figure 6-1: Constraints map showing developable lands within the Study Area

Township of West Lincoln

Fulton Rural Employment Land Use Plan | Constraints Report

The table below quantifies the developable area shown in Figure 6-1 and the lands to which vegetation protection zones will apply:

Constraint Feature	Policy Source	Applied Buffer/Setback	Area	Notes
Provincially Significant Wetland (PSW)	West Lincoln Official Plan (Section 10.7.2)	0m (core wetland boundary)	1.11 ha	No development permitted
30m Vegetation Protection Zone (VPZ)	West Lincoln Official Plan (Section 10.7.2)	30m from PSW edge	1.64 ha	No development unless supported by EIS
120m Adjacent Lands	West Lincoln OP Table 10-1	120m from PSW edge	3.14 ha	EIS required to assess impact
30m from Watercourse	NPCA Policies for Planning and Development – 9.2.5.1	30m from watercourse*	3.14 ha	*This constraint could be removed pending the confirmation of on-site investigations
Total Study Area			36.02 ha	
Wetlands and Buffer Requirements			5.89 ha	
Net Developable Area (Excludes core wetland, 30m VPZ, 30m from watercourse*)			30.13 ha	

It should be noted that future development in the area will need to evaluate on-site water balance and potentially provide an evaluation of headwater drainage features. Future development applications will need to provide stormwater design concepts that consider the impacts to the wetlands in the Study Area.

6.1 Implications of Watercourse

Through the development of this Constraints Report, the NPCA identified a watercourse on a significant portion of the subject lands (see **Figure 6-1**). The presence of the regulated watercourse was identified by NPCA through a desktop review and will need to be confirmed through field investigation and technical assessments.

Future development scenarios will be dependent on field investigations that can be carried out by NPCA or independent environmental consultants. However, the findings of any independent investigations need to be reviewed and approved by NPCA before they can be used to inform development scenarios for these lands.

As noted in Section 4.1.2 of this report, the NPCA sets out policies for evaluating watercourses in Section 9.0 of its Procedural Manual. Watercourse alterations may be allowed by NPCA subject to policies in Section 9.2.3 of the NPCA Procedural Manual. If crossings are required (e.g., culverts, pipelines), these are regulated by the policies in Section 9.2.4 of the Manual.

Buffer requirements from a potential watercourse are defined in policy 9.2.5.1 of the manual. Buffers are determined by the categorization of the watercourse as permanent or intermittent. Buffers can potentially be further reduced where supported by a technical study in accordance with the NPCA Procedural Manual.

7 Conclusion

This Constraints Report was undertaken to support analysis of the development feasibility of the Fulton Employment Lands Study Area. These lands were added to the West Lincoln settlement area through the Region of Niagara Official Plan and Township Official Plan Amendment No. 62.

The key constraint to the future development of these lands is the provincially significant wetland in the north-west corner of the study area. Appropriate buffers will need to be applied around the wetland that will limit the total developable area. These zones will protect the ecological functions of the wetland but can also provide a land use buffer between the planned rural employment uses and the residential uses along Grimsby Road 18.

A regulated watercourse has been identified in the Study Area which has the potential to influence future development scenarios. This feature needs to be confirmed through field investigations undertaken by NPCA, or by an independent environmental consultant whose conclusions must be reviewed and approved by NPCA. At the time of application for development, it will be determined if environmental impact studies are required in accordance with the Niagara Official Plan and Township of West Lincoln Official Plan.

An understanding of constraints will enable the project team to proceed to the next phase of the project. Ultimately, the project will deliver an Official Plan Amendment and Zoning By-law Amendment to establish land use designations, policies and zoning regulations for a designated Rural Employment area on the subject lands.