



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN  
COMMITTEE OF ADJUSTMENT  
AGENDA

Wednesday, November 27, 2024, 7:00 p.m.  
Township Administration Building  
318 Canborough Street, Smithville, Ontario

---

	Pages
1. CHAIR	
The Chair will call to Order the evening's proceedings.	
2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST	
3. REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT	
4. APPLICATIONS	
a. A23/2024WL -Neil, Mark and Effie Dochstader	2
Property Address: 7948 Concession 7 Road	
A Minor Variance application has been applied for to permit a garage addition (130.16 square metres) to the existing single detached dwelling on the subject property. Relief is being requested from Part 3.12.7 <i>Private Garages</i> of the Township's Zoning By-Law 2017-70, as amended) which identifies the maximum <i>garage width</i> for an attached <i>private garage</i> as 50% of the dwelling or 9.2 metres, whichever is less. The proposed <i>garage width</i> is 16.2 metres between the inside faces of the interior walls at the narrowest point of the <i>private garage</i> .	
5. MINUTES FOR APPROVAL	
a. October 30th, 2024 Committee of Adjustment Hearing Minutes	20
b. September 25th, 2024 Committee of Adjustment Hearing Minutes	24
c. July 24th, 2024 Committee of Adjustment Hearing Minutes	32
6. NEW BUSINESS	
7. ADJOURNMENT	
That, this Committee does now adjourn at the hour of _____ pm	

**DATE:** November 27, 2024

**REPORT NO:** COA-38-2024

**FILE NO:** A23/2024WL

**SUBJECT:** **Recommendation Report Application for Minor Variance, 7948 Concession 7 Road – Neil, Mark and Effie Dochstader**

**LOCATION:** 7948 Concession 7 Road, West Lincoln

**CONTACT:** Stephanie Pouliot, Secretary Treasurer to the Committee of Adjustment

**OVERVIEW:**

A Minor Variance application has been submitted by Neil, Mark and Effie Dochstader, property owners of the subject property located at 7948 Concession 7 Road to permit a garage addition (130.16 square metres) to the existing single detached dwelling on the subject property.

Relief is being requested to allow a proposed *garage width* of 16.2 metres whereas, Part 3.12.7(h) *Private Garages* of the Township's Zoning By-Law identifies the maximum *garage width* permitted for an attached *private garage* as 50% of the total width of the dwelling or 9.2 metres, whichever is less. The proposed *garage width* is 16.2 metres between the inside faces of the interior walls at the narrowest point of the *private garage*.

Staff have reviewed this application against the four tests of a minor variance and can recommend approval of the variance.

**RECOMMENDATION:**

That, the application for Minor Variance submitted by Neil, Mark and Effie Dochstader, property owners of the subject property, as outlined in Report COA-38-24, to permit a *private garage* addition (130.16 square metres) to the existing dwelling with a *garage width* of 16.2 metres, BE APPROVED.

**BACKGROUND & SURROUNDING LAND USES:**

7948 Concession 7 Road is 33.11 hectares (81.82 acres) in size and is located on the south side of Concession 7 Road and north side of Young Street. The subject lands are situated east of Grassie Road, west of Grimsby Road (Regional Road 12) and north of Highway 20

(Regional Road 20).

The subject property is also located south of the Hamlet of Grassie, south west of the Hamlet of Grimsby Centre, and north west of the Hamlet of Regional Road 12 and the Hamlet of Kimbo. The lands are also north west of the Settlement Area of Smithville.

The majority of the surrounding land uses are designated in the Township's Official Plan as *Good General Agricultural Lands* and *Natural Heritage System*. The subject property does not have any present natural heritage features. The property is zoned Agricultural 'A'.

The surrounding lands are actively farmed with a number of small and large agricultural holdings. There are small rural residential holdings to the north within the Hamlet of Grassie, as well as to the north east within the Hamlet of Grimsby Centre. There are small agricultural holdings to the south and west, with farmland abutting to the west and east.

The owners are looking to construct a garage addition (130.16 square metres) to the existing single detached dwelling on the property. This minor variance application is being applied for as the attached *private garage* requires one variance from Part 3.12.7 *Private Garages* of the Township's Zoning By-law, 2017-70, as amended. The proposed *garage width* is 16.2 metres between the inside faces of the interior walls at the narrowest point of the private garage

Relief is required to permit the proposed *garage width* of 16.2 metres whereas, Part 3.12.7(h) *Private Garages* of the Township's Zoning By-Law identifies the maximum *garage width* permitted for an attached *private garage* as 50% of the total width of the dwelling or 9.2 metres, whichever is less.

#### **CURRENT SITUATION:**

Staff have completed an analysis of the proposed Minor Variance application and can provide the following evaluation:

#### **Does the Proposal Maintain the General Intent of the Official Plan? Yes**

The subject property is designated as *Good General Agriculture* in the Township's Official Plan (OP). The Official Plan policy of the *Good General Agricultural* designation promotes small scale secondary uses and agricultural-related uses that are compatible and do not hinder the surrounding agricultural operations.

The main objectives for the *Good General Agricultural Area* is protecting Agricultural areas, preserving viable agricultural lands as well as, promoting small scale secondary uses which do not hinder the surrounding agricultural area. *Good General Agricultural* lands are accorded the second highest level of protection and preservation. This proposal will not be hindering the surrounding Agricultural lands nor operations with the requested variance pertaining to the attached *private garage*. There will also be no impact on the lands currently farmed on the property.

The farmland and existing dwelling are considered permitted principal uses on the

property. The proposed addition (130.16 square metres) is permitted on the property, subject to the request relief.

For these reasons, Staff consider this proposal consistent and in alignment with the intent and general purpose of Section 4 of the Township's Official Plan, which is protecting and preserving the long-term agricultural use within West Lincoln.

Furthermore, it's important to note, the lands are also located within an area of potential for mineral aggregate resources. The purpose of these areas are to protect mineral aggregate resources for long-term use and existing extractive resources from incompatible land uses.

**Does the proposal maintain the general intent and purpose of the Zoning Bylaw? Yes**

The subject property is zoned Agricultural 'A'. The property has a total lot size of 33.11 hectares (81.82 acres). As outlined in Table 11 (Part 5) of the Township's Zoning By-law 2017-70, as amended, one single detached dwelling is permitted within an Agricultural 'A' zone as well as, accessory uses in conjunction with a principal use.

Aside from the variance required for the *garage width*, the proposed (130.16 square metres) *private garage* addition to the existing single detached dwelling complies with the remainder of the required setbacks identified by Table 12 in Part 5 and Part 3.12.7 *Private Garages* of the Township's Zoning By-law 2017-70, as amended.

For these reasons, this proposal is consistent with the general purpose of the Township's Zoning By-law 2017-70, as amended, and Staff can recommend approval.

**Is the Proposal desirable for the appropriate development or use of the land? Yes**

Staff consider the proposal to be appropriate development and use of land since there are no adverse impacts anticipated on the surrounding area, including the existing agricultural land uses. The design of the proposed addition is compatible with the existing residence on the property. The land where the addition is proposed is currently maintained grass, thus there will be no loss of farmland which is aligned with the Township's agricultural policies.

For these reasons, this proposal can be considered desirable for the appropriate development and use of the land.

**Is the proposal minor in nature? Yes**

This proposal can be considered minor in nature as the general intent of the Township's Official Plan and Zoning By-law provisions are being maintained. The proposed addition (130.16 square metres) is compatible with the existing land uses and should have no adverse impacts on the surrounding area.

The applicants have indicated that they require additional space for parking. There is



currently an attached two car garage and they now require two additional spaces.

For these reasons, Staff recommend approval of this Minor Variance Application to permit an attached *private garage* with a *garage width* of 16.2 metres.

#### **INTER-DEPARTMENTAL & AGENCY COMMENTS:**

**Building Department:** At the time of writing this report, there has been no comments received from the Building Department.

**Public Works:** Has reviewed the application and noted that this property is located within the area of the Van Buren municipal drain. However, the proposed garage addition does not impact the drainage areas. As such, Public Works has no concerns with the proposal. Please see Attachment 3 for the comments received.

**Septic System Inspection Manager:** Has reviewed the application as submitted and offers no objections as the proposed addition would not negatively impact the requirements of Part 8 (Septic Systems) of the Ontario Building Code. Please see Attachment 3 for the comments received.

**Niagara Peninsula Conservation Authority (NPCA):** Has reviewed the application and noted that the subject property contains regulated watercourses and associated 15-metre buffers. However, as the proposed development does not encroach into these features, the NPCA has no objections to the proposed works within the application. Please see Attachment 3 for the comments received.

**Niagara Region:** Have reviewed the application and have no objections as the proposal does not conflict with Provincial and Regional policies. Regional Staff have noted that the property is located within an area designated for Archaeological Potential. Typically, a Stage 1 Archaeological Assessment (at minimum) would be required, however Regional Staff note that for this instance, the following standard archaeological advisory clause been included for the owner's information, as provided below. Regional Staff also wish to advise the applicant that finding any archaeological resources during any construction / works would have to cease as noted in the advisory clause until an archaeological study is completed. Please see Attachment 3 for more information.

*"If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the police and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C (Available at: <https://www.niagararegion.ca/culture-and-environment/pdf/archaeological-management-plan.pdf>)."*

#### **PUBLIC COMMENTS:**

At the time of writing this report, there have been no public comments received.

**CONCLUSION:**

Based on the above analysis, Administrative Staff recommend APPROVAL of the proposed Minor Variance Application (A23/2024WL) as outlined in Report COA-38-24, to permit the proposed *private garage* addition (130.16 square metres) to the existing dwelling with a *garage width* of 16.2 metres.

**ATTACHMENTS:**

1. Location Map
2. Building Drawings
3. Agency Comments

**Prepared & Submitted by:**



---

**Stephanie Pouliot,  
Planner**

**Approved by:**



---

**Gerrit Boerema, RPP, MCIP  
Manager of Planning**

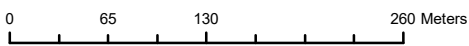




**Location Map**  
7948 Concession 7 Road

**Legend**

- Zone Boundary
- Subject Property





ALL CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE & TO REPORT ALL ERRORS AND/OR OMISSIONS TO THE DESIGNER. ALL CONTRACTORS MUST COMPLY WITH ALL CODES, BYLAWS & OTHER AUTHORITIES HAVING JURISDICTION OVER THE WORK.

ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALE. DO NOT SCALE DRAWINGS



**SOLSTICE**  
HOME DESIGN

2 Holcomb Ter,  
Waterdown, ON L8B 1Z8

(289) 680-7480

brian.rintjema@gmail.com



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

Qualification Information

Brian Rintjema  
Name Signature 106999 BCIN

Registration Information

Brian's Drafting Service 113224  
Firm BCIN

**DOCHSTADER RESIDENCE**

7948 Concession Rd 7  
Grassie, ON L0R 1M0

PAGE TITLE:

**FOUNDATION PLAN**

PLOT FORMAT SIZE:

18 X 24

DRAWN BY:

Brian Rintjema

DATE:

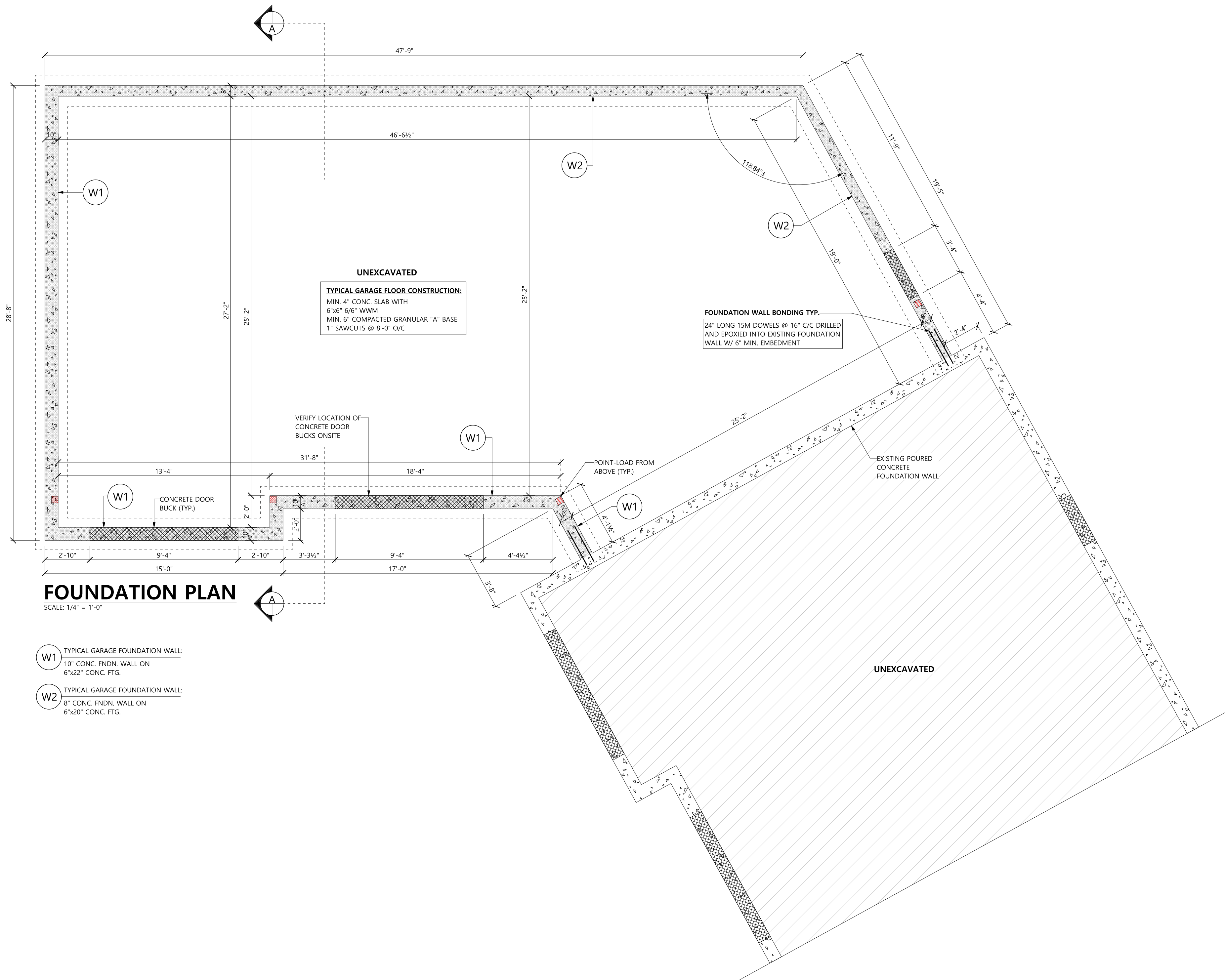
JUNE 14, 2024

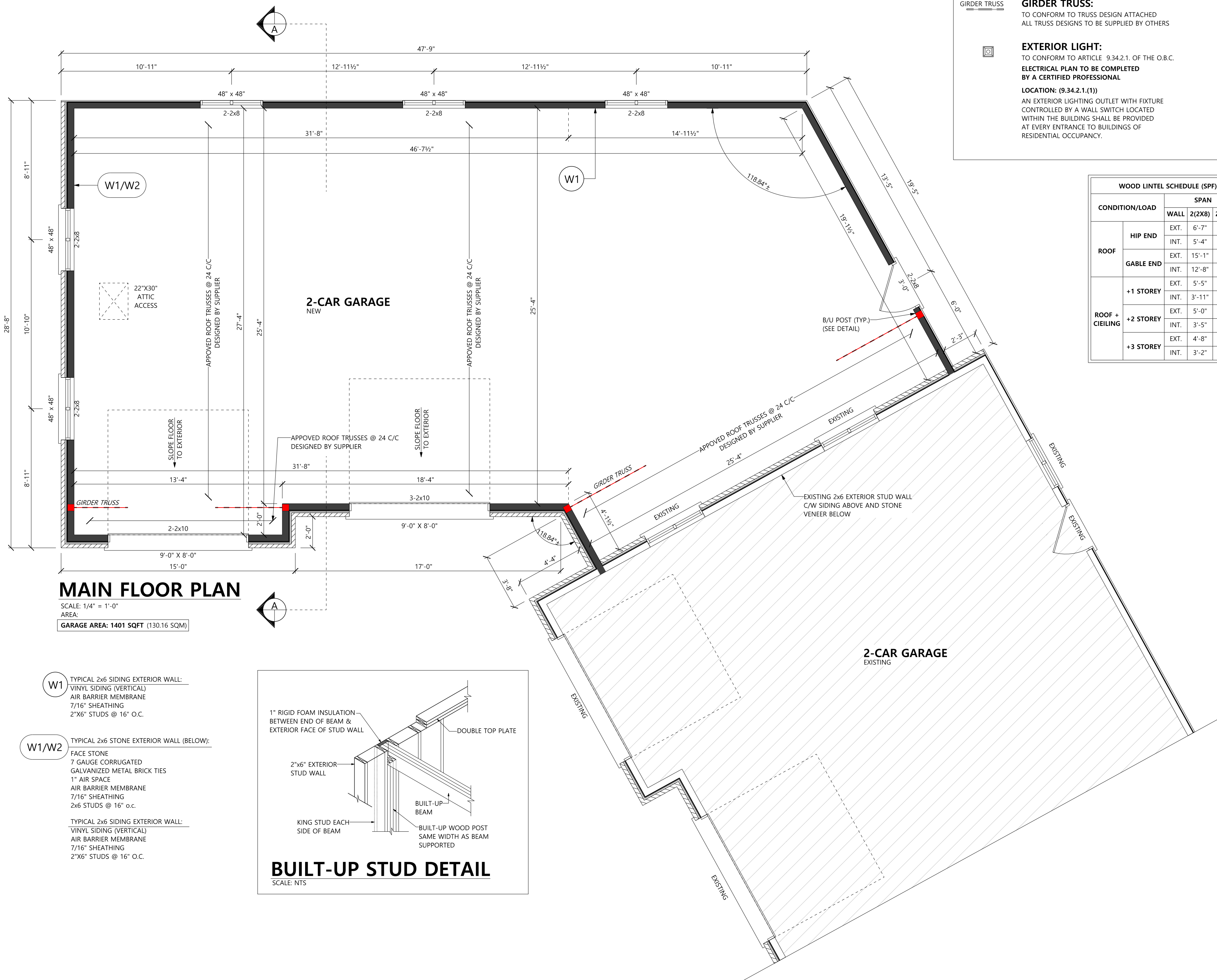
SCALE:

As Noted

SHEET NO.

**1**





**LEGEND**

GIRDER TRUSS

**GIRDER TRUSS:**

TO CONFORM TO TRUSS DESIGN ATTACHED  
ALL TRUSS DESIGNS TO BE SUPPLIED BY OTHERS



**EXTERIOR LIGHT:**

TO CONFORM TO ARTICLE 9.34.2.1. OF THE O.B.C.

**ELECTRICAL PLAN TO BE COMPLETED BY A CERTIFIED PROFESSIONAL**

**LOCATION: (9.34.2.1.(1))**

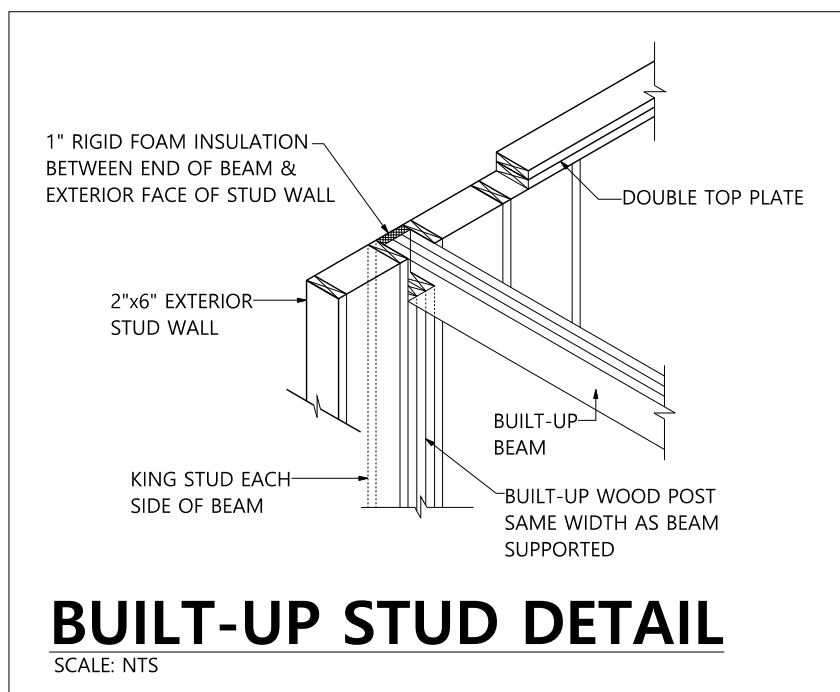
AN EXTERIOR LIGHTING OUTLET WITH FIXTURE CONTROLLED BY A WALL SWITCH LOCATED WITHIN THE BUILDING SHALL BE PROVIDED AT EVERY ENTRANCE TO BUILDINGS OF RESIDENTIAL OCCUPANCY.

WOOD LINTEL SCHEDULE (SPF)		
CONDITION/LOAD	SPAN	
	WALL	2(2X8) 2(2X10)
ROOF	HIP END	EXT. 6'-7" 8'-1"
		INT. 5'-4" 6'-7"
	GABLE END	EXT. 15'-1" 18'-10"
		INT. 12'-8" 16'-3"
ROOF + CEILING	+1 STOREY	EXT. 5'-5" 6'-8"
		INT. 3'-11" 4'-9"
	+2 STOREY	EXT. 5'-0" 6'-1"
		INT. 3'-5" 4'-2"
	+3 STOREY	EXT. 4'-8" 5'-8"
		INT. 3'-2" 3'-10"

**MAIN FLOOR PLAN**

SCALE: 1/4" = 1'-0"  
AREA:

GARAGE AREA: 1401 SQFT (130.16 SQM)



**BUILT-UP STUD DETAIL**

SCALE: NTS

**W1** TYPICAL 2x6 SIDING EXTERIOR WALL:  
VINYL SIDING (VERTICAL)  
AIR BARRIER MEMBRANE  
7/16" SHEATHING  
2"x6" STUDS @ 16" O.C.

**W1/W2** TYPICAL 2x6 STONE EXTERIOR WALL (BELOW):  
FACE STONE  
7 GAUGE CORRUGATED GALVANIZED METAL BRICK TIES  
1" AIR SPACE  
AIR BARRIER MEMBRANE  
7/16" SHEATHING  
2x6 STUDS @ 16" o.c.

TYPICAL 2x6 SIDING EXTERIOR WALL:  
VINYL SIDING (VERTICAL)  
AIR BARRIER MEMBRANE  
7/16" SHEATHING  
2"x6" STUDS @ 16" O.C.

ALL CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE & TO REPORT ALL ERRORS AND/OR OMISSIONS TO THE DESIGNER. ALL CONTRACTORS MUST COMPLY WITH ALL CODES, BYLAWS & OTHER AUTHORITIES HAVING JURISDICTION OVER THE WORK.

ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALE. DO NOT SCALE DRAWINGS



**SOLSTICE**  
HOME DESIGN

2 Holcomb Ter,  
Waterdown, ON L8B 1Z8

(289) 680-7480

brian.rintjema@gmail.com



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

Qualification Information

Brian Rintjema 106999  
Name Signature BCIN

Registration Information

Brian's Drafting Service 113224  
Firm BCIN

**DOCHSTADER RESIDENCE**

7948 Concession Rd 7  
Grassie, ON L0R 1M0

PAGE TITLE:

**MAIN FLOOR PLAN**

PLOT FORMAT SIZE:

18 X 24

DRAWN BY:

Brian Rintjema

DATE:

JUNE 14, 2024

SCALE:

As Noted

SHEET NO.

**2**

ALL CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE & TO REPORT ALL ERRORS AND/OR OMISSIONS TO THE DESIGNER. ALL CONTRACTORS MUST COMPLY WITH ALL CODES, BYLAWS & OTHER AUTHORITIES HAVING JURISDICTION OVER THE WORK.

ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALE. DO NOT SCALE DRAWINGS



**SOLSTICE**  
HOME DESIGN

2 Holcomb Ter,  
Waterdown, ON L8B 1Z8  
(289) 680-7480  
brian.rintjema@gmail.com



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

Qualification Information

Brian Rintjema  
Name Signature BCIN 106999

Registration Information

Brian's Drafting Service 113224  
Firm BCIN

**DOCHSTADER RESIDENCE**

7948 Concession Rd 7  
Grassie, ON L0R 1M0

PAGE TITLE:

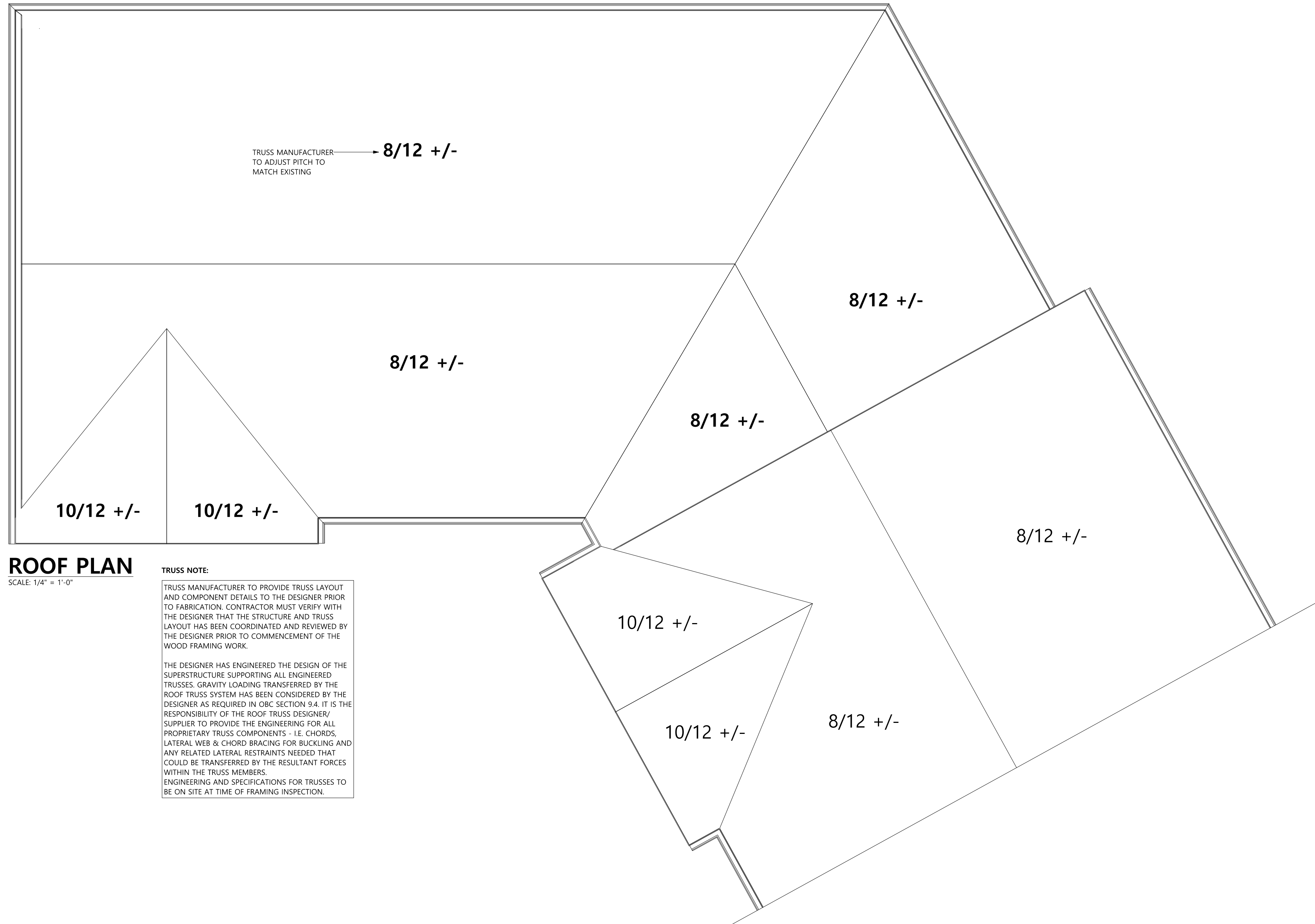
**ROOF PLAN**

PLOT FORMAT SIZE: 18 X 24  
DRAWN BY: Brian Rintjema

DATE: JUNE 14, 2024  
SCALE: As Noted

SHEET NO.

**3**



**ROOF PLAN**

SCALE: 1/4" = 1'-0"

TRUSS NOTE:

TRUSS MANUFACTURER TO PROVIDE TRUSS LAYOUT AND COMPONENT DETAILS TO THE DESIGNER PRIOR TO FABRICATION. CONTRACTOR MUST VERIFY WITH THE DESIGNER THAT THE STRUCTURE AND TRUSS LAYOUT HAS BEEN COORDINATED AND REVIEWED BY THE DESIGNER PRIOR TO COMMENCEMENT OF THE WOOD FRAMING WORK.

THE DESIGNER HAS ENGINEERED THE DESIGN OF THE SUPERSTRUCTURE SUPPORTING ALL ENGINEERED TRUSSES. GRAVITY LOADING TRANSFERRED BY THE ROOF TRUSS SYSTEM HAS BEEN CONSIDERED BY THE DESIGNER AS REQUIRED IN OBC SECTION 9.4. IT IS THE RESPONSIBILITY OF THE ROOF TRUSS DESIGNER/SUPPLIER TO PROVIDE THE ENGINEERING FOR ALL PROPRIETARY TRUSS COMPONENTS - I.E. CHORDS, LATERAL WEB & CHORD BRACING FOR BUCKLING AND ANY RELATED LATERAL RESTRAINTS NEEDED THAT COULD BE TRANSFERRED BY THE RESULTANT FORCES WITHIN THE TRUSS MEMBERS. ENGINEERING AND SPECIFICATIONS FOR TRUSSES TO BE ON SITE AT TIME OF FRAMING INSPECTION.



ALL CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE & TO REPORT ALL ERRORS AND/OR OMISSIONS TO THE DESIGNER. ALL CONTRACTORS MUST COMPLY WITH ALL CODES, BYLAWS & OTHER AUTHORITIES HAVING JURISDICTION OVER THE WORK.

ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALE. DO NOT SCALE DRAWINGS



**SOLSTICE**  
HOME DESIGN

2 Holcomb Ter,  
Waterdown, ON L8B 1Z8

(289) 680-7480

brian.rintjema@gmail.com



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

Qualification Information

**Brian Rintjema**  
Name Signature BCIN 106999

Registration Information

**Brian's Drafting Service** 113224  
Firm BCIN

**DOCHSTADER RESIDENCE**

7948 Concession Rd 7  
Grassie, ON L0R 1M0

PAGE TITLE:

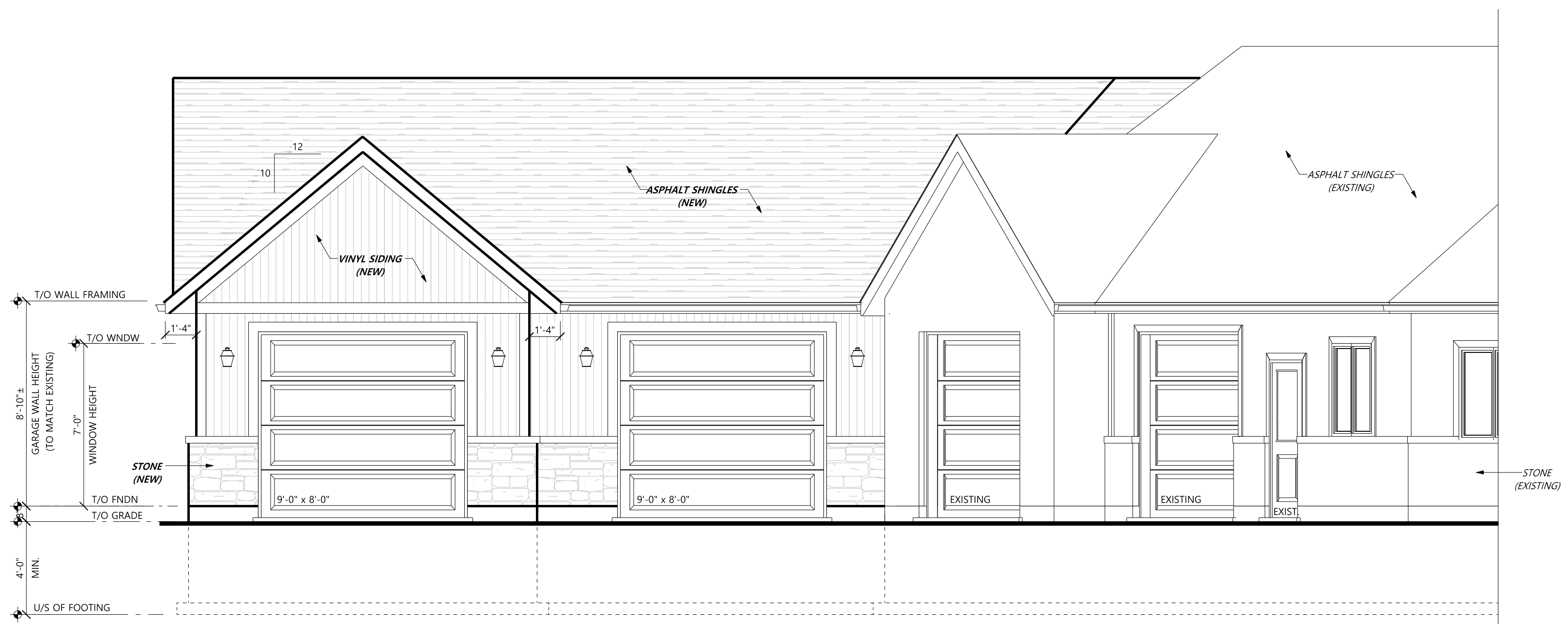
**FRONT & LEFT ELEVATION**

PLOT FORMAT SIZE: 18 X 24  
DRAWN BY: Brian Rintjema

DATE: JUNE 14, 2024  
SCALE: As Noted

SHEET NO.

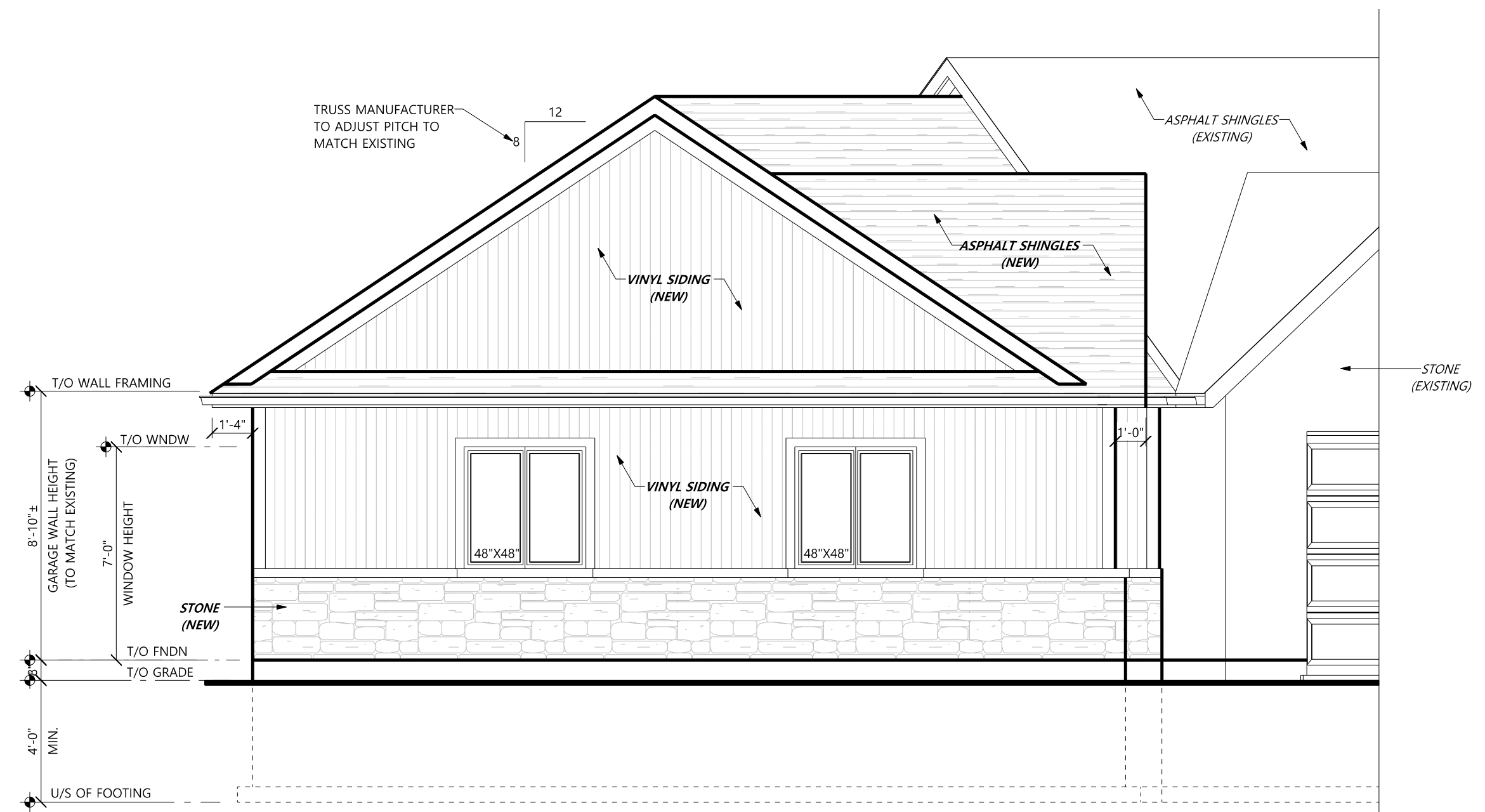
**4**



**FRONT ELEVATION**

SCALE: 1/4" = 1'-0"

SIDING MATERIALS SHALL CONFORM TO SECTION 9.27 OF DIVISION B OR HAVE A CCMC OR BMEC APPROVAL, OR A MINISTERS RULING



**LEFT ELEVATION**

SCALE: 1/4" = 1'-0"

ALL CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE & TO REPORT ALL ERRORS AND/OR OMISSIONS TO THE DESIGNER. ALL CONTRACTORS MUST COMPLY WITH ALL CODES, BYLAWS & OTHER AUTHORITIES HAVING JURISDICTION OVER THE WORK.

ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALE. DO NOT SCALE DRAWINGS



**SOLSTICE**  
HOME DESIGN

2 Holcomb Ter,  
Waterdown, ON L8B 1Z8

(289) 680-7480

brian.rintjema@gmail.com



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

Qualification Information

**Brian Rintjema**  
Name Signature 106999 BCIN

Registration Information

**Brian's Drafting Service** 113224  
Firm BCIN

**DOCHSTADER RESIDENCE**

7948 Concession Rd 7  
Grassie, ON L0R 1M0

PAGE TITLE:

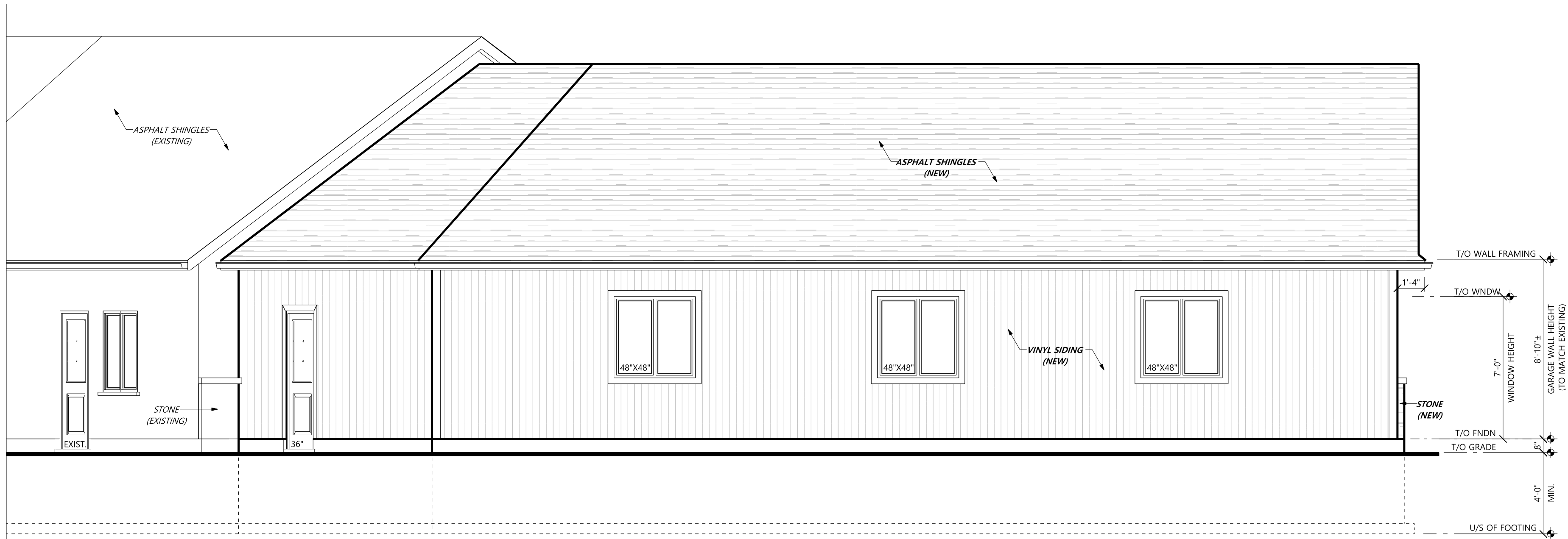
**REAR ELEVATION & CROSS SECTION**

PLOT FORMAT SIZE: 18 X 24 DRAWN BY: Brian Rintjema

DATE: JUNE 14, 2024 SCALE: As Noted

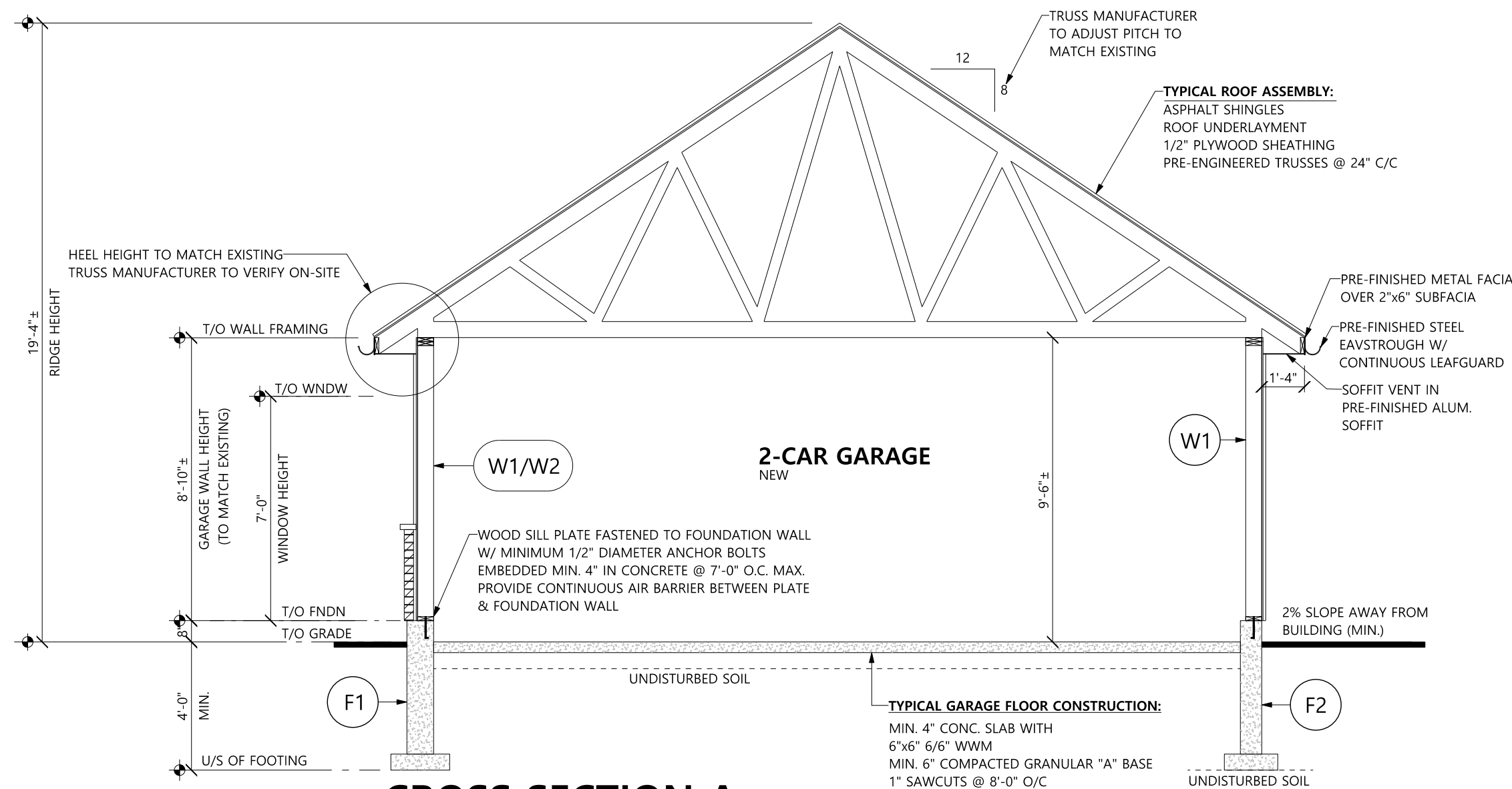
SHEET NO.

**5**



**REAR ELEVATION**

SCALE: 1/4" = 1'-0"

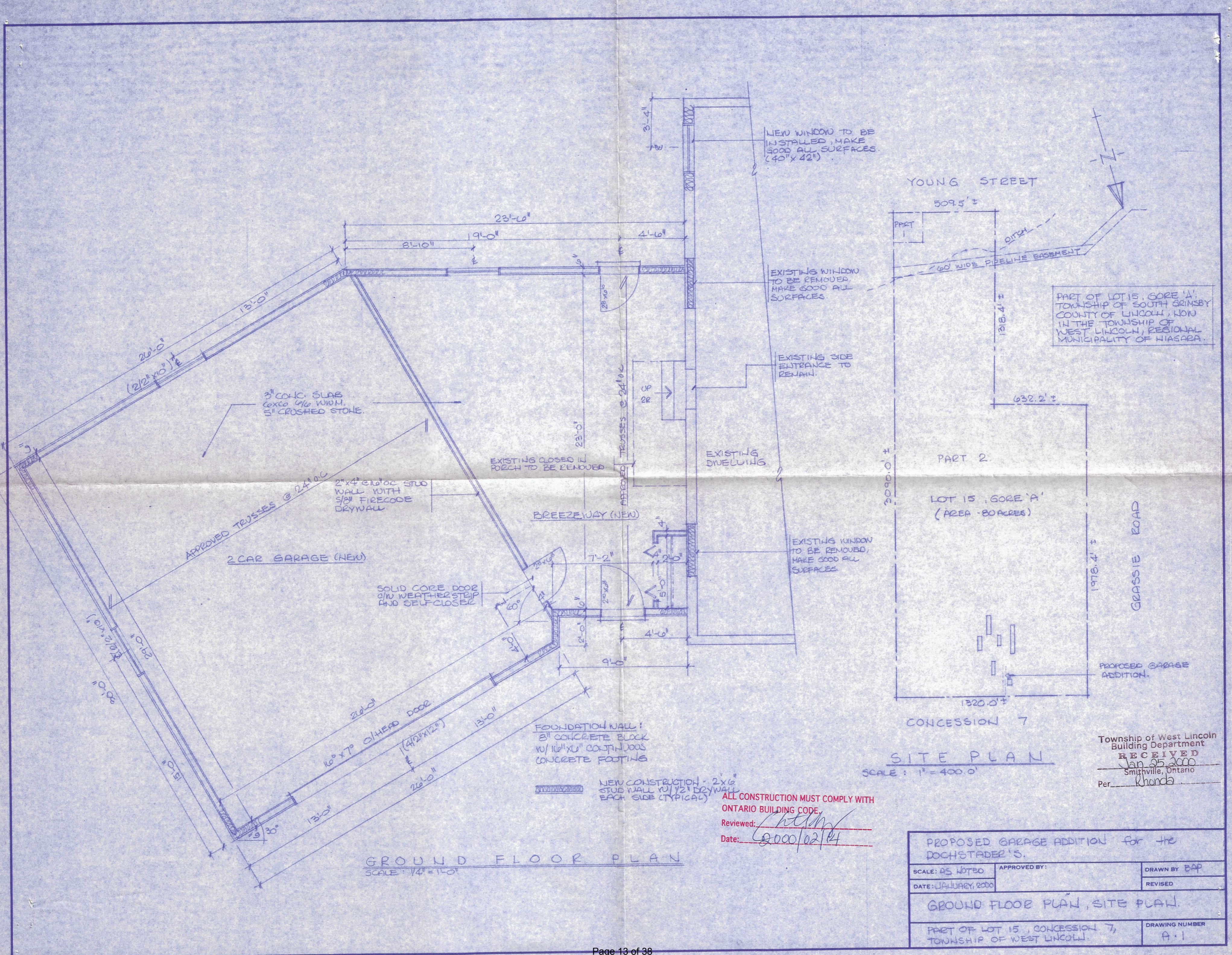


**CROSS SECTION A**

SCALE: 1/4" = 1'-0"

- W1** TYPICAL 2x6 SIDING EXTERIOR WALL:  
VINYL SIDING (VERTICAL)  
AIR BARRIER MEMBRANE  
7/16" SHEATHING  
2"x6" STUDS @ 16" O.C.
- W1/W2** TYPICAL 2x6 STONE EXTERIOR WALL (BELOW):  
FACE STONE  
7 GAUGE CORRUGATED GALVANIZED METAL BRICK TIES  
1" AIR SPACE  
AIR BARRIER MEMBRANE  
7/16" SHEATHING  
2x6 STUDS @ 16" o.c.
- TYPICAL 2x6 SIDING EXTERIOR WALL:  
VINYL SIDING (VERTICAL)  
AIR BARRIER MEMBRANE  
7/16" SHEATHING  
2"x6" STUDS @ 16" O.C.
- F1** TYPICAL GARAGE FOUNDATION WALL:  
10" CONC. FNDN. WALL ON 6"x22" CONC. FTG.
- F2** TYPICAL GARAGE FOUNDATION WALL:  
8" CONC. FNDN. WALL ON 6"x20" CONC. FTG.





**GROUND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

**SITE PLAN**  
SCALE: 1" = 400.0'

PART OF LOT 15, GORE 'A',  
TOWNSHIP OF SOUTH BRIMSBY  
COUNTY OF LINCOLN, NOW  
IN THE TOWNSHIP OF  
WEST LINCOLN, REGIONAL  
MUNICIPALITY OF NIAGARA.

NEW WINDOW TO BE  
INSTALLED, MAKE  
GOOD ALL SURFACES  
(40" x 42")

EXISTING WINDOW  
TO BE REMOVED,  
MAKE GOOD ALL  
SURFACES.

EXISTING SIDE  
ENTRANCE TO  
REMAIN.

EXISTING  
DWELLING

EXISTING WINDOW  
TO BE REMOVED,  
MAKE GOOD ALL  
SURFACES.

Township of West Lincoln  
Building Department  
**RECEIVED**  
Jan 25, 2000  
Smithville, Ontario  
Per: Rhonda

ALL CONSTRUCTION MUST COMPLY WITH  
ONTARIO BUILDING CODE.  
Reviewed: [Signature]  
Date: 2000/02/24

PROPOSED GARAGE ADDITION for the DOCHSTADER'S.		
SCALE: AS NOTED	APPROVED BY:	DRAWN BY: BAP
DATE: JANUARY, 2000		REVISED
GROUND FLOOR PLAN, SITE PLAN.		
PART OF LOT 15, CONCESSION 7, TOWNSHIP OF WEST LINCOLN.		DRAWING NUMBER A-1





---

# Memo

**To:** Stephanie Pouliot, Planner  
**From:** Jennifer Bernard, Coordinator of Engineering Services  
**Date:** November 12, 2024  
**Re:** File A23/2024WL – 7948 Concession 7 Rd

---

A review has been completed of this application to permit a garage addition to the existing single detached dwelling that is wider than permitted in the Township's Zoning By-law 2017-70.

This property is located within the area of the Van Buren municipal drain however the proposed garage addition does not impact the drainage areas. Public Works has no concerns with the proposal.



318 Canborough St. P.O. Box 400  
Smithville, ON  
L0R 2A0  
T: 905-957-3346  
F: 905-957-3219  
www.westlincoln.ca

---

**PLANNING & DEVELOPMENT DEPARTMENT**

**MEMORANDUM**

**TO: Stephanie Pouliot – Planner / Secretary Treasurer Committee of Adjustments**

**FROM: Lyle Killins, Septic Inspection Manager**

**DATE: November 12, 2024**

**SUBJECT: FILE A23/2024 WL – Neil, Mark & Effie Dochstader  
7948 Concession 7**

---

Dear Stephanie,

Please be advised the proposed application would not negatively impact on the requirement of Part 8 (Septic Systems) Ontario Building Code.

Thus, no objection to the application as proposed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lyle Killins'.

Lyle Killins C.P.H.I.(c)  
BCIN #11112



**Public Works Growth Management and Planning Division**

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7

905-980-6000 Toll-free:1-800-263-7215

---

**Via Email Only**

November 18, 2024

File Number: PLMV202401475

Stephanie Pouliot

Planner I; Secretary Treasurer to the Committee of Adjustment

Township of West Lincoln

318 Canborough St., P.O. Box 400

Smithville, ON L0R 2A0

Dear Ms. Pouliot:

**Re: Regional and Provincial Comments  
Application for Minor Variance  
Township File Number: A23/2024WL  
Applicant: Neil, Mark, and Effie Dochstader  
Location: 7948 Concession 7 Road  
Township West Lincoln**

---

Staff of the Regional Public Works Growth Management and Planning Division has reviewed this application to permit a garage addition (130.16 square metres) with a width of 16.2 metres, which exceeds the maximum garage width for an attached private garage of 50% of the dwelling or 9.2 metres, whichever is less, for the property municipally known as 7948 Concession 7 Road in the Township of West Lincoln. Regional staff received notice of this application on November 6, 2024.

Staff note that no pre-consultation meeting was held to discuss the proposal. The following comments are provided from a Provincial and Regional perspective to assist the Committee in their consideration of the application.

**Provincial and Regional Policies**

The subject land is within the 'Prime Agricultural Area' within the Provincial Planning Statement, 2024 ("PPS") and is designated 'Prime Agricultural Area' in the Niagara Official Plan, 2022 ("NOP"). The permitted uses within this designation are for agricultural uses, which includes a principal dwelling associated with an agricultural operation, agriculture-related uses, and on-farm diversified uses. In addition, existing legally established uses, such as residential, are recognized and can continue.



Staff note that NOP Policy 4.1.10.2 also permits expansions to accessory structures subject to demonstration of the following:

- a. new municipal services are not required;
- b. the proposal does not expand into key natural heritage features and key hydrologic features, unless there is no other alternative in which case any expansion shall be limited in scope and kept within close geographical proximity to the existing structure;
- e. the proposal does not result in the intrusion of new incompatible uses;

Staff note that the proposed expansion does not propose any new municipal services nor are any environmental features identified within the area of development. The requested variance, which will facilitate the construction of an expansion to the existing structure (dwelling / attached garage), is not in conflict with Provincial and Regional policies and plans subject to the following comments and local requirements.

### **Archaeological Potential**

The PPS and the NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, PPS policy 4.6(2) and NOP policy 6.4.2.1 state that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.

The subject lands are mapped within an area of archaeological potential on Schedule K of the NOP. In accordance with Policy 6.4.2.6 of the NOP, a Stage 1 Archaeological Assessment (at minimum) by a licensed archaeologist is required for any proposed development within an area of archaeological potential requiring approval under the Planning Act. As such, Regional staff requires that an archaeological assessment(s) be completed and submitted to the Ministry Citizenship and Multiculturalism with a copy of their acknowledgement of the report(s) shared to the Niagara Region and the Township.

In this instance however, Staff provides the following archaeological advisory clause for the applicant's information:

*"If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the Niagara Regional Police Service and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C. <https://www.niagararegion.ca/projects/archaeological-managementplan/default.aspx>"*

Nevertheless, the applicant may wish to undertake an archaeological assessment for their due diligence. Staff wish to advise the applicant that finding any archaeological resources during any construction / works would have to cease as noted in the advisory clause until an archaeological study is completed.

### **Conclusion**

Staff of the Regional Public Works Growth Management and Planning Division does not object to the request for a Minor Variance to permit a garage addition exceeding the maximum garage width provision, subject to the Townships satisfaction.

Please send copies of the staff report and notice of the Township's decision on these applications. If you have any questions related to the above comments, please contact me at [connor.wilson@niagararegion.ca](mailto:connor.wilson@niagararegion.ca).

Kind regards,



Connor Wilson  
Development Planner

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region



3350 Merrittville Hwy. Unit 9  
Thorold Ontario L2V 4Y6  
905.788.3135 | info@npca.ca | npca.ca

November 20, 2024

NPCA File No.: PLMV202401496

VIA EMAIL ONLY

Committee of Adjustment  
Township of West Lincoln  
318 Canborough St. P.O. Box 400  
Smithville, ON, L0R 2A0

Attention: Stephanie Pouliot, Secretary Treasurer of the Committee of Adjustment

**Subject: Application for Minor Variance, A23/2024WL**  
Neil, Mark and Effie Dochstader  
7948 Concession 7 Road, West Lincoln, **ARN 260203001125300**

---

To the Committee of Adjustment,

Further to your request for comments for the Minor Variance Application for the above noted property, the Niagara Peninsula Conservation Authority (NPCA) can offer the following.

***Provided Description:*** *A Minor Variance application has been applied for to permit a garage addition (130.16 square metres) to the existing single detached dwelling on the subject property.*

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under Ontario Regulation 155/06 of the Conservation Authorities Act. The NPCA Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority (NPCA policies) provides direction for managing NPCA regulated features.

The NPCA has reviewed the NPCA mapping of **ARN 260203001125300** and notes that the subject property does contain Regulated Watercourses and associated 15 m buffers. However, the proposed works do not encroach as such the NPCA would have no objection to proposed works within this application.

Please be advised that all future proposed works that are within an NPCA Regulated Area will require review, approval, and NPCA Permits prior to the start of development. Please do not hesitate to call should you have any further questions in this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Paige P.", is written over a light blue horizontal line.

Paige Pearson  
Watershed Planner  
(905) 788-3135, ext. 205  
ppearson@npca.ca



**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN  
COMMITTEE OF ADJUSTMENT MINUTES**

**October 30, 2024, 7:00p.m.**

Present Members:

- Deborah Coon-Petersen (Chair)
- Peter Forsberg (Sitting member)
- Kim Willis (Sitting member)

Staff:

- Madyson Ettl, Senior Planner
- Gerrit Boerema, Acting Director of Planning and Building
- Stephanie Pouliot, Secretary/Treasurer to the Committee of Adjustment

Public:

- Mike Boverhof
- Ethan Laman

**1. CHAIR**

The meeting was called into Order at 7:02 pm.

**2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST**

There were none at this time.

**3. REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT**

There were no requests for withdrawal or adjournment at this time.

**4.a) A22/2024WL - Boverhof (Schilstra Builders Inc., Arnell Tiersma -Agent)**

Property Address: 4203 Elcho Road

Senior Planner, Mrs. Ettl provided the presentation overview of the application.

Chair Coon-Petersen, asked if the owners are present and if they would like to address the Committee?

The owner, Mr. Boverhof, took oath. He wanted to add a comment that the NPCA has completed their site visit. They proposed on the high top of the property but the NPCA

had concerns over surface ditches that were created as common farming practice to get rid of surface water.

Chair Coon-Petersen asked the sitting members if they have any questions?

Sitting members, Member Forsberg and Willis had no questions or comments on the application.

Chair Coon-Petersen noted that it is time for a motion.

Member Willis, motioned to approve the application.

Member Forsberg, seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.**

**b) B09/2024WL - Bradley and Kimberly Killins (Upper Canada Consultants, Ethan Laman -Agent)**

Property Addresses: 5357 and 5377 Elcho Road

Senior Planner, Mrs. Etzl provided the presentation overview.

Chair Coon-Petersen asked if the owners or agent are present and if they would like to address the Committee?

The agent, Mr. Laman, responded that he has no comments, but is available for any questions.

Chair Coon-Petersen asked the sitting members if they have any questions?

Member Forsberg, noted that he has no questions or comments. He is satisfied with what he has heard and with the staff report.

Member Willis, also noted that she has no questions or comments on the application.

Chair Coon-Petersen noted that it is time for a motion.

Member Forsberg motioned to approve the application with the 8 conditions included.

Member Willis seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Consent is 20 days from the mailing date, being tomorrow, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.**

**c) Change of Condition Request -B08/2024WL – TeBrake (Niagara Planning Consultants, Jeremy Brown -Agent)**

Acting Director of Planning and Building, Mr. Boerema provided the overview of the change of condition request.

Chair Coon-Petersen asked the sitting members if they have any questions?

Member Forsberg asked whether there are any minimum distance separation issues?

Acting Director of Planning and Building, Mr. Boerema responded that there are no issues as this would be a rural residential lot and would not be permitted to have livestock.

Member Willis asked if MDS is required for a certain amount of animals?

Acting Director of Planning and Building, Mr. Boerema responded it's triggered by an area greater than 10 square metres.

Member Willis asked if a hobby farm would produce less than a milking farm?

Chair Coon-Petersen asked does it depend on a certain amount of acreage to get rid of the manure?

Acting Director of Planning and Building, Mr. Boerema responded that farming operations that have greater than 5 nutrient units require a nutrient unit management plan. This information would be used to generate a minimum distance separation setback from Type A uses including a neighbouring house, school, or church. The nutrient unit management plan also addresses how the manure waste is dealt with either on their own property or sell to a broker to spread on a different and/or neighbouring property.

Member Forsberg noted with the size of the barn wouldn't be able to hold many livestock.

Member Willis added if livestock were allowed on the property.

Acting Director of Planning and Building, Mr. Boerema showed the subject barn on the overhead projectors and noted the following. The change of condition request only applies to the current building, if the barn was removed it would have to comply with the current zoning regulations. Staff attended a site visit with Hugh Fraser to see if the barn was a swing beam barn. It was determined that the barn is around 100 years old but not



considered a swing beam barn.

Member Willis asked whether they would be able to move it?

Acting Director of Planning and Building, Mr. Boerema responded that at the site visit, the applicant mentioned they have moved barns like this before. There's about 4 or 5 main beams sitting on concrete pillars.

Chair Coon-Petersen noted that it is time for a motion.

Member Willis motioned to approve the change of condition request as recommended by staff.

Member Forsberg seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Consent is 20 days from the mailing date, being tomorrow, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.**

## **5. MINUTES FOR APPROVAL**

There are no minutes for approval at this time.

## **6. NEW BUSINESS**

Acting Director of Planning and Building, Mr. Boerema advised the Committee that Mr. Treble is no longer with the Township. Currently, I am acting in this position and we are working to keep business going as usual. If there is anything you need to speak about, please feel free to let me know.

## **7. ADJOURNMENT**

That, this Committee does now adjourn at the hour of **7:35 pm.**

Member Willis, motioned to adjourn.

---

PETER FORSBERG,  
VICE CHAIR

---

STEPHANIE POULIOT,  
SECRETARY-TREASURER



**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN  
COMMITTEE OF ADJUSTMENT MINUTES**

**September 25, 2024, 7:00p.m.**

Present Members:

- Peter Forsberg (Chair)
- Bonnie Baarda (Sitting member)
- Peggy Cook (Sitting member)

Staff:

- Madyson Etzl, Senior Planner
- Stephanie Pouliot, Secretary/Treasurer to the Committee of Adjustment

Public:

- Benjamin Hage
- Alvin Krol
- Braydon Robertson
- Jeremy Brown
- Rebecca VanMil
- Richard VanMil
- Peter Feddema

**1. CHAIR**

The meeting was called into Order at 7:01 pm.

**2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST**

There were none at this time.

**3. REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT**

There were no requests for withdrawal or adjournment at this time.

**4.a) A19/2024WL - Vanmil**

Property Address: 1 Tara Place

Senior Planner, Mrs. Etzl provided the presentation overview of the application.

Member Baarda asked for clarification on the staff recommendations, will Committee be voting together as one motion or separately first with the denial then for approval of the amended recommendation?

Chair Forsberg responded that the vote will be on two parts, one motion with regard to the location in the exterior side yard of 1 metre then proceed with another motion for the amended setback of 2 metres.

Chair Forsberg asked if the owners are present and if they would like to address the Committee?

Owner Mrs. Vanmil, took oath. She mentioned her husband and her are considering the 2 metre setback as proposed, however it would be very close and would corner to their back deck. She mentioned the corner of garage would interfere with the top corner of the deck, that is why they requested the 1 metre setback. The 1 metre will allow access to the rear yard between the garage and the deck.

Senior Planner, Mrs. Etzl responded that the concern is for future sidewalks and parking on the Township's boulevard if there is a new driveway. The amended 2 metre setback would allow the building to be in line with the house and would provide some area to park on the boulevard but parking should not be solely on the Township's property.

Chair Forsberg noted that its a compromise. With the future potential development in the area, denial for the 1 metre setback but a compromise to go with the 2 metre setback. Do you understand this?

Owner Mrs. Vanmil, responded that she does understand. She mentioned the concern is that where the house is currently facing on Rock Street and our current design. There would be no change to existing circumstances.

Owner Mr. Vanmil, took oath. He mentioned his wife was pointing out that our driveway should be off of Tara Place but in the 70's was designed off of Rock Street. Why are people allowed to park close to Rock Street and the sidewalk there?

Member Baarda to Senior Planner, Mrs. Etzl, do you agree we would consider this legal non-confirming at that time in the 70's?

Senior Planner, Mrs. Etzl responded yes, it most likely is.

Member Baarda noted so this would be a legal non-confirming circumstance. The subdivision was completed before these bylaws were enacted and we have to go with the bylaws in front of us today.

Secretary, Ms. Pouliot clarified that the 2 metre setback allows the majority of a car to be parked on your property, with only a couple metres on the Township's boulevard. It's to keep the sidewalk free. As you can see with your driveway on Rock Street, the cars can park without blocking the sidewalk.

Member Cook asked if the 2 metre setback is consistent with other applications?

Senior Planner, Mrs. Etzl clarified staff can support 2 metres. The private garage provision requires detached private garages to be no closer than 6 metres to an exterior side lot line when located within the rear yard. The provisions have been in effect since 2017.

Member Baarda asked what should the first motion be?

Chair Forsberg confirmed the first motion would be regarding the 1 metre request, then proceed to the amended staff recommendation.

Member Baarda motioned that the 1 metre setback be denied as recommended by staff.

Member Cook seconded. **Carried.** .

Chair Forsberg noted its time for a motion for the amended recommendation.

Member Cook motioned that the 2 metre setback be approved as recommended by staff.

Member Baarda seconded. **Carried.** .

Chair Forsberg noted the second motion has been approved to allow the 2 metre setback.

**Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the Planning Act, there are limitations on who can appeal a decision.**

**b) [A20/2024WL –Feddema \(Cav Construction Inc, Cody Van Soelen –Agent\)](#)**

Property Addresses: 7125 Young Street

Senior Planner, Mrs. Etzl provided the presentation overview.

Chair Forsberg asked if the owners are present and if they would like to address the Committee?

The owner Mr. Feddema took oath. He mentioned he wanted to let Committee know the size of the door for the garage/shop is for farm equipment that needs a lot more space than a typical garage. He noted that they also decided to complete the garage at the same time as the dwelling as it is a lot cheaper to complete all at once together on the same concrete pad.

Chair Forsberg asked do you already have some stacks out?

The owner, Mr. Feddema, responded that he does have stacks out.

Chair Forsberg asked if anyone present in the gallery would like to make comment on the application? (no one from gallery commented).

Chair Forsberg asked the sitting members if they have any questions?

No comments or questions from sitting members.

Chair Forsberg noted that it is time for a motion with the conditions.

Member Baarda motioned to approve the application with the 4 conditions included.

Member Cook seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the Planning Act, there are limitations on who can appeal a decision.**

**c) A21/2024WL –Krol**

Property Addresses: 4040 Concession 4 Road

Senior Planner, Mrs. Etzl provided the presentation overview.

Chair Forsberg asked if the owners are present and if they would like to address the Committee?

The owner, Mr. Krol, responded that he has nothing more to add. He has no objections.

Chair Forsberg asked the sitting members if they have any questions?

No comments or questions from sitting members.

Chair Forsberg asked if anyone present in the gallery would like to make comment on the application? (no one from gallery commented).

Chair Forsberg noted that it is time for a vote and requested a motion from the Committee.

Member Cook motioned to approve the application.

Member Baarda seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the Planning Act, there are limitations on who can appeal a decision.**

**d) B08/2024WL –TeBrake (Niagara Planning Consultants, Jeremy Brown -Agent)**

Property Addresses:1985 Hodgkins Road

Senior Planner, Mrs. Etzl provided the presentation overview.

Chair Forsberg asked if the owner or agent is present this evening and would like to address the Committee?

Agent Mr. Brown took oath and thanked the chair and committee members for their time. Mr. Brown mentioned he appreciated the hard work of staff over the past year of working through this process. Stephanie has been great to work. He just wanted to provide a brief history. They had the pre-consultation meeting on July 20<sup>th</sup> 2023, 15 months ago. One of the requirements was a planning justification report to justify the lot size signed off by a RPP (registered professional planner). Mr. Brown mentioned that they worked with LandPro Planning Solutions on the planning justification report. When the application was submitted, the lot size was too large. The steel metal clad building was initially proposed with the severed lot but the lot lines have been revised to keep the building with the agricultural lands. Mr. Brown noted that they secured Dino Maddalena for the BCIN septic report. He is like Lyle Killins but for other areas in Niagara. Dino visited the property four times and advised him to keep the lot as small as possible. The proposed reserve space is for future development, currently with the 3 bedroom the system would be at capacity. The septic is functioning however, there is no history of the install. A year or 5 years from now, when the system fails, a new system will need to be installed to comply with the OBC. Mr. Brown mentioned his concern with the existing well and possibly having to remove it with the reduced lot recommendation. He also mentioned there are tertiary septic systems but they are more expensive and there is a yearly contract to maintain the tanks. Less ideal for rural. Mr. Brown showed the proposed 1-acre lot. The frontage would not comply with the zoning, it would be deficient of the 45 metre setback and would require them come back for a minor variance.



Secretary Ms. Pouliot noted for clarification that a minor variance would not be necessary as that could be dealt with through the rezoning application which is already included as a condition of approval.

Agent Mr. Brown noted that the need for the increased lot size has been shown. The smaller lot size would sterilize the property for future additions or alterations. With talking to the tenants who are the intended purchasers of the property if they are able to have the 1.5 acres as they are losing the barn and the steel clad building, they would want to build an accessory structure. There is a 5 metre clearance required from the septic to any building. The zoning does not allow for closer to the front lot line than the dwelling. It would not be possible with the constraint on the smaller lot size. The tenants would not be interested in purchasing if it is not as requested. Mr. Brown noted that they have compromised significantly over the past year and are asking condition 3 be removed. It would take this high quality lot and turn it to a poor quality lot.

Secretary Ms. Pouliot asked Mr. Brown if the owners or tenants considered the front yard for the septic location? This would free up the rear yard space for a future accessory building.

Agent Mr. Brown responded that they did speak to Dino about that but not possible because of the driveway location.

Chair Forsberg asked the sitting members if they have any questions?

Member Cook noted no questions, that was very well presented Jeremy.

Member Baarda noted no questions as well, that was excellent.

Chair Forsberg asked if anyone present in the gallery would like to make comment on the application?

Public member, Mr. Hage took oath and noted that he's not opposed to anything, just wanted to address the barn. The barn is kind of heritage to the Hodgkins area. It's on the road side and was grandfathered in. Mr. Hage noted that he loves the heritage; it was his sister's farm. The barn dates back to around 1885 prior to all the regulations and prior to the public road being there.

Agent Mr. Brown responded that there is no heritage designation on the property and as it never came up, there was no reason to look further into any legal non-conforming status. With the barn being over the front boundary, they just assumed it wouldn't be able to remain.

Member Baarda noted that she went through this in 2006. The barn was built in 1905. There was no choice and the barn had to be torn down. It was a shame not to include it. If the Township knew a head of time, there maybe could have been an option to be able to save it.

Member Cook asked if this new information should be sent back to the planning department?

Member Baarda mentioned that she does not think that's possible. It's like closing the barn door after the horses escaped.

Chair Forsberg thanked Mr. Hage for his input and noted that it makes them wiser.

Chair Forsberg asked if there are any other comments or questions?

Member Baarda noted that she would like to amend this application to remove condition 3.

Chair Forsberg responded that the motion will be to approve the application with the exception of condition 3.

Member Cook asked if this will still allow the application to go through?

Chair Forsberg clarified that yes it will still go through, it will just not include condition 3.

Member Baarda added that they will be able to have their 1.5 acres.

Chair Forsberg noted that it is time for a vote and requested a motion from the Committee.

Member Baarda motioned to approve the application with the conditions as included except condition 3.

Member Cook seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Consent is 20 days from the mailing date, being tomorrow, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.**

## **5. MINUTES FOR APPROVAL**

There are no minutes for approval at this time.

## **6. NEW BUSINESS**

Secretary Ms. Pouliot noted that training will resume next month.

Member Baarda noted Robert's Rules of Order and that when addressing the chair, it is either Mister Chair or Madam Chair, not through the chair. Just a note going forward.

**7. ADJOURNMENT**

That, this Committee does now adjourn at the hour of 8:10 pm.  
Member Cook, motioned to adjourn.

\_\_\_\_\_  
PETER FORSBERG,  
CHAIR

\_\_\_\_\_  
STEPHANIE POULIOT,  
SECRETARY-TREASURER

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN  
COMMITTEE OF ADJUSTMENT MINUTES**

**July 24, 2024, 7:00p.m.**

Present Members:

Peter Forsberg (Chair)

Kim Willis (Sitting member)

Peggy Cook (Sitting member for items A13/2024WL, A14/2024WL, A16/2024WL, B04/2024WL)

Staff: Gerrit Boerema, Manager of Planning

Stephanie Pouliot, Secretary/Treasurer to the Committee of Adjustment

Public: Kristina Haining

Steven Cook

Marianna Felvus

Gojko Kordic

Bill and Cathy Vitucci

John Verdonk

Theresa Flanagan

---

**1. CHAIR**

The meeting was called into Order at 7:10 pm.

**2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST**

Member Cook declared a pecuniary interest/conflict of interest for 56 Wade Road (A15/2024WL).

Chair Forsberg confirmed that Ms. Cook will not be sitting for that application.

Member Willis and Chair Forsberg had no pecuniary interest/conflict of interest.

**3. REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT**

There were no requests for withdrawal or adjournment at this time.

**4. \*Change in order of applications heard. Application number 3 for A15/2024WL moved to the last application being heard. \***

**a) A13/2024WL - Kordic**

Property Address: 3227 Grassie Road

Manager of Planning, Mr. Boerema provided the presentation overview of the application.

Chair Forsberg asked if the owner was present and if he would like to address the committee or make any comments? If so, an oath or an affirmation is required.

The owner, Mr. Kordic, responded that he has nothing more to add.

Chair Forsberg asked the sitting members if they have any questions?

Sitting members had no questions or comments on the application.

Chair Forsberg asked if anyone present in the gallery would like to make comment on the application? (no one from gallery commented).

Chair Forsberg noted that it is time for a vote and requested a motion from the Committee?

Member Willis motioned to approve the application with the 2 conditions as included.

Member Cook seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.**

**b) A14/2024WL –Blokker**

Property Addresses: 2931 South Grimsby Road 19

Manager of Planning, Mr. Boerema provided the presentation overview.

Chair Forsberg asked if the owners are present and if they would like to address the committee or make any comments? If so, an oath or an affirmation is required.

The owner, Mr. Blokker, responded that he has nothing more to add.

Chair Forsberg asked if the sitting members have any questions or comments on the application?

Sitting members had no questions or comments on the application.

Chair Forsberg asked if anyone present in the gallery would like to make comment on the application? (no one from gallery commented).

Chair Forsberg noted that it is time for a vote and requested a motion from the Committee.

Member Cook motioned to approve the application, granting the two requested variances.

Member Willis, seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.**

d) **A16/2024WL - Gestion Queylus Inc. (Agent - John Verdonk Construction Inc.)**

Property Addresses: 3651 Sixteen Road

Manager of Planning, Mr. Boerema provided the presentation overview and spoke to the additional regional conditions that staff believe can be addressed through the site plan agreement, including the restoration plan with low cost plantings. The owner and applicant are present, if there are any questions for them.

Chair Forsberg asked for clarification on the restoration plan and if it was for protecting the water feature?

Manager of Planning, Mr. Boerema responded that is correct as there is provincial and regional interest. There would be native trees, shrubs, grass and sunflowers. The plan will agree on mutual spaces that will be naturalized and enhanced. Domaine Queylus appears to have already been doing already.

Chair Forsberg asked whether the owner or agent are present and if they would like to address the committee or make any comments? If so, an oath or an affirmation is required.

The owner, Mrs. Flanagan, responded that they do not have anything to add.

Chair Forsberg asked if the sitting members have any questions or comments on the application?

Member Willis asked Manager of Planning, Mr. Boerema what triggers the request for the plantings? Is this a new requirement the Region will be enforcing for certain variances or properties?

Manager of Planning, Mr. Boerema responded that it is a new requirement from the Niagara Official Plan, approved in 2022. It is triggered as there is a watercourse on the property near

the north side of building. The NOP requires a 30 metre vegetation protection zone (VPZ) to regulated features. The applicants have already done some restoration. It doesn't have to be a complicated plan. The key is the native plantings, showing the proposed restoration area on a plan, and implementing through the site plan agreement.

Member Willis thanked Mr. Boerema and noted she had no more questions.

Member Cook noted that she has no questions on the application.

Chair Forsberg noted that it is time for a vote and requested a motion from the Committee.

Member Willis motioned to approve the application with the one condition included.

Member Cook seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.**

e) **B04/2024WL - William and Cathleen Vitucci**

Property Address: 5447 Regional Road 20

Manager of Planning, Mr. Boerema provided the presentation overview and spoke to the regional road widening condition and the agricultural purposes only 'APO' requirement for the remnant farmland. Mr. Boerema went through the 10 required conditions.

Secretary Ms. Pouliot added to clear the septic condition, a site plan showing compliance with the distance separations as outlined in Tables (8.2.1.6.A. and 8.2.1.6.B.) of the Ontario Building Code.

Chair Forsberg asked if the owners are present and if they would like to address the committee or make any comments? If so, an oath or an affirmation is required.

The owner, Mrs. Vitucci took oath and asked for clarification on the road widening condition.

Chair Forsberg asked Manager of Planning, Mr. Boerema to clarify the condition.

Manager of Planning, Mr. Boerema showed page 70 of the agenda on the overhead projectors. Mrs. Vitucci is referring to the proposed widening in front of the house. It continues to the abutting property. Road widening are only able to be taken from lands that are subject to an application. The road widening does go close to the house. We confirmed with the

Region regarding fairness on each side (north and south of the road) and it was confirmed that if there were an application on the south side of Highway 20, they would also require the road widening from them.

The owner, Mrs. Vitucci asked whether this will be captured through the rezoning application which is included as a condition of consent?

Manager of Planning, Mr. Boerema responded that's correct, the deficient front yard setback will be addressed through the rezoning application which is already required.

Chair Forsberg asked if the sitting members have any questions or comments on the application?

Sitting members had no questions or comments on the application.

Chair Forsberg noted that it is time for a vote and requested a motion from the Committee.

Member Cook motioned to approve the application with the 10 conditions as included.

Member Willis, seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Consent is 20 days from the date of mailing being tomorrow, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.**

**c) A15/2024WL –Haining & Cook (Agent – Rodney Friesen)**

Property Addresses: 56 Wade Road

Member Ms. Cook stepped away and did not sit for the application.

Chair Forsberg stated he would like to note that only two members of the committee are sitting. He mentioned if they both vote in favor, there is no problem but if they are not unified, he would advise the Town that this application be deferred to the next committee hearing.

Manager of Planning, Mr. Boerema confirmed that a tie vote is a defeated vote.

Manager of Planning, Mr. Boerema provided the presentation overview. Spoke to the parking requirements, one parking space per accessory unit. As the Planning Act is a higher document, we cannot require more than what is noted in the act. Mr. Boerema also spoke to recent changes to the Planning Act regarding municipal services and three units now being allowed on lots connected to municipal services.

Chair Forsberg asked if the owners or agent are present and if they would like to address the committee or make any comments? If so, an oath or an affirmation is required.



The owner, Mr. Cook, responded that they have nothing more to add.

Chair Forsberg asked the Committee members if they have any questions on the application?

Member Willis, noted that she has a question for the owner, so an oath or an affirmation will be required.

The owner, Mr. Cook took oath.

Member Willis to Mr. Cook, was this meant to be a garage initially than to convert to an accessory dwelling unit?

Owner Mr. Cook responded that's correct, the initial purpose was for storage, as we are adding the second unit in the basement and will need the storage space. Mr. Cook mentioned that he foresees down the road converting the garage to an accessory dwelling unit if things change in the future.

Chair Forsberg motioned to approve the application with the one condition as included.

Member Willis seconded. **Carried.** .

**Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.**

## **5. MINUTES FOR APPROVAL**

Secretary Ms. Pouliot noted that it is time for a motion for the March 27th set of minutes.

- a. [March 27, 2024](#)

Member Willis motioned to approve.

Member Cook seconded. **Carried.** .

Secretary Ms. Pouliot noted that it is time for a motion for the April 24<sup>th</sup> set of minutes.

- b. [April 24, 2024](#)

Member Cook motioned to approve.

Member Forsberg seconded. **Carried.** .

Secretary Ms. Pouliot noted that it is time for a motion for the May 29<sup>th</sup> set of minutes.

c. [May 29, 2024](#)

Member Willis motioned to approve.

Member Cook seconded. **Carried.** .

## **6. NEW BUSINESS**

There was no new business at this time.

## **7. ADJOURNMENT**

That, this Committee does now adjourn at the hour of **8:16 pm.**

Member Cook, motioned to adjourn.

---

PETER FORSBERG,  
CHAIR

---

STEPHANIE POULIOT,  
SECRETARY-TREASURER