



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

**Tuesday, December 9, 2025, 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. A18/2025WL - Deborah and Cornelis Feenstra Property Location: 6680 Elcho Road The purpose of this application is to grant the applicant relief from the provisions of the Township of West Lincoln Zoning Bylaw 2017-070, as amended. The variance sought under this submission is: 1. To increase the maximum ground floor area of an Additional Dwelling Unit within an Accessory Building from 100 square metres to 112 square metres. The effect of this variance is to facilitate the construction of a new accessory dwelling unit within an accessory building.	3
b. A19/2025WL - Maria and Wayne Dutton Property Location: 8427 Concession 5 Road The purpose of this application is to grant the applicant relief from the provisions of Table 1-1 Regulations for Accessory Buildings and Structures in Agricultural Zones of the Township of West Lincoln Zoning By-law 2017-070, as amended. The variance sought under this submission is: 1. To increase the maximum distance from a main building (related	13

residential or agricultural buildings respectively) from 50 metres to 80 metres.

The effect of this variance is to facilitate the construction of a new accessory building for farm equipment storage.

5. MINUTES FOR APPROVAL

25

- April 30, 2025

- June 25, 2025

- August 27th, 2025

6. NEW BUSINESS

7. ADJOURNMENT

That, this Committee does now adjourn at the hour of _____ pm

DATE: December 9, 2025

REPORT NO: COA-24-2025

SUBJECT: **Recommendation Report A18/2025WL- 6680 Elcho Road**

CONTACT: Jeni Fisher, Acting Secretary Treasurer of the Committee of Adjustment

OVERVIEW:

- A Minor Variance application has been submitted by Debrorah and Cornelis Feenstra (Owners).
- The subject property is designated as 'Good General Agriculture' and 'Natural Heritage System'.
- The subject property is zoned Agriculture (A) and Environmental Protection (EP).
- The subject lands contain an existing single detached dwelling, and detached accessory building.
- The variance request is to facilitate the construction of an Additional Dwelling Unit (ADU).
- The requested variance is:
 - To increase the maximum Gross Floor Area of an accessory dwelling unit from 100 square metres to 112 square metres.

RECOMMENDATION:

That, the application for Minor Variance, submitted by Debrorah and Cornelis Feenstra, as outlined in Report COA-24-2025, to permit a 112 square metre Accessory Dwelling Unit be **APPROVED**, as submitted.

BACKGROUND:

A Minor Variance application has been submitted by Debrorah and Cornelis Feenstra (Owners) for the lands municipally known as 6680 Elcho Road. The subject property is located on the south side of Elcho Road. The subject property has a lot frontage of approximately 255 metres on Elcho Road and lot area of approximately 57 hectares. The property contains an existing single detached dwelling and accessory building. The surrounding land use is predominantly agricultural and rural residential with single detached dwellings.

The purpose of this application is to permit the construction of an Additional Dwelling Unit (ADU) with Gross Floor Area (GFA) of 112 square metres within an accessory building. The variance requested is as follows:

- 1) To increase the maximum ground floor area of an Additional Dwelling Unit within an Accessory Building from 100 square metres to 112 square metres.

Planning 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 Agricultural' and 'Natural Heritage System' in the Township's Official Plan. The Good General Agricultural designation allows single detached dwellings and accessory buildings and structures including accessory dwelling units (ADUs).

The proposed ADU will be integrated within an accessory building (shop) and will be located within the cluster of the existing main dwelling unit and accessory building, thereby minimizing land consumption and preserving viable agricultural lands. The subject property has adequate space to accommodate a private sanitary and water system for the proposed ADU.

The subject lands contain a Provincially Significant Wetland (Port Davidson Slough Forest Wetland Complex) with an associated 30 metre buffer and a water course buffer of 15 metres. The proposed accessory building and ADU is outside the Natural Heritage System designation and will not negatively impact any environmental features.

Therefore, Planning Staff are satisfied that proposal meets the general intent and purpose of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law? Yes

The subject property is zoned Agriculture (A) Zone and Environmental Protection (EC) Zone. The Agricultural (A) Zone permits a single detached dwelling unit, accessory buildings, and accessory dwelling units (ADUs), while the EP Zone does not permit any buildings or structures. As such, all development must be located within the portion of the lot zoned A, and the proposed additional dwelling unit is located outside of the EP Zone.

Township's Zoning By-law permits an ADU to have a maximum GFA of 100 square metres. The proposed ADU will have a GFA of 111.5 square metres rounded to 112 square metres. The increase in GFA will not exceed 40% GFA of the main dwelling unit and will not further increase the maximum lot coverage for all accessory buildings or structures on an agricultural lot. Furthermore, the increase to 112 square metres will not

exceed overall lot coverage of the Agricultural Zone.

Therefore, Planning Staff are satisfied that the proposal meets the general intent and purpose of the Zoning By-law.

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

The subject property is zoned and designated to allow accessory buildings and accessory dwelling units (ADUs). The applicant is requesting an increase in ground floor area to accommodate a functional floor plan. The requested variance to increase the maximum gross floor area of an ADU does not exceed 40% of the GFA of the main dwelling unit which helps ensure that the unit remains subordinate to the primary dwelling. The proposed ADU will contribute to additional housing within the Township's Prime Agricultural Area without creating privacy concerns for neighbouring properties, while continuing to support and maintain the property's active agricultural use.

Therefore, Planning Staff are satisfied that the proposal is considered desirable for the appropriate development and use of the land and building.

Is the proposal minor in nature? Yes

The intent of limiting the gross floor area (GFA) of ADUs is to ensure that the ADU remains subordinate to the main dwelling, maintain adequate space for amenities, parking and drainage. The proposed ADU is positioned at the rear and is incorporated into a new accessory building, thereby ensuring it remains subordinate to the primary dwelling unit. Additionally, the proposed increase from 100 square metres to 112 square will not result in over development as the proposed ADU is located on an agricultural lot approximately 57 hectares and will not impact drainage or maintenance or create any privacy or massing concerns. Furthermore, the proposed increase will not negatively impact the existing agricultural production operation.

Therefore, Planning Staff are satisfied that the proposed minor variances are considered minor in nature.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

Niagara Peninsula Conservation Authority

The subject lands contain a Provincially Significant Wetland (Port Davidson Slough Forest Wetland Complex) with an associated 30 metre buffer and a water course buffer of 15 metres. The NPCA offer no objection to the request minor variance. The applicant is to contact the NPCA regarding confirmation of septic and that drainage is maintained as the proposed driveway extension may cross an NPCA regulated watercourse.

Niagara Region

Natural Environment

Subject property is impacted by the Natural Environmental System consisting of a Provincially Significant Wetland in the Niagara Official Plan. The NOP typically requires and Environmental Impact Study when development is proposed within 120 metres of the PSW. The proposed building is outside of the 120 metres. As such, the Region offers no environmental recommendations.

Regional Infrastructure Planning and Development staff offer no object to or requirements of the proposed minor variance application.

PUBLIC COMMENTS:

No public comments were received at the time of writing this report.

CONCLUSION:

Based on the above analysis, Planning Staff recommend **APPROVAL** of Minor Variance A18/2025WL as submitted to permit the construction of 112 square metre additional dwelling unit.

ATTACHMENTS:

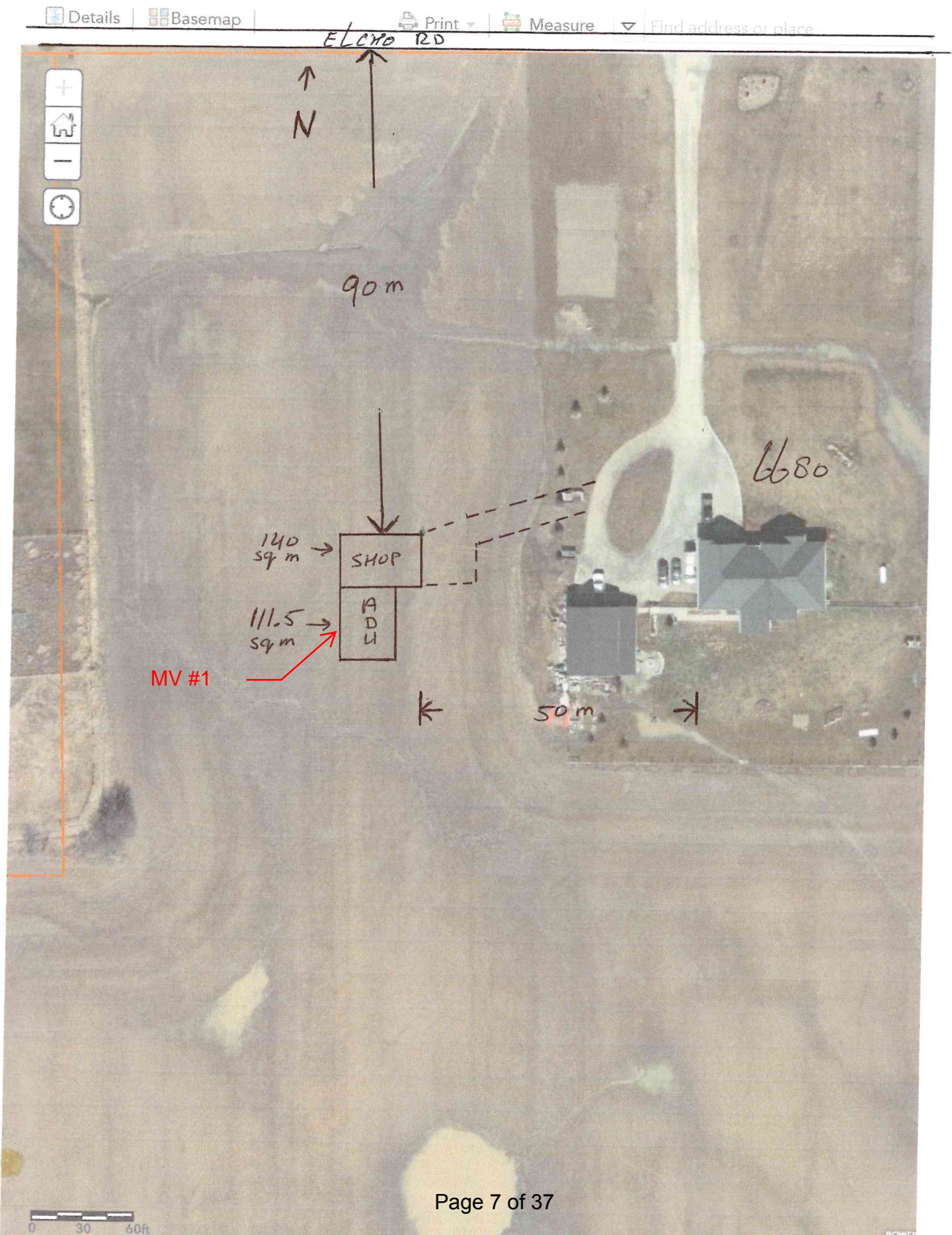
Schedule A – Survey Sketch Plan
Schedule B – Agency Comments

Prepared & Submitted by:

Robin Shugan CPT, ACST
Senior Planner

Approved by:

Susan Smyth CPT
Manager, Community Planning and Design



Hi Jeni,

Please provide the following response to the Committee of Adjustment for the hearing scheduled for December 9, 2025.

Based on the current NPCA mapping (attached), the subject property, 6680 Elcho Road, for the Minor Variance Application, A18/2025WL, contains the following NPCA Regulated Areas:

- Provincially Significant Wetland (PSW) - Port Davidson Slough Forest Wetland Complex
 - All wetlands have an associated 30-meter buffer area of which is regulated by the NPCA
- Watercourse(s)
 - All watercourses have an associated 15-meter buffer area starting from the Top of Bank of which is regulated by the NPCA

As described within the Minor Variance Application, the variance is to seek permission to, *"increase the maximum ground floor area of an Additional Dwelling Unit within an Accessory Building from 100 square metres to 112 square metres"*. Based on the purpose of the variance, the NPCA can offer no objection.

Following a review of the provided site plan as outlined within the Minor Variance, the NPCA would be generally supportive of the development and selected area for placement. Although the NPCA can offer no objection to the Minor Variance at this time, the NPCA will require the applicant to discuss further with the NPCA to verify if the current septic system is sufficient to support the Additional Dwelling Unit (ADU) or, if a new septic system (including bed) would be required to facilitate the development. Additionally, the NPCA would require confirmation that drainage is maintained as it appears the proposed driveway extension may cross an NPCA regulated watercourse. This watercourse area would require further review by the NPCA technical staff to determine if it meets the definition of a regulated watercourse as per the Conservation Authorities Act and if so, should culverts be required, an NPCA Permit maybe of a requirement prior to the start of works.

At this time, the NPCA can offer no objection to the Minor Variance. The NPCA however will require further discussion with the applicant to review a fulsome site plan to verify the scope of works in relation to the NPCA regulated features. Depending on the scope, nature, and location of works, an NPCA works Permit may be required prior to the start of works should works encroach within an NPCA regulated area.

Thank you,



Paige Pearson (She/Her)
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6

(O) 905.788.3135 Ext 205
www.npca.ca
ppearson@npca.ca

The NPCA completed its Watershed-based Resource Management and Conservation Area Strategies, paving the way for sustainable conservation across the Niagara Peninsula watershed. It's Watershed Natural Asset Analysis and Valuation for the Niagara Peninsula watershed offers new insights that redefine how we view nature. **Explore them today!**

Via Email Only

December 2nd , 2025

Region File: PLMV202502398

Jeni Fisher
Interim Secretary Treasurer of the Committee of Adjustment
Township of West Lincoln
318 Canborough Street
Smithville, ON L0R 2A0

Dear Ms. Fisher:

Re: Regional Comments
Application Type: Minor Variance
Township File: A18/2025WL
Owner: Cornelis Feenstra
6680 Elcho Road
Township of West Lincoln

Regional Infrastructure Planning and Development staff has reviewed the minor variance application for lands municipally known as 6680 Elcho Road in the Township of West Lincoln. The application is required to increase the maximum ground floor area of an additional dwelling unit within an accessory building from 100 square metres to 112 square metres. This variance would facilitate the construction of a new accessory dwelling unit within an accessory building.

A pre-consultation meeting was not held for this proposal.

Planning Act Changes

Staff advise pursuant to the *Planning Act*, as of March 31, 2025, Niagara Region is an upper-tier municipality without planning responsibilities. The council of an upper-tier municipality, on conditions agreed upon with the council of a local municipality, may provide advice and assistance to local municipalities in respect of planning matters generally. Niagara Region has entered into a 'Planning Services Agreement' (PSA) with the Township of West Lincoln to continue providing support and advice to the Township for planning review with respect to natural environment system policies.

Please be advised that through a related change to the *Planning Act*, the *Niagara*

Official Plan, 2022 (NOP) is effectively an official plan of the Township of West Lincoln, which remains in effect until the Township revokes or amends it to provide otherwise. As such, Township staff should be satisfied that the application conforms to NOP policies.

On this basis, the following comments pertaining to natural environment system policies are provided as advice to assist the Township in their review of the application. Under the Memorandum of Understanding for Engineering Review between the Township and the Region, the comments related to Regional infrastructure and/or waste collection, where applicable, are considered Regional requirements with respect to the Region's interests. This application does not affect any Regional interests under the MOU and, therefore, Regional staff offers no comments or requirements in this regard.

Natural Environment System

The subject property is impacted by the Natural Environment System (NES) of the NOP, consisting of Provincially Significant Wetland (PSW). NOP policy typically requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed within 120 m of these features.

The proposed building is outside of this setback. As such, Regional staff offer no recommendations.

Conclusion

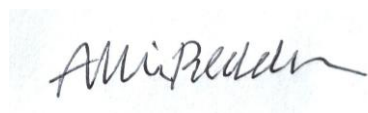
Regional Infrastructure Planning and Development staff offer no objections to or requirements of the proposed minor variance application to facilitate the construction of a new accessory dwelling unit within an accessory building.

Please be advised that through changes to the *Planning Act*, the NOP is effectively an official plan of the Township of West Lincoln, which remains in effect until the Township revokes or amends it to provide otherwise. As such, Township staff should be satisfied that the application conforms to NOP policies.

If you have any questions regarding the above comments, please contact the undersigned at Alexandra.Reddon@niagararegion.ca, or Pat Busnello, Manager of Development Planning at Pat.Busnello@niagararegion.ca.

Please send notice of the Township's decision on this application.

Kind regards,



Allie Reddon
Development Planner

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

DATE: December 9, 2025

REPORT NO: COA-25-2025

SUBJECT: **Recommendation Report – Application for Minor Variance
A192025WL – 8427 Concession 5 Road**

CONTACT: Jeni Fisher, Acting Secretary Treasurer of the Committee of Adjustment

OVERVIEW:

- An Application for a Minor Variance has been submitted by Wayne and Maria Dutton (Owners) for the lands located at 8427 Concession 5 Road.
- The purpose of this Application is to grant relief from the provisions of Table 1-1 Regulations for Accessory Buildings and Structures in Agricultural Zones of the Township's Zoning By-law 2017-70, as amended.
- The variance being requested with this application is:
 1. To increase the maximum distance from a main building (related residential or agricultural buildings respectively) from 50 metres to 80 metres.
- The effect of this variance, if granted, is to facilitate the construction of a new accessory building (barn) for farm equipment storage.

RECOMMENDATION:

That, the Application for Minor Variance A192025WL, submitted by Wayne and Maria Dutton, as outlined in Report COA-25-2025, to permit the construction of a new accessory building for farm equipment storage be APPROVED with an increased maximum distance from a main building not to exceed 80 metres.

BACKGROUND:

A Minor Variance Application has been submitted by the owners Wayne and Maria Dutton (Owners) for the lands municipally known as 8427 Concession 5 Road.

The subject property is located on the north side of Concession 5 Road and east of Caistor Centre Road. The subject lands currently contain a main dwelling and two accessory buildings. The surrounding land use is predominantly agricultural and rural

residential with single detached dwellings and accessory buildings and structures.

The purpose of this application is to permit the construction of an accessory building (barn) for farm equipment storage. The variance requested is as follows:

- To increase the maximum distance from a main building (related residential or agricultural buildings respectively) from 50 metres to 80 metres.

Planning 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 Township's Official Plan (OP) designates the subject property as 'Good General Agricultural' and Natural Heritage System'. The Good General Agricultural designation allows for a use of single detached dwellings, farm help houses, accessory buildings and structures including barns and storage sheds for agricultural products and farm equipment. Section 4.2 of the Township's OP states that agricultural areas shall promote and protect a viable agricultural industry for the production of crop resources and livestock operations to enhance employment opportunities and strengthen the economic wellbeing of West Lincoln. This section of the Township's OP outlines that these agricultural areas shall strive to promote small scale secondary uses and agriculture-related uses that are compatible with and do not hinder the surrounding agricultural operations and where feasible to promote opportunities for agricultural related value added activities to support, promote and develop the agricultural areas.

Section 10.2.2b) states that development should maintain, enhance or restore ecosystem health and integrity. Priority is to be given to avoiding negative environmental impacts. The proposed accessory building/farm equipment storage barn is outside the Natural Heritage System designation and will not negatively impact any environmental features.

Therefore, Planning Staff are satisfied that proposal meets the general intent and purpose of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law? Yes

The Township's Zoning By-law 2017-70, as amended zones the subject property as Agricultural (A) Zone, Environmental Protection (EP) and Environmental Conservation (EC) Zones.

The proposed barn for farm equipment storage is a permitted accessory building in the A Zone. The proposed building will meet all the regulations under of the A Zone including

setbacks and lot coverage. However, the proposed location of the accessory building does not conform to the regulation under Section 3.1, specifically Table 1-1 Regulations for Accessory Buildings and Structures in Agricultural Zones whereby the maximum distance from an established main building being the dwelling shall not exceed 50 metres. The distance separation between buildings is to cluster the uses and to avoid impact to the full use and production of agricultural land.

The Applicant explained that the proposed location of the new accessory building is unable to meet the maximum distance of 50 metres from the dwelling because of the existing cluster of trees and pond that separates the dwelling to the existing accessory buildings set behind the dwelling approximately 80 metres. The location of the new accessory building will maintain symmetry of the agricultural related buildings with the land used for agricultural purposes (crop).

The location of the new accessory building will be setback far enough from the EP and EC zoned lands and therefore having no impacts on those features.

Therefore, Planning Staff are satisfied that proposal meets the general intent and purpose of the Zoning By-law.

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

The subject lands are designated and zoned for agricultural uses. The proposed variance will facilitate the construction of a new accessory building (barn) for the purposes of storing farm equipment.

The Applicant has confirmed that the farm equipment which includes two tractors and purchasing a third one, bush hog and other equipment necessary to maintain the operation of the farm will be stored in the new accessory building. Furthermore, the location of the new accessory building is the preferred location which does not remove any land from agricultural production yet a good distance to separate from the dwelling.

The proposed accessory building is compatible with the existing agricultural operations, and the surrounding agricultural lands uses.

Therefore, it is the opinion of Planning Staff that the requested variance represents appropriate development on the subject property and will not negatively impact the neighbouring properties.

Is the proposal minor in nature? Yes

The proposed location of the new accessory building is 80 metres from the main dwelling and aligned with the other exiting accessory buildings for the farmland. The increased distance of 30 metres is necessary to maintain the small cluster of accessory buildings as well as to avoid the removal of any existing mature trees that separate the dwelling to the farmland. The additional distance does not impact the full production of

any farmland and does not impact any of the natural heritage features on the property.

Therefore, it is the opinion of Planning Staff that the requested variance is minor in nature.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

Niagara Peninsula Conservation Authority (NPCA)

NPCA can support the application to permit the setback distance to increase from the main building. However, it would appear that the scope of works would encroach within the NPCA Regulated 30-meter wetland buffer area and therefore, would be subject to obtaining an NPCA works Permit prior to the start of works. As such, following the Minor Variance, the applicant will require to contact the NPCA to verify the scope of works further and to apply for an NPCA works Permit should this be confirmed required.

Region of Niagara

The subject property is impacted by the Natural Environment System (NES) of the NOP, consisting of Provincially Significant Wetland (PSW), Life Science Area of Natural and Scientific Interest (ANSI), and Other Wetland. NOP policy typically requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed within 120 metres of these features. The proposed building is outside of this setback for the majority of the features and is separated from the remaining feature by a gravel storage area. As such, Regional staff offer no objections.

Township of West Lincoln

The Township building, fire, and development engineering departments have no objections or comments on the application.

PUBLIC COMMENTS:

There have been no public comments received at the time of writing this report.

CONCLUSION:

Based on the analysis, Planning Staff recommend APPROVAL of the proposed Minor Variance Application A192025WL as outlined in Report COA-25-2025, to permit the construction of an accessory building (barn) for farm equipment storage with a maximum distance from a main building not to exceed 80 metres.

ATTACHMENTS:

Schedule A – Site Plan
Schedule B – Agency Comments

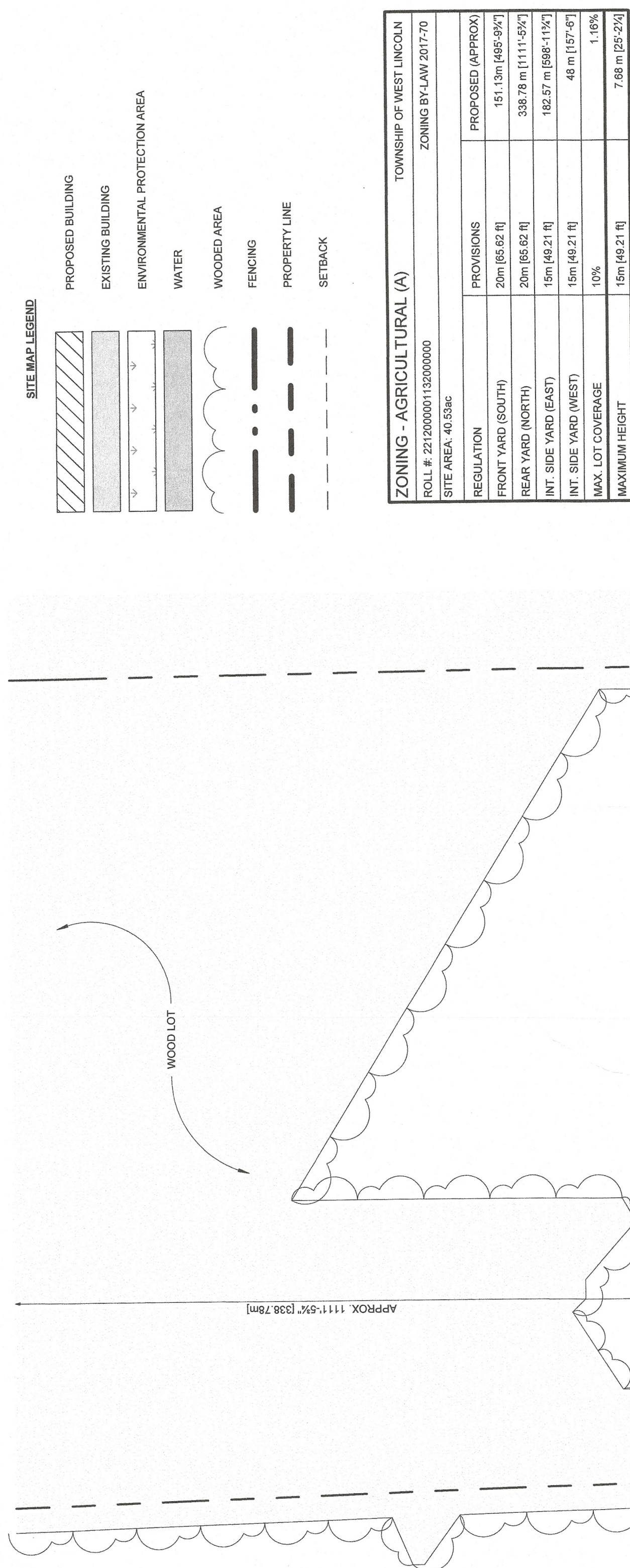
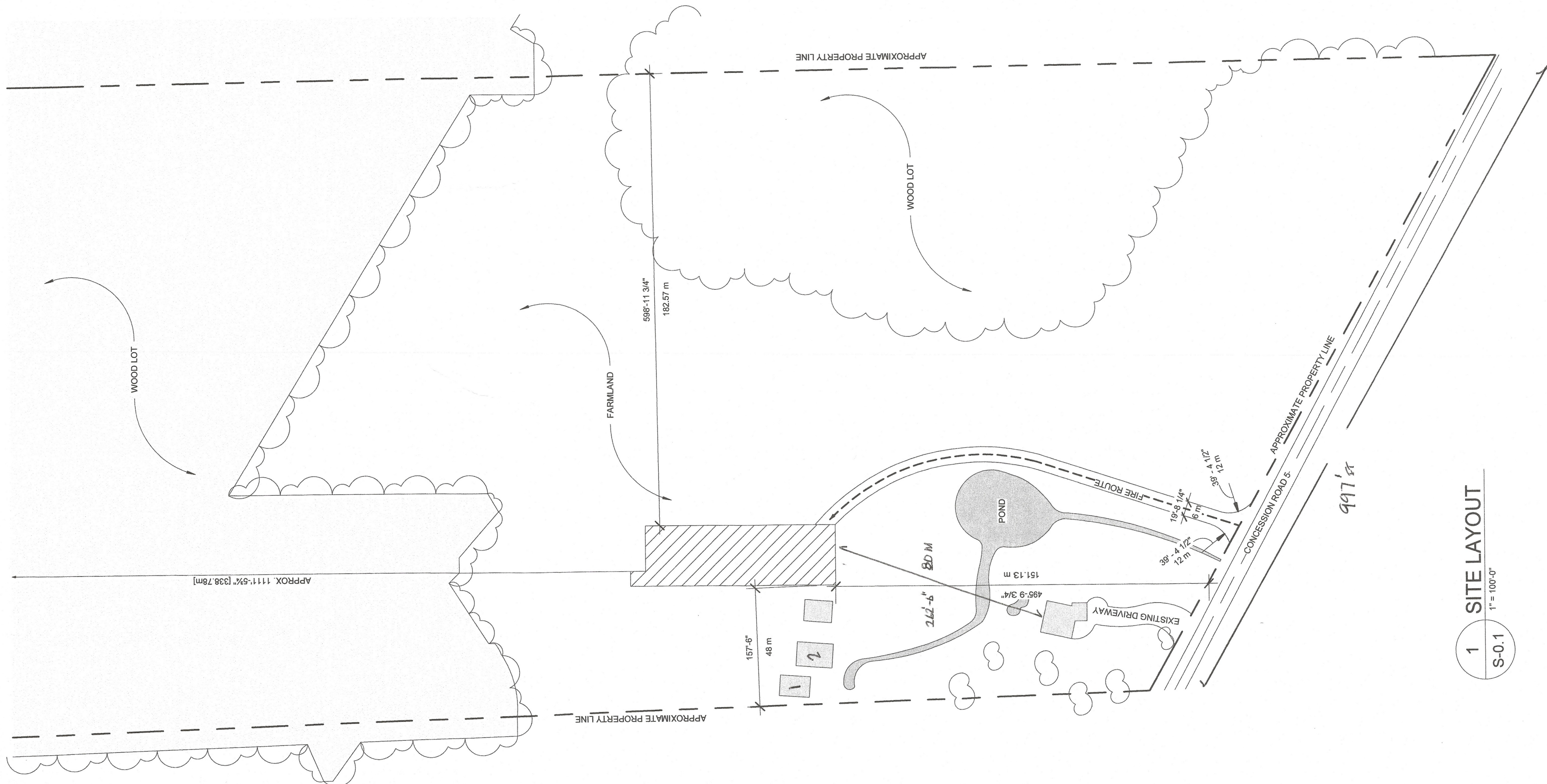
Prepared & Submitted by:

**Robin Shugan CPT, ACST
Senior Planner**

Approved by:

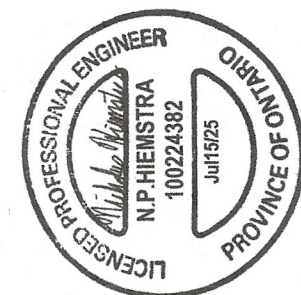
**Susan Smyth CPT
Manager, Community Planning and Design**

SCHEDULE A - COA-25-2025


$$|\text{BLDG}^{\#}| = 24 \times 26 = 624 \text{ SQ FT}$$
$$BLDG \#2 = 36 \times 46 = 1440 \text{ SQ FT}$$


1 SITE LAYOUT
S-0.1
1" = 100'-0"

PROJECT STATUS:		
NO:	DATE:	STATUS:
1	JULY 9, 2025	FOR APPROVAL
2	JULY 15, 2025	FOR CONSTRUCTION



**DESIGNLOGIX
ENGINEERING INC.**
AGRICULTURE - COMMERCIAL - RESIDENTIAL
P: 905-512-2377
E: office@dlengineering.com

DO NOT SCALE DRAWINGS

ALL DIMENSIONS AND ELEVATIONS TO BE VERIFIED
BY THE CONTRACTOR AND ANY DISCREPANCIES
REPORTED TO THE ENGINEER.

PROJECT NAME & ADDRESS: WAYNE DUTTON SHED
8427 CONCESSION RD 5
CAISTOR CENTRE, ON

DRAWING TITLE: SITE PLAN

CONTRACTOR NAME & ADDRESS: BRUSTONE CONSTRUCTION 073084 SIDEROAD 24-25 GRAND VALLEY, ONTARIO	Project #:	DLX25-436	
	Drawn by:	E.W.	
	Checked by:	N.H.	
PROJECT NORTH:	TRUE NORTH:		

SCHEDULE B- COA-25-2025

From: [Jeni Fisher](#)
To: [Robin Shugan](#); [Susan Smyth](#)
Subject: Fw: NPCA Minor Variance Response - A19/2025WL - 8427 Concession 5 Rd
Date: November 25, 2025 3:51:05 PM
Attachments: [image001.png](#)
[Notice of Public Meeting - Minor Variance A192025WL - Dutton .pdf](#)
[Application .pdf](#)
[8427 Concession 5 Rd, West Lincoln - NPCA Map.pdf](#)
[site plan.pdf](#)
[image565016.png](#)
[image736481.png](#)
[image742658.png](#)
[image334968.png](#)



Jeni Fisher | Planning Secretary
LOR 2A0
Township of West Lincoln

T 905-957-3346 ext 5134
E jfisher@westlincoln.ca
W www.westlincoln.ca
Smithville, ON

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From: Paige Pearson <ppearson@npca.ca>
Sent: November 25, 2025 11:43 AM
To: Jeni Fisher <jfisher@westlincoln.ca>
Subject: NPCA Minor Variance Response - A19/2025WL - 8427 Concession 5 Rd

Hi Jeni,

Please provide the following response to the Committee of Adjustment for the hearing scheduled for December 9, 2025.

Based on the current NPCA mapping (attached), the subject property contains the following NPCA regulated areas:

- Provincially Significant Wetland (PSW) referred to as the Caistor Centre Wetland Complex
 - All wetlands have a 30-meter regulated area from the wetland buffer area applied
- Areas of potential unevaluated wetlands
- Watercourse associated within the wetland boundary

The identified purpose of the Minor Variance for the subject property, 8427 Concession 5 Road, is to allow for the “*increase the maximum distance from a main building (related residential or agricultural buildings respectively) from 50 metres to 80*”

metres”.

The Site Plan prepared by DesignLogix Engineering Inc., last dated, July 15, 2025, shows that the most northern area of proposed development and disturbance would be approximately 338 meters from the north property line and would therefore encroach within the Provincially Significant Wetland (PSW) 30-meter buffer area. The NPCA are supportive of the Minor Variance to allow for relief on the setback distance from the nearest main building to be 80 meters; however, based on the scope, nature, and location of works, the following would be subject to obtaining an NPCA works Permit prior to the start of development should it be proposed within 30-meters for the PSW. As such, the applicant will require to contact the NPCA to verify the scope of works in relation to the PSW and, apply for an NPCA Permit should the works encroach within this limit.

In summary, the NPCA can support the Minor Variance Application, A19/2025WL to permit the setback distance to increase from the main building. However, it would appear that the scope of works would encroach within the NPCA Regulated 30-meter wetland buffer area and therefore, would be subject to obtaining an NPCA works Permit prior to the start of works. As such, following the Minor Variance, the applicant will require to contact the NPCA to verify the scope of works further and to apply for an NPCA works Permit should this be confirmed required.

If you have any questions, please let me know.

Thank you,



Paige Pearson (She/Her)
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6

(O) 905.788.3135 Ext 205
www.npca.ca
ppearson@npca.ca

The NPCA completed its [Watershed-based Resource Management](#) and [Conservation Area](#) Strategies, paving the way for sustainable conservation across the Niagara Peninsula watershed. It's [Watershed Natural Asset Analysis and Valuation](#) for the Niagara Peninsula watershed offers new insights that redefine how we view nature. **Explore them today!**

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From: [Jeni Fisher](#)
To: [Susan Smyth](#); [Robin Shugan](#)
Subject: Fw: Notice of Hearing and Full Package - Tuesday December 9, 2025 - CoA Hearing
Date: November 21, 2025 11:36:49 AM
Attachments: [image761839.png](#)
[image923183.png](#)
[image054280.png](#)
[image014823.png](#)
[image094486.png](#)
[image812343.png](#)
[image366108.png](#)
[image018778.png](#)
[image893514.png](#)
[image578996.png](#)
[image961658.png](#)
[image983235.png](#)



Jeni Fisher | Planning Secretary
LOR 2A0
Township of West Lincoln

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From: Ben Agro <bagro@westlincoln.ca>
Sent: November 21, 2025 11:35 AM
To: Jeni Fisher <jfisher@westlincoln.ca>
Subject: Re: Notice of Hearing and Full Package - Tuesday December 9, 2025 - CoA Hearing

Hi Jeni,

Building comments are as follows;

6680 Elco, no objections to the proposed ADU, however, fire-separations would be required between the ADU and the Shop. Building permit application required and full set of Architectural Drawings.

8427 Concession 5, no objections.

Thanks!
Ben



Ben Agro | Chief Building Official
Township of West Lincoln

Public Works – Infrastructure Planning and Development Division

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

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

Via Email OnlyDecember 2nd, 2025

Region File: PLMV202502396

Jeni Fisher

Interim Secretary Treasurer of the Committee of Adjustment

Township of West Lincoln

318 Canborough Street

Smithville, ON L0R 2A0

Dear Ms. Fisher:

Re: Regional Comments**Application Type: Minor Variance****Township File: A19/2025WL****Owner: Maria Dutton****8427 Concession 5 Road****Township of West Lincoln**

Regional Infrastructure Planning and Development staff has reviewed the minor variance application for lands municipally known as 8427 Concession 5 Road in the Township of West Lincoln. The application is required to increase the maximum distance from a main building (related residential or agricultural buildings respectively) from 50 metres to 80 metres. This variance would facilitate the construction of a new accessory building for farm equipment storage.

A pre-consultation meeting was held to discuss the proposal on October 2nd, 2025, with Township and Regional staff in attendance. The following comments are provided from a Regional perspective to assist the Township Committee of Adjustment with their consideration of the application.

Planning Act Changes

Staff advise pursuant to the *Planning Act*, as of March 31, 2025, Niagara Region is an upper-tier municipality without planning responsibilities. The council of an upper-tier municipality, on conditions agreed upon with the council of a local municipality, may provide advice and assistance to local municipalities in respect of planning matters generally. Niagara Region has entered into a 'Planning Services Agreement' (PSA) with the Township of West Lincoln to continue providing support and advice to the Township

for planning review with respect to natural environment system policies.

Please be advised that through a related change to the *Planning Act*, the *Niagara Official Plan, 2022* (NOP) is effectively an official plan of the Township of West Lincoln, which remains in effect until the Township revokes or amends it to provide otherwise. As such, Township staff should be satisfied that the application conforms to NOP policies.

On this basis, the following comments pertaining to natural environment system policies are provided as advice to assist the Township in their review of the application. Under the Memorandum of Understanding (MOU) for Engineering Review between the Township and the Region, the comments related to Regional infrastructure and/or waste collection, where applicable, are considered Regional requirements with respect to the Region's interests. This application does not affect any Regional interests under the MOU and, therefore, Regional staff offers no comments or requirements in this regard.

Natural Environment System

The subject property is impacted by the Natural Environment System (NES) of the NOP, consisting of Provincially Significant Wetland (PSW), Life Science Area of Natural and Scientific Interest (ANSI), and Other Wetland. NOP policy typically requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed within 120 metres of these features.

The proposed building is outside of this setback for the majority of the features and is separated from the remaining feature by a gravel storage area. As such, Regional staff offer no further recommendations.

Conclusion

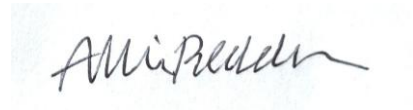
Regional Infrastructure Planning and Development staff offer no objections to or requirements of the proposed minor variance application to facilitate the construction of a new accessory building for farm equipment storage.

Please be advised that through changes to the *Planning Act*, the NOP is effectively an official plan of the Township of West Lincoln, which remains in effect until the Township revokes or amends it to provide otherwise. As such, Township staff should be satisfied that the application conforms to NOP policies.

If you have any questions regarding the above comments, please contact the undersigned at Alexandra.Reddon@niagararegion.ca, or Pat Busnello, Manager of Development Planning at Pat.Busnello@niagararegion.ca.

Please send notice of the Township's decision on this application.

Kind regards,

A handwritten signature in black ink, appearing to read "Allie Reddon", is written over a light blue rectangular background.

Allie Reddon
Development Planner

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



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

COMMITTEE OF ADJUSTMENT MINUTES

Wednesday, April 30, 2025 at 7:00 p.m.

Present Members:

Kim Willis (Chair)
Bonnie Baarda (Sitting member)
Peter Forsberg (Sitting member)

Staff:

Susan Smyth, Manager of Community Planning and Design
Stephanie Pouliot, Secretary/Treasurer to the Committee of Adjustment

Public:

Albert Rumph
Ann Rumph
Darren Draaistra

1. CHAIR

The meeting was called into Order at 7:07 pm.

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

There were none at this time.

3. REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT

Secretary Stephanie Pouliot noted that Minor Variance Application A04/2025WL – Gumbert (Agent, Jeremy Brown –Niagara Planning Consultants) for 8501 Young Street has been deferred to next month as the public notice time requirement was not met with posting the yellow sign.

4a) A05/2025WL – Rumph (Agent, Darren Draaistra –Draaistra Contracting)

Property Address: 4891 Vaughan Road

Manager of Community Planning and Design, Susan Smyth, provided the presentation overview of the application.

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

The agent, Darren Draaistra took oath and introduced himself and noted that he is available for any questions.

Member Forsberg asked given the location and the known MDS setback, why was the building location changed?

The applicant, Albert Rumph took oath and responded that it was done inadvertently, not the surveyor's fault. The applicant mentioned that it was his fault as the west end portion needed space for the garage construction so he just changed the stacks and the surveyor came back later and verified where the dwelling was.

Member Forsberg asked why not seek guidance a head of time?

The applicant responded that he did not think of it, it was just done inadvertently. As the building was far from the lot lines, he did not think it would be an issue.

Chair Willis asked Member Baarda if she had any questions? There were no questions from Member Baarda.

Chair Willis noted that it is time for a motion.

Member Forsberg motioned to approve the application with a notation that it is not ideal, not in good consideration with the Township and Provincial regulations.

Member Baarda seconded.

All in favour.

Carried

Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date.

b) Change of Condition Request - B04/2023WL – Legion Villa

Manager of Community Planning and Design, Susan Smyth provided the overview of the change of condition request.

Member Baarda asked for clarification that conditions 3 and 5 are being removed by this request?

Manager of Community Planning and Design, Susan Smyth advised that was correct.

Member Baarda noted that this is quite complicated and asked, why was this not picked up the first time?

Manager of Community Planning and Design, Susan Smyth responded that at the time of this application, she was not working at the Township and was the agent on this file. Susan Smyth advised was working with Mr. Olij, acting solicitor for Legion Villa, and that she followed his advice on best approach which was severing the parcels independently. Since then the owners proceeded with another solicitor. It is a complicated site, there is references to parts and service easements and some are no longer applicable. It was appropriate at the time but now easier with this approach.

Chair Willis noted that it is time for a motion.

Member Baarda motioned to approve the change of condition request to remove conditions 3 and 5 as recommended by staff.

Member Forsberg seconded the motion.

All in favour.

Carried.

Secretary Stephanie Pouliot noted that as the Committee consider these condition changes to be minor, there is no notification is required under the *Planning Act*.

4.MINUTES FOR APPROVAL

Secretary Stephanie Pouliot noted that there are no minutes for approval at this time.

5.NEW BUSINESS

Secretary Stephanie Pouliot noted the staffing update that Susan Smyth accepted the position of Manager of Community Planning and Design.

There was no new business brought forward by members of the Committee.

6. ADJOURNMENT

Member Baarda motioned to adjourn. Member Forsberg seconded the motion.

That, this Committee does now adjourn at the hour of 7:30pm.

KIM WILLIS,
CHAIR

STEPHANIE POULIOT,
SECRETARY-TREASURE

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

Wednesday, June 25, 2025, 7:00p.m.

Present Members:

Kim Willis (Chair)
Deborah Coon-Petersen (Sitting Member)
Bonnie Baarda (Sitting Member)

Staff:

Susan Smyth, Manager of Community Planning and Design
Stephanie Pouliot, Secretary-Treasurer

Public:

Peter Vogel
William Heikoop (Agent Upper Canada Consultants)
John Werkman
Bert Meindersma
Al and Erin Cook
Mark Meindersma
Ron Boverhof
John Fraser
Harry Porter
Harold Olij
Jan Whittz

1. CHAIR

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

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

There were none.

3. REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT

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

4. APPLICATION(S)

a) Consent Applications B02/2025WL –1000581360 Ontario Inc.,
B03/2025WL–Melissa Hill Inc., & B04/2025WL –Canadian Reformed
School (Agent, Upper Canada Consultants –Callum Gomez)

Parcels: PIN No. 46050-001, PIN. No. 46050-0016, and PIN. No. 46050-0275

Manager of Community Planning and Design, Susan Smyth, provided an overview of the application.

Manager of Community Planning and Design, Susan Smyth, noted the condition removal request and staff meeting with Upper Canada Consultants.

Agent, William Heikoop, took an oath. He addressed two items being conditions 10 and 11 and the intent to recognize the parcels of land to allow future development. There is no site alteration with these applications. Subsequent design study will not be available. It would be difficult and time consuming without knowing the construction plan at this time and requested that conditions 10 and 11 be removed. It would be premature during this application.

Chair Willis asked the Committee if they had any questions.

Member Coon-Petersen asked whether there are any significant woodlands to be concerned of?

Agent, William Heikoop responded and addressed the aerial imagery on the projectors. The agricultural lands do have some trees, but the rezoning will address relevant policy and would take a policy review in terms of what is on the ground through the process.

Manager of Community Planning and Design, Susan Smyth, noted that following this there will be another pre-consultation with staff, NPCA and the Region. There will be an opportunity for what would be required for example constraint analysis or if required an environmental impact study.

Member Baarda asked with the written public comments received and potential environmental concerns, will these be addressed at a later time?

Agent, William Heikoop responded, that's correct. At time of the rezoning, there will be a requirement of a public meeting. Public will be informed through future notices and will be able to address any concerns of the public at a later public consultation.

Chair Willis asked anyone present if they had any questions? There were no public comments.

Chair Willis noted it is time for a motion to vote.

Member Baarda made a motion to approve the first application removing conditions 10 and 11 from the schedule.

Member Coon-Petersen seconded the motion.

All in favour.

Carried.

Member Baarda made a motion to approve the second application removing conditions 10 and 11 from the schedule.

Member Coon-Petersen seconded the motion.

All in favour.

Carried.

Member Coon-Petersen made a motion to approve the third application with the 13 conditions.

Member Baarda seconded the motion.

All in favour.

Carried.

Secretary-Treasurer Stephanie Pouliot noted the last day for filing an appeal for a consent is 20 days from the mailing of the Notice of Decision.

Secretary-Treasurer Stephanie Pouliot set up the zoom meeting for the applicant of the next application.

Chair Willis called the meeting back to order at 7:37pm.

**b) A07/2025WL – Minor Variance Application A07/2025WL – Peter and Lisa Vogel
Property Address: 953 Boyle Road.**

Manager of Community Planning and Design, Susan Smyth, provided an overview of the proposal.

The applicant, Peter Vogel took affirmation and asked for clarification on the height?

Manager of Community Planning and Design, Susan Smyth, spoke to the required height identified in the zoning bylaw.

The applicant, Peter Vogel mentioned that he would like to keep the 2 metre proposed as the elevation of the building would be designed to direct drainage away from the property line to avoid drainage concerns.

Chair Willis asked the Committee if they had any questions?

Member Coon-Petersen asked Manager of Community Planning and Design, Susan Smyth, to explain why the 4 metre setback is needed.

Manager of Community Planning and Design, Susan Smyth, responded that given there was no grading plan on file to show the intended slope and reason for increasing to 4 metre was appropriate given concerns raised from the neighbours however, staff are not opposed to 3 metres.

Member Baarda asked what would be the minimum staff would support?

Manager of Community Planning and Design, Susan Smyth responded that staff could work with the proposed 2 metres. The grading plan would show the grade changes and potential drainage concerns.

The applicant, Peter Vogel mentioned that at the 4 metres suggested by staff would bring the building right in front of a large oak tree on the property which wouldn't be an option.

Manager of Community Planning and Design, Susan Smyth responded that the Township would not like trees removed either.

Member Baarda mentioned that until there is a grading plan to see where to mediate concerns, the condition should be removed or amended that pending a grading plan and approval with the Township, the condition of the 4 metres can be removed.

The applicant, Peter Vogel asked for clarification.

Member Baarda responded that the condition would word that the accessory building be shifted, if necessary, no less than 4 metres, pending a grading plan. If the grading plan shows no issues with drainage, then the 2 metre would apply, if there is an issue with drainage then the condition would be no less than 4 metres.

Member Coon-Petersen asked Manager of Community Planning and Design, Susan Smyth, if the Township would be okay with that?

Manager of Community Planning and Design, Susan Smyth responded that the grading plan would show the grade changes and if there are no issues shown on the grading plan, the proposed 2 metres would be appropriate.

Chair Willis noted it is time for a motion to vote.

Member Coon-Petersen made a motion to approve the application with the amended condition that the accessory building be shifted, if necessary, no less than 4 metres, pending a grading plan.

Member Baarda seconded the motion.

All in favour.

Carried.

Secretary-Treasurer Stephanie Pouliot noted the last day for filing an appeal for a Minor Variance is 20 days from the Hearing Date.

5. MINUTES FOR APPROVAL

There were no minutes for approval at this time.

6. NEW BUSINESS

Secretary Stephanie Pouliot noted Robin Shugan is a new Senior Planner who has joined the department.

There was no new business brought forward from Committee.

7. ADJOURNMENT

Motion to Adjourn was made by Chair Kim. Member Baarda seconded the motion.

That, this Committee does now adjourn at the hour of 8:03 pm.

KIM WILLIS

CHAIR

STEPHANIE POULIOT,

SECRETARY-TREASURER



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

Wednesday, August 27, 2025 at 7:00 P.m.

Present Members:

Kim Willis (Chair)
Bonnie Baarda (Sitting member)
Peter Forsberg (Sitting member)

Staff:

Robin Shugan, Senior Planner
Stephanie Pouliot, Secretary/Treasurer to the Committee of Adjustment

Public:

Josh Dehaan
Steve Greenwood
Kim Hessels
Clayton Beamer
Jody Beamer
Jason Beamer

1.CHAIR

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

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

There were none at this time.

3. REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT

Secretary Stephanie Pouliot noted that there were no requests at this time.

4. A010/2025WL - 2717464 Ontario Inc. (DeHaan)

Property Address: 3410 Twenty Mile Road (Regional Road 69)

Senior Planner, Robin Shugan, provided the presentation overview of the application.

Member Forsberg asked Senior Planner, Robin Shugan, the location of the accessory building?

Senior Planner, Robin Shugan responded that it is proposed within the south west corner of the property.

Member Baarda asked for clarification from the Township in regard to any physical evidence that there was a service station there?

Senior Planner, Robin Shugan responded that there was no physical indication that it was used as such however, the record of site condition will look out for health and safety.

Member Baarda asked what indications showed the potential use of the service station?

Senior Planner, Robin Shugan responded that through examining past aerial photos through the Niagara Region, staff provided the condition of record of site condition as a pre-caution.

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

The agent, Steve Greenwood took affirmation and introduced himself and mentioned that he completed the building plans with the owner. He also mentioned they have also looked at aerial imagery and that there is more proof that there was no gas station there. If there were a service shop and it was contained in the building, there would be a lesser degree of sensitivity to the surrounding residential use. The agent asked the Committee if the condition could be changed or removed.

Member Baarda responded that the condition could be changed to read "if required". This gives more time to research and gather whether a gas station was on the property. If they have proof, the Township needs to honour the amended condition, this is fair to the applicant. It's important that both sides honour the amended condition. Can we have this acknowledgement in the record?

Secretary Stephanie Pouliot responded to Member Baarda, that the Township understands the amended condition regarding the record of site condition.

Chair Willis noted that it is time for a motion.

Member Baarda motioned to approve the application with the amended condition.

Member Forsberg seconded.

All in favour.

Carried.

Secretary Stephanie Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from decision date.

b. B07/2025WL - Jason and Jody Beamer (Agent - Kim Hessel)

Property Address: 3750 Concession 1 Road

Senior Planner, Robin Shugan, provided the presentation overview of the application.

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

The agent, Kim Hessels took affirmation and introduced herself. She mentioned that they read the report and it looked satisfactory and they have no questions or concerns.

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

Member Forsberg asked Senior Planner, Robin Shugan, what is the purpose of decommissioning unused wells?

Senior Planner, Robin Shugan, responded that decommissioning unused wells is a standard clause in the planning services for safety purposes.

Member Baarda asked whether the existing well services the house?

The agent, Kim Hessels responded that's correct and noted that there are no unused gas wells on the property.

Chair Willis noted that the property is beautiful and well maintained, and asked the Committee if they had any further comments?

Member Baarda asked if the applicants live on the property?

The agent, Kim Hessels responded that no they do not live there however, they purchased the property from the previous owners who lived there for 40 years. They were downsizing into town and no longer wanting to upkeep the large property. The people who are interested will also upkeep the property in good shape as well.

Member Baarda asked if the applicants are reselling the house?

The agent, Kim Hessels responded that's correct.

Chair Willis noted that it is time for a motion.

Member Forsberg motioned to approve the application with the conditions as listed.

Member Baarda seconded.

All in favour.

Carried.

Secretary Stephanie Pouliot noted the last day for filing an appeal for Consent is 20 days from the mailing date, being 20 days from tomorrow.

5. MINUTES FOR APPROVAL

Secretary Stephanie Pouliot noted there were no minutes for approval.

6. NEW BUSINESS

There was no new business brought forward by staff or Committee.

7. ADJOURNMENT

Member Forsberg motioned to adjourn. Member Baarda seconded.

That, this Committee does now adjourn at the hour of 7:27 pm

KIM WILLIS
CHAIR

STEPHANIE POULIOT,
SECRETARY-TREASURER