

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

Wednesday, January 28, 2026, 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 There are not requests for withdrawal and/or adjournment at this time.	
4. APPLICATIONS	
a. B09/2025WL - 5445 Vaughan Road - Pier and Martha Sjaarda The purpose of this application is to create 1 new Rural Residential lot and 1 retained lot for agricultural purposes. Lands to be severed will have a lot frontage of approximately 74.85 metres and lot area of approximately 0.6 hectares. Lands to be retained will have lot frontage of approximately 241 metres and lot area of approximately 40.5 hectares.	3
b. B10/2025WL - 7997 Sixteen Road - Maria and David Bartels The purpose of this application is to create 1 new Rural Residential lot and 1 retained lot for agricultural purposes. Lands to be severed will have a lot frontage of approximately 45 metres and lot area of approximately 0.4 hectares. Lands to be retained will have lot frontage of approximately 351 metres and lot area of approximately 23.7 hectares	23
c. A20/2025WL - 113 Griffin Street South - Schilstra Brothers Inc The purpose of this application is to grant the applicant relief from the provisions of Section 3.12.2 Driveways and Parking Aisles (e)(iii) and Section 3.9.2 (c) of the Township of West Lincoln Zoning By-law 2017-70, as amended. The variances sought under this submission are:	35

- Driveways shall not be located closer than 1.5 metres to an interior side lot line, request 0 metre interior side lot line at the main driveway entrance.
- Area of a lot required to be used for no other purpose than a planting strip, a minimum width of 1.5 metres measured perpendicular to the adjoining lot line, request 0.5 metre planting strip along the interior lot line.

The effect of the variances, if granted, is to facilitate the reconstruction of the commercial building with four accessory residential dwelling units.

5. MINUTES FOR APPROVAL

There are no minutes for approval at this time.

6. NEW BUSINESS

7. ADJOURNMENT

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

DATE: January 28, 2026

REPORT NO: COA-02-2026

SUBJECT: **Recommendation Report for Consent B09/2025WL – 5445 Vaughan Road**

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

OVERVIEW:

- An application for consent (Surplus Farm Dwelling) has been submitted by Karen Jongbloed (Agent) on behalf of the Pierre and Martha Sjaarda (Owners).
- The subject lands are designated as 'Good General Agriculture' and 'Natural Heritage System' within the Township's Official Plan.
- The subject lands are zoned Agriculture (A), Environmental Conservation (EC) and Environmental Protection (EP) in the Township's Zoning By-law 2017-70, as amended.
- The consent application proposes to permit a Surplus Farm Dwelling Severance for the lands located 5445 Vaughan Road, shown as Parcel 2 on the survey sketch, and the severed parcel (Parcel 1) will maintain the existing single detached dwelling unit and accessory building.
- The retained/remnant parcel (Parcel 2) will be maintained for agricultural purposes only.
- As a condition of severance, a Zoning By-law Amendment application will be required to rezone Parcel 1 to Rural Residential (RuR) Zone and Parcel 2 to Agricultural Purposes Only (APO) Zone.

RECOMMENDATION:

That, Consent Application B09/2025WL, submitted by Karen Jongbloed (Agent) on behalf of Pierre and Martha Sjaarda (Owners) as outlined in Report COA-02-2026 for the creation of one new lot (Parcel 1) and one retained/remnant lot (Parcel 2), by way of Surplus Farm Dwelling Severance **BE APPROVED**, subject to the following conditions:

1. That the approval applies to the transaction as applied for.
2. That all municipal requirements are met to the satisfaction of the Township of

West Lincoln including property maintenance, compliance with Zoning By-law provisions for structures and any related requirements, financial or otherwise.

3. That the Owner/Applicant shall provide a copy of the transfer documents for the conveyance of the severed parcel (Parcel 1) or a legal description of the subject parcels to be registered, together with a copy of the deposited reference plan, for the issuance of the Certificate of Consent.
4. That the Owner/Applicant shall submit the required cash-in-lieu of parkland dedication fee, payable to the Township of West Lincoln.
5. That a Zoning By-law Amendment application is submitted for the rezoning of the severed parcel (Parcel 1) to a site-specific RuR zone and the retained parcel (Parcel 2) to an APO zone and be passed by Council.
6. That a 15 x15 metre Daylight Triangle along Vaughan Road and Wellandport Road be dedicated to the satisfaction of the Niagara Region Transportation Services Division. The Owner/Applicant shall be responsible for all costs to provide the necessary reference plan, final deposit and final transfer to the Region of Niagara.
7. That any other unused wells be decommissioned to the satisfaction of the Township of West Lincoln Director of Growth and Sustainability and/or Building Department.
8. That the applicant submit payment of the Regional consent review fee of \$852 to the Infrastructure Planning and Development Division (by cheque or online).
9. That the Owner/Applicant, at the time of Final Certification, provide a package of ALL fulfilled conditions of this consent with Final Certification Fee (payable to Township of West Lincoln), be submitted to the Secretary Treasurer.
10. That all conditions shall be fulfilled within a period of two years after the date of giving Notice of Decision, pursuant to Section 53(41) of the Planning Act. Failure to complete conditions shall deemed to be refused.

BACKGROUND:

A consent application has been submitted by Karen Jongbloed (Agent) on behalf of the Pierre and Martha Sjaarda (Owners) for the lands municipally known as 5445 Vaughan Road. The purpose of this consent is to create one new rural residential lot and one retained lot for agricultural purposes by way of Surplus Farm Dwelling Severance.

The subject lands are located on the north side of Vaughan Road and east side of Wellandport Road. The property has a lot area of approximately 41 hectares and lot frontage of 593 metres fronting onto Vaughan Road. The property currently contains an existing single detached dwelling and accessory building and is used for agricultural production of crops. The subject lands also contain significant natural heritage features in the northeast portion of the property.

The proposed surplus farm dwelling severance (Parcel 1) has a proposed lot area of approximately 0.6 hectares and lot frontage of 74.65 metres fronting onto Vaughan Road. Parcel 1 will maintain the existing single detached dwelling unit and accessory building

and will be serviced by private water and sanitary services. The proposed remnant parcel (Parcel 2) will have a lot area of approximately 40 hectares and a lot frontage of approximately 515 metres and will continue to be used for agricultural purposes.

CURRENT SITUATION:

Planning Staff have completed an analysis of the proposed consent and can provide the following evaluation:

Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS 2024) provides guidance on all land use planning matters. The subject lands are located within the Prime Agricultural Area. In accordance with the PPS, lot creation in the Prime Agricultural Area may only permit one new residential lot per farm consolidation for a residence surplus to an agricultural operation provided that the new lot is limited in size in order to accommodate appropriate sewage and water services. The proposed surplus farm dwelling severance is surplus to a bona-fide agricultural operation and is proposed to have a lot area of 0.6 hectares which is above the minimum lot size requirement of 0.4 hectares as required by the Township's Official Plan and Zoning By-law. The proposed severed lot (Parcel 1) that is considered surplus to the farm operation has an existing private sanitary sewage system that can accommodate the residential use. The applicant proposes a lot area of 0.6 hectares to accommodate a future replacement septic system. Water service will continue to be supplied by the existing private cistern, as shown on the Sewage System Evaluation (Attachment 2). The PPS states new residential uses on the remnant parcel are prohibited. As a condition of this severance, the remnant parcel (Parcel 2) will require a Zoning By-law Amendment application to rezone Parcel 2 to the Agricultural Purposes Only (APO) Zone.

Based on the above, Planning Staff are satisfied that the proposed lot creation by way of Surplus Farm Dwelling severance is consistent with PPS 2024.

Township of West Lincoln Official Plan and Niagara Region Official Plan

Bill 23 has changed Niagara Region's role in land use planning and as of March 31, 2025, the Niagara Official Plan (NOP) is no longer a Regional Plan and is an Official Plan of the twelve area municipalities in Niagara. Therefore, the Township has considered the applicable policies of the NOP alongside the Township's Official Plan (OP) for the assessment to support proposed Surplus Farm Dwelling Severance.

The subject lands are designated as 'Good General Agriculture' within the Township's Official Plan (OP). Section 4 of the OP states the main objectives of this designation is to provide the second highest level of protection to preserve the Township's agricultural lands. Section 18.13.2 g) of the OP only permits the creation of a new lot in the Good General Agricultural designation subject being surplus to a farm operation, a lot size of 0.4 hectares, can adequately support private sewage and water services, and that the

remnant farmland parcel be rezoned to Agricultural Purposes Only (APO). Similarly, with the reference to the former Niagara Region Official Plan, lot creation within Prime Agricultural Areas lots shall have an area of 0.4 hectares and required to support private sewage and water supply system.

The proposed surplus farm dwelling severance is surplus to a bona-fide farm operation whereby the existing dwelling is surplus to its current operation. The Applicant proposes a lot area of 0.6 hectares to allow for the future replacement of a private septic system. The applicant has confirmed that the current septic systems is over 30 years of age and the Township's Septic Inspector completed a site inspection and provided comments that it is necessary for the proposed parcel to have a lot area of 0.6 hectares to accommodate the future septic system. Furthermore, the remnant parcel proposed to be rezoned to APO is required to have a minimum lot area of 39 hectares. The proposed severed lot of 0.6 hectares does not result in any lot area deficiencies for the remnant parcel and will maintain a lot area of 40 hectares.

The retained/remnant lands (Parcel 2) will continue to be used for agricultural purposes and are to be rezoned to Agricultural Purpose Only (APO) and prohibit any future non-farm related uses including residential and the severed lands (Parcel 1) will be rezoned to a site specific Rural Residential (RuR) for residential purposes.

As mentioned, the subject lands (primarily in the northeast section) contain lands designated Natural Environment System (Beaver Creek West Lincoln Wetland Complex, Significant Woodland, Linages and Permanent and Intermittent Watercourse, Shoreline Areas and Other Wetlands). The new rural residential lot creation of Parcel 1 will not impact the natural features as the proposed lot lines will not intersect with any natural features located on the subject lands. Therefore, Section 3.1.1 of the Natural Environment System and the policies for long term protection are being met.

Based on the above, Planning Staff are satisfied that the proposed Surplus Farm Dwelling Severance conforms with the general intent of the Township and Regional Official Plan policies.

Township of West Lincoln Zoning Bylaw

The subject lands are zoned Agriculture (A), Environmental Protection (EP) and Environmental Conservation (EC) within the Township's Zoning By-law 2017-70, as amended. The A Zone permits a variety of agricultural uses and permits the use of a single detached dwelling and accessory buildings and structures. As previously mentioned, the proposal will not impact the EP or EC zones and will remain the same. As a condition of this consent a Zoning By-law Amendment application is required to rezone Parcel 1 to a site specific Rural Residential (RuR) Zone and Parcel 2 to an Agricultural Purposes Only (APO) Zone. According to Part 5: Agricultural Zone, Table 12: Regulations for Permitted Uses in Agricultural Zones, the APO Zone requires a minimum lot area of 39 hectares and a lot frontage of 100 metres. Part 6: Residential Zone, Table 14 – Regulations for Permitted Uses in Low Density and Rural Residential

Zones, the RuR Zone requires a minimum lot area of 0.4 hectares and lot frontage of 45 metres.

Severed Lands (Parcel 1)

The RuR Zone permits the use of single detached dwellings and accessory buildings. Parcel 1 currently contains a single detached dwelling and accessory building. The site-specific amendment will be to recognize the existing accessory building which has a ground floor area of 139 square metres, whereas Section 3.1 permits accessory buildings in the RuR Zone to have a maximum ground floor area of 100 square metres. Parcel 1 proposes to have a lot area of 0.6 hectares and a lot frontage of 74.65 metres. The subject lands also contains chicken coop. Backyard chickens are permitted in the RuR Zone, subject to Section 3.8.3. The Applicant has confirmed that the backyard chickens will comply to the Township's Zoning By-law.

Retained/remnant farmland (Parcel 2)

The APO zone permits a range of agricultural uses only to further protect valuable agricultural lands. Parcel 2 proposes to have a lot area of 40 hectares and lot frontage of 515 metres fronting onto Vaughan Road, and will continue to be for agricultural purposes only, thus meeting the provisions of the APO Zone.

Based on the review of the zoning regulations, Planning Staff are of the opinion that the proposed Surplus Farm Dwelling Severance meets the general intent of the Township's Zoning By-law.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

Township Civil and Development Engineering

Vaughan Road is Township owned which requires a 20-metre-wide road allowance. A road widening is not required. Staff have no concerns with the proposed daylight triangle requested by the Region.

Proponent to confirm if there are existing and separate entrances for the severed and retained lands. Should an entrance be required for the retained farmland an Entrance Permit is available on the Township's website.

Township Septic Inspector

A site inspection was completed, and a sewage system report was provided by Attema Consulting Services demonstrating compliance with Part 8 of the Ontario Building Code. The submitted documents indicate a lot area of 0.6 hectares is required to allow for minimum separation distance. Upon review the documentation it would be deemed necessary for the lot to be 0.6 hectares in size to accommodating the current and future septic system. There is no objection to the application.

Niagara Peninsula Conservation Authority

The property contains NPCA regulated features such as Beaver Creek West Lincoln Wetland Complex and associated 30 metre buffer area, areas of mapped and unmapped floodplain and watercourse with associated 15 metre buffer area. The proposed Parcel 1 is to be severed and is outside the NPCA Regulated Areas, the NPCA can offer no objection for the creation of 1 Rural Residential lot. Parcel 2 contains the regulated features, any future development on this parcel depending on the scope and nature may require an NPCA permit.

Niagara Region

PUBLIC COMMENTS:

There were no formal public comments received at the time of preparing this report.

CONCLUSION:

Based on the above analysis of Consent Application B09/2025WL, Planning Staff recommend **APPROVAL** for the creation of one severed farm surplus dwelling (Parcel 1) and one retained/remnant farmland lot (Parcel 2) for agricultural purposes, subject to the conditions outlined in the beginning of this report.

ATTACHMENTS:

Schedule A – Survey Sketch Plan
Schedule B – Sewage System Evaluation
Schedule C – Agency Comments

Prepared & Submitted by:

Robin Shugan, CPT, ACST
Senior Planner

Approved by:

Susan Smyth, CPT
Manager, Community Planning and Design

**SKETCH FOR PLANNING ACT APPLICATION
5445 VAUGHAN ROAD
TOWNSHIP OF WEST LINCOLN**

SCALE 1: 500
REGIONAL MUNICIPALITY OF NIAGARA

RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS
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PARCEL 2
40.5 Ha.[±]
(TO BE RETAINED)

ROAD ALLOWANCE BETWEEN LOTS 12 AND 13

0 10 20 30 40 50m

0

10

20

30

40

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ATTEMA CONSULTING SERVICE INC.

To: Susan Smyth
West Lincoln Planning Department

From: Chris Attema

CC: Karen Jongbloed

Date: 9/15/2025

Re: 5445 Vaughan Road
Severance Proposal Sewage System Evaluation

The purpose of this report is to provide the sewage system evaluation for the proposed severance at the 5445 Vaughan Road property. Appendix 1 is the completed Township of West Lincoln Pre Development Site Evaluation form. Appendix 2 is the survey showing the location of the proposed surplus residence severance. The current sewage system will meet the sewage system setback requirements prescribed in the Ontario Building Code after the proposed severance. Further, as shown in Appendix 3 there will be sufficient land area on proposed "severed" parcel to construct a replacement sewage system meeting current Ontario Building Code specifications when it is required

Pre-Consultation Meeting Date: Thursday November 21, 2024

Site Address: 5445 Vaughan Road Approximate Land Area 41.05 ha (metric): (101.44 acres)

Site Legal Description: CON 3: PT LOT 12

Owner Contact Information:

Name of Owner: Pierre and Martha Sjaarda

Phone Number: _____ Email: _____

Principal Contact: Karen Jongbloed

Phone Number: 905-386-0995 Email: jongbloedfam@gmail.com

Planning Staff is not opposed to the proposed severance and will require the following to support an application:

- Confirmation of bonafide farmer/operation
- Confirmation of the year the residence was built
- Survey sketch prepared by a qualified land surveyor (OLS) to identify the location of all existing buildings and structures of the new lot with the residence including the existing septic bed and proposed new septic bed location. Refer to Table 12 of the Zoning By-law for the regulations of the A and APO zones
- Letter from an engineer confirming the capacity of the existing septic system and the description of the new septic system design and bed location

memo

Current Sewage System:

The location of the proposed boundary adjustment and the location of the current sewage system is shown in Appendix 2. On-site evaluation confirms that the current sewage systems will meet the 3 m septic tank and distribution pipe setback requirements after the proposed boundary adjustment. Continued use of the existing sewage system is proposed. The current sewage system is functioning properly with no indication of discharge or sewage system failure at the time of inspection (September 11, 2025).

Replacement Sewage System:

An assessment was completed to determine if there was sufficient land area for a replacement, fully raised sewage system meeting Ontario Building Code specifications for the "Severed" parcel. The design flow calculation, the design specifications, and the proposed replacement sewage system profile sketches are included in Appendix 3.

As shown on the Appendix 3 site map after the proposed severance there will be sufficient land area on the "severed" parcel to construct a replacement sewage system meeting current Ontario Building Code design standards, the property boundary setback specifications and the required setbacks (15 m) from the existing cisterns.

The retained parcel is zoned agricultural and is +/- 40.5 ha. A sewage system site evaluation has not been completed for the 'Retained Parcel'. The retained parcel will remain in agricultural use so there is no need for a residential sewage system evaluation.

APPENDIX 2: Page 2 Location of the Proposed Severance and Existing Sewage System

DESIGN FLOW CALCULATION

After the proposed surplus residence severance the current sewage system will meet the sewage system setback requirements prescribed by the Ontario Building Code. Continued use of the existing sewage system is proposed.



File No: _____

Pre-Development Site Evaluation

(Page 1 of 2)

OWNER INFORMATION

Name of Owner: Pierre & Martha Sjaarda Phone: Cell (Karen): 905 688 3737
 Address: 5386 Vaughan Road, St. Ann's ON Postal Code: L0R 1Y0
 Consent Minor Variance Site Plan Other

SITE EVALUATION

Site Evaluation Name: Chris Attema Phone: 905 327 5819
 Performed By: Address: 5365 Concession Four Road St. Ann's Postal Code: L0R 1Y0
 MMAH Certificate #: BCIN 2262

PROPERTY INFORMATION (Retained Parcel)

Evaluation for: New System Assessment Roll #: Roll # 260202001009300
 Existing System Zoning: Agricultural

Municipal Address: 5445 Vaughan Road

Lot No.: PTL 12 Block _____ Concession 3 Ref. Plan _____

Former Village, Township, Town: Gainsborough Lot _____ Acres _____ Lot _____
 Area 40.5 ha (ft²/m²) Frontage _____ ft(m) Lot Depth _____ ft(m)

Directions to Lot: (Please be specific, include side of road, street names and 911 # for houses on either side)
 There retained parcel will remain in agricultural use so there is no need for a residential sewage system evaluation.

PROPERTY INFORMATION (Proposed Severed Parcel)

Evaluation for: New System Existing System Pseudo Roll #: not available

Lot Frontage: 74.65 m ft(m) Lot Depth: 81.14 m ft(m) Lot Area: +/- 0.6049 ha Acres (ft²/m²)

Irregular Corner Lot Wooded Structures, describe: see attached aerial photo

SITE EVALUATION INFORMATION

Depth to bedrock/impervious soil layer: > 1.5 m ft(m) To high water table: > 1.5 m ft(m)

Describe the existing soil conditions: Haldimand clay

(i.e., colour, texture, structure, particle size)

Describe existing soil properties: Haldimand clay (Assume T-time of > 50 min/cm)

(i.e., clay, silt, sand, etc.)

Potential for Flooding: Outside NPCA floodplain area Percolation Time: > 50 Min.

Distance from Wells to Sewage System Location (on map):

Nearest Well On this lot On adjacent lot Watertight cased to 6 m Distance > 15 ft(m)

Next Nearest Well On this lot On adjacent lot Watertight cased to 6 m Distance > 15 ft(m)

Please Identify maximum size and contact area on map.

OWNER'S AUTHORIZATION

EVALUATOR'S CERTIFICATION

The owner is responsible for conducting a site evaluation of the above-mentioned property. Neither the evaluation nor the approval thereof shall in any way exempt the owner(s) from complying with the Ontario Building Code Act or any other applicable law.

I, Pierre & Martha Sjaarda, the owner of the subject property, hereby authorize the above-mentioned evaluator to act on my behalf with respect to all matters pertaining to the proposed on-site sewage evaluation.

Signature: _____ Date: September 11, 2025

I, Chris Attema,

Name (Please print)

undersigned certify that a site evaluation on the above-noted property has been completed and is in general conformity to the plan attached. I further certify that the above-noted property permits the installation of an on-site sewage system that complies with the provisions of the local By-laws and the Ontario Building Code Act and its Regulations.

Chris Attema

Signature: _____ Date: September 11, 2025

Digitally signed by Chris Attema
 Date: 2015.09.11 16:21:57 -04'00'

FOR OFFICE USE ONLY

Accepted: Yes No Reason: _____

Reviewed By: _____ Date: _____

Building Inspector

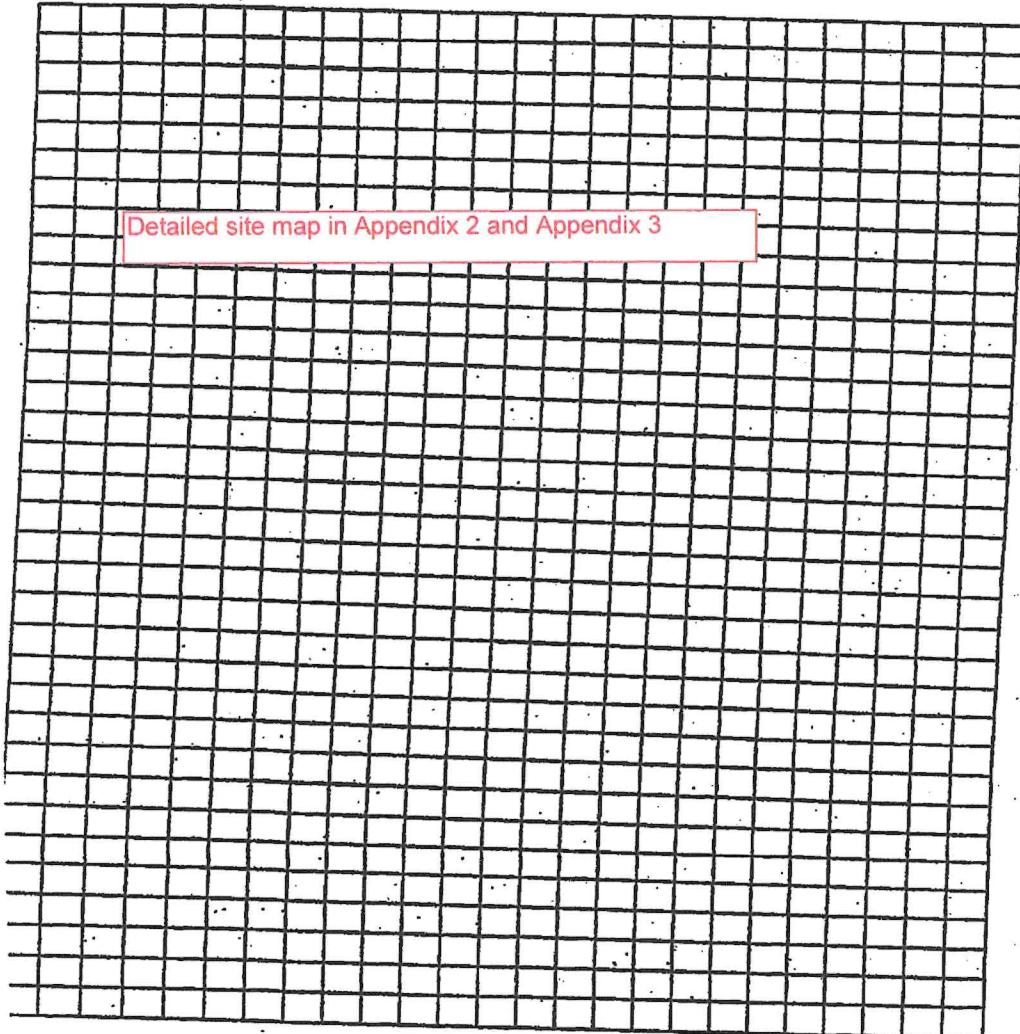
Please ensure that a scaled map of the site (page 2) is completed and attached.

****FORMS MUST BE COMPLETELY FILLED BEFORE SUBMISSION****

LOT DIAGRAM AND SEWAGE SYSTEM PLAN

All site evaluations **must** include a lot diagram and sewage system plan, drawn to scale indicating north point and showing the following:

- a) legal description, lot size, property dimensions, existing rights-of-way, easements or municipal/utility corridors, lane ways;
- b) location of structures (existing or proposed), wells, lakes, ponds, reservoirs, rivers, springs, streams, property lines
- c) location of proposed sewage system – Identify size of contact area (size of area may limit future development)
- d) location of any unsuitable, disturbed or compacted areas
- e) proposed access routes for system maintenance



APPENDIX 3 (Page 1)

DESIGN FLOW CALCULATION

ATTEMA CONSULTING SERVICES

Chris Attema

BCIN 2262
September 15, 2025

Owner Contact	Property Location
Pierre & Martha Sjaarda 5386 Vaughan Road St. Ann's, ON L0R 1Y0 Cell (Karen): 905 658 3737 email: jongbloedfam@gmail.com	5445 Vaughan Road ARN: 260202001009300 ARN 260202001009300 Street Number 5445 Street Name Vaughan Full Street VAUGHAN ROAD Municipality TOWNSHIP OF WEST LINCOLN
	LOT IDENT CONCESSION IDENT GEOGRAPHIC TOWNSHIP NAME GAINSBOROUGH

Total Daily Design Sanitary Sewage (TDDSS) Flow

Item Contributing to the TDDSS Flow	Quantity	Sewage Flow (L/day)
-------------------------------------	----------	---------------------

Base Flow for Dwelling		
Bedroom Units (Q_B)	4	2000.0
Additional Flow Modifiers		
Fixture units (Q_F)	23.5	175.0
Floor Area m^2 (Q_A)	200	0.0

Unit Flow Calculation	TDDSS Flow
TDDSS Flow (Q_B+Q_F) =	2175.0 L/day
TDDSS Flow (Q_B+Q_A) =	2000.0 L/day

Based on the Criteria of Section 8.2.1.3 of the OBC, the higher flow is chosen for design:

Total Design Daily Sanitary Sewage Flow: 2175.0 L/day

Fixture Units Calculation*			
	Number	Fixture Units	Total
Bathroom Group (with flush tank)	2	6.0	12.0
Additional Toilets	1	4.0	4.0
Additional bathtub or shower	0	1.5	0.0
Additional bathroom sink	1	1.5	1.5
Kitchen sink	1	1.5	1.5
Dishwasher*	1	1.5	1.5
Clothes washer	1	1.5	1.5
Laundry Tub	1	1.5	1.5

*No additional fixture unit load for dishwasher if connected to kitchen sink

23.5

2150 ft ²	10.76426265 ft ² /m ²
	199.735 m ²

APPENDIX 3 (Page 2)

ATTEMA CONSULTING SERVICES

Chris Attema

BCIN 2262

September 15, 2025

RAISED FILTER BED INSTALLATION SPECIFICATIONS

Note: Current residence with a sewage system design flow of 2175 litres/day.

The sewage system specifications based on a 2175 Litre/day sewage system design flow.

T underlying soil = > 50

Application Rate (L/m ²)	Q (L/day)	Required Filter bed area (m ²)
75	2175.0	29.0

Area Bed Installation Summary:

	Stone Loading Area	<u>29.0 m²</u>
Number of runs:	6	
Length of run (m):	6.0	19.7 ft
Total length of pipes (m):	36.0	118.1 ft
Length of header/footer (m):	3.8	12.5 ft
Stone Load Area length (m):	6.2	20.3 ft
Stone Load Area Width (m):	5.0	16.4 ft

Stone Loading Area 31.00 m² 333.6 ft²

Filter Bed Summary:

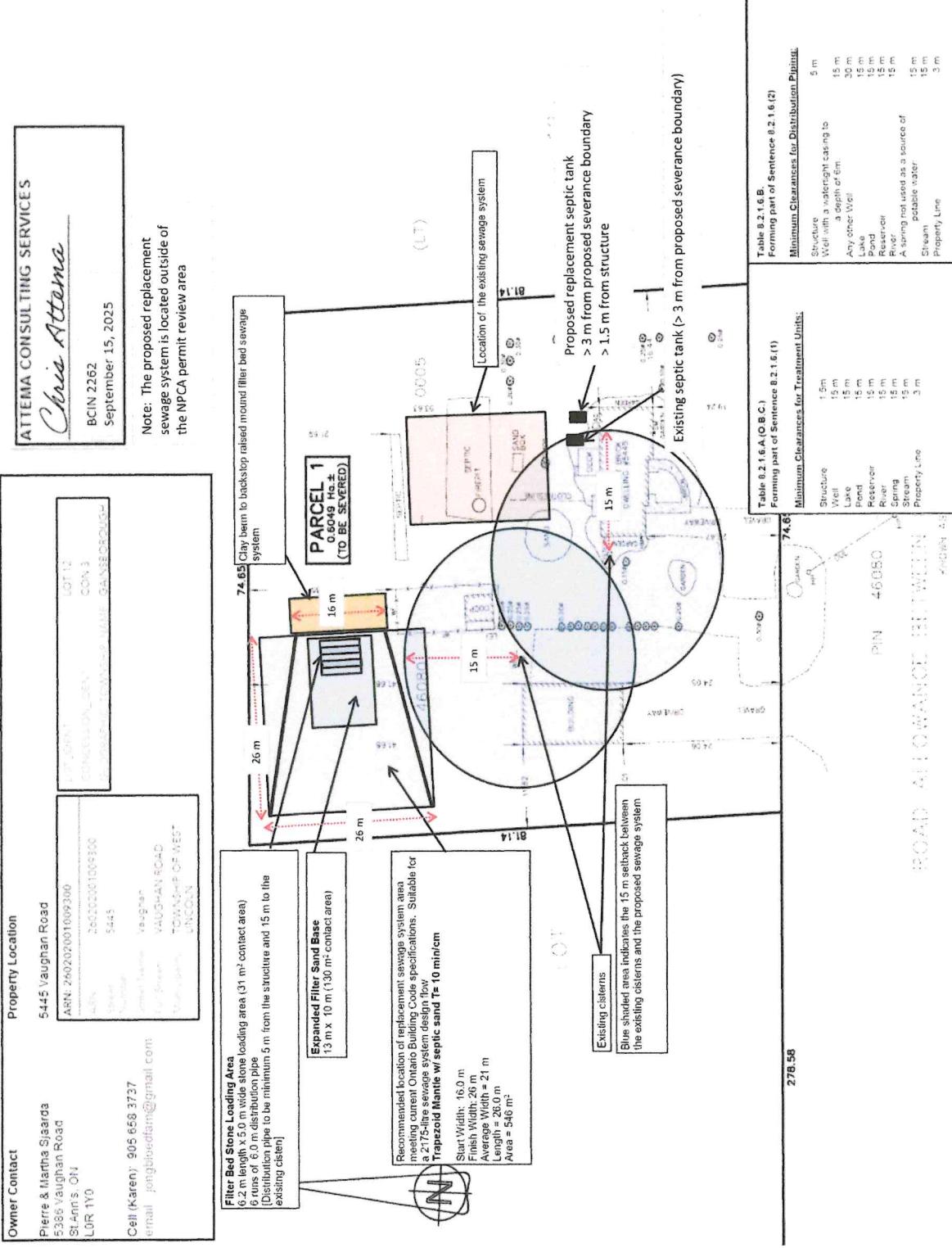
A	Underlying filter media contact area (QT/850) =	127.94 m ²	1376.6 ft ²
	Filter Media Length (m) =	13.00 m	42.7 ft
	Filter Media Width (m) =	10.00 m	32.8 ft
	Each Filter Media Contact Area =	130.00 m ²	1398.8 ft ²

B Mantle Contact Area (Q/4) =	543.75 m ²		
	Square Mantle in direction of flow		
	Mantle Length (m) =	26.00 m	85.3 ft
	Trapezoid Mantle Start Width =	16.00 m	52.5 ft
	Trapezoid Mantle Finish Width =	26.00	85.3 ft
	Expanded Mantle Average Width (m) =	21.00 m	68.9 ft
	Mantle Contact Area Provided	546.00 m ²	5875.0 ft ²

Septic Tank Summary:

Standard Septic Tank Size (2 x Q)	<u>4350 litres</u>
Septic tank provided	<u>4500 litres</u>

APPENDIX 3 (Page 3)



GROWTH & SUSTAINABILITY DEPARTMENT

Date: January 14, 2026

To: Jeni Fisher, Acting Secretary Treasurer to the Committee of Adjustment

From: Jennifer Bernard, Manager of Civil Land Development

SUBJECT: Committee of Adjustment Consent Application
File No. B09/2025WL - 5445 Vaughan Road

A review has been completed of this consent application to create 1 new Rural Residential lot (0.6 hectares) and 1 retained lot (40.5 hectares) for agricultural purposes.

Vaughan Road is a Township owned road which has the required road allowance of 20m, a road widening is not required. Staff have no concern with the proposed daylighting triangle on the corner of Vaughan Road and Wellandport Road shown on the survey sketch at the dimensions requested by the Niagara Region.

The proponent should confirm if there are existing and separate entrances for each of the lots to be created by this consent application. If a new entrance is required for the agricultural lot, the application for an Entrance Permit is available on the Township website.

**GROWTH AND SUSTAINABILITY DEPARTMENT
BUILDING DEPARTMENT MEMO**

DATE: January 20, 2026

TO: Growth and Sustainability Department (Committee of Adjustment)
Jeni Fisher – Acting Secretary Treasurer

FROM: Lyle Killins, Septic Inspector

SUBJECT: B09/2025WL – 5445 Vaughan Road – Pierre & Martha Sjaarda

Dear Ms. Fisher,

Please be advised the proposed application has been reviewed, file search and site visit completed. Mr. Chris Attema, Attema Consulting Services, provided supporting documentation relating to the sewage system servicing the premises and rationalization for compliance with Part 8 (Septic Systems) of the Ontario Building Code.

Submitted documents indicate an area containing 0.6 hectares would be required to accommodate current structures, minimum separation distances as defined in Tables 8.2.1.6 A & B Part 8 O.B.C. Upon review, the proposed additional land area of 0.2 hectares would be necessitated above the 0.4 maximum within discussion.

In conclusion, in the opinion of this Department, the application as proposed with a land area of 0.6 hectares would fulfill necessary Part 8 requirements.

There is no objection to the application as proposed at this time.

We trust the preceding serves as required; however, should additional information be required please contact this office at 905-957-3346.

Yours truly,



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

January 19, 2026

VIA EMAIL ONLY

Planning Department
Township of West Lincoln
318 Canborough Street,
Smithville, ON L0R 2A0

Attention: Jeni Fisher, Acting Secretary Treasurer to the Committee of Adjustment

Subject: **Application for Consent, B09/2025WL**
5445 Vaughan Road
West Lincoln, ON
ARN 260202001009300

To the Committee of Adjustment (COA),

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

The NPCA has reviewed the NPCA Mapping of **ARN 260202001009300** and notes that the property is impacted by NPCA regulated features.

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under Ontario Regulation 41/24 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.

As per the COA Notice, the purpose of the application is to create 1 new Rural Residential lot and 1 retained lot for agricultural purposes. As per the provided survey, Parcel 1, is referred to as the lands 'to be severed' for Rural Residential and Parcel 2, are identified as the lands 'to be retained'. As per the current NPCA mapping, the area identified as Parcel 1 to be severed, do not contain and are not impacted by NPCA Regulated Areas. Parcel 2, as per the current NPCA mapping contain the following NPCA Regulated features:

- Provincially Significant Wetland (PSW) - Beaver Creek West Lincoln Wetland Complex
 - All wetlands have an associated 30-meter buffer area applied from the wetland limits. This is referred to as the 'wetland allowance area'.
- Areas of mapped and unmapped floodplain
- Watercourses
 - All watercourses have a 15-meter buffer area applied starting from the watercourse top of bank

As the proposed Parcel 1 is to be severed outside of the NPCA Regulated Areas, the NPCA can offer no objection to the proposed severance for the intent to create 1 Rural Residential lot. Please be advised that the retained lands referred to as, Parcel 2, are impacted by NPCA Regulated features. Depending on the scope, nature, and location of any future proposed development activities within the retained lands, an NPCA Permit

maybe required prior to the start of works. Some works maybe subject to prior technical studies such as a Flood Study (i.e., floodplain mapping) or a site visit to verify features. To confirm if any future proposed development activities would be subject to an NPCA Permit or prior studies and, are permissible as per the NPCA Policy Document(s), please contact the NPCA for prior review and approval.

Conclusion

At this time, the NPCA staff can offer no objection to the application for Consent, **B09/2025WL**.

Please be advised that any future development within a NPCA Regulated area will require NPCA review, approval and Permits from this office prior to the commencement of any works on site.

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter.

Yours truly,



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

DATE: January 28, 2026

REPORT NO: COA-03-2026

SUBJECT: **Recommendation Report for Consent B10/2025WI – 7997 Sixteen Road**

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

OVERVIEW:

- An application for consent (Surplus Farm Dwelling) has been submitted by David and Maria Bartels.
- The subject lands are designated as 'Good General Agriculture' and 'Natural Heritage System' within the Township's Official Plan.
- The subject lands are zoned Agriculture (A) and Environmental Protection (EP) in the Township's Zoning By-law 2017-70, as amended.
- The consent application proposes to permit a Surplus Farm Dwelling Severance for the lands located 7997 Sixteen Road. The retained/remnant parcel (Part 1) will be maintained for agricultural purposes only. The severed parcel (Part 2) will maintain the existing single detached dwelling unit and accessory building.
- As a condition of severance, a Zoning By-law Amendment application will be required to rezone Part 1 to a site specific Agricultural Purposes Only (APO) Zone and Part 2 to Rural Residential (RuR) Zone.

RECOMMENDATION:

That, Consent Application B10/2025WL, submitted by David and Maria Bartels as outlined in Report COA-03-2026, for the creation of one new lot (Part 2) and one retained/remnant lot (Part 1), **BE APPROVED**, subject to the following conditions:

1. That the approval applies to the transaction as applied for.
2. That all municipal requirements are met to the satisfaction of the Township of West Lincoln including property maintenance, compliance with Zoning By-law provisions for structures and any related requirements, financial or otherwise.
3. That the Owner/Applicant shall provide a copy of the transfer documents for the conveyance of the severed parcel (Part 2) or a legal description of the subject parcels to be registered, together with a copy of the deposited reference plan, for

the issuance of the Certificate of Consent.

4. That the Owner/Applicant shall submit the required cash-in-lieu of parkland dedication fee, payable to the Township of West Lincoln.
5. That a Zoning By-law Amendment application be submitted for the rezoning of the retained/remnant farmland parcel (Part 1) to a site-specific APO Zone and the severed parcel (Part 2) to the RuR Zone and be passed by Council.
6. That the Owner/Applicant shall provide confirmation and documentation from a licensed sewage septic installer, designer or engineer detailing compliance with Part 8 Sewage Systems of the Ontario Building Code, to the satisfaction of the Township's Septic Inspector and Building Department and pay the Health Inspection Fee of \$338.
7. That any unused wells be decommissioned to the satisfaction of the Township of West Lincoln Director of Growth and Sustainability and/or Building Department.
8. That the Owner/Applicant, at the time of Final Certification, provide a package of ALL fulfilled conditions of this consent with Final Certification Fee (payable to Township of West Lincoln), be submitted to the Secretary Treasurer
9. That all conditions shall be fulfilled within a period of two years after the date of giving Notice of Decision, pursuant to Section 53(41) of the Planning Act. Failure to complete conditions shall be deemed to be refused.

BACKGROUND:

A consent application has been submitted by David and Maria Bartels for the lands municipally known as 7997 Sixteen Road. The purpose of this consent is to create one new rural residential lot and one retained lot for agricultural purposes by way of Surplus Farm Dwelling Severance.

The subject lands are located on the north side of Sixteen Road. The subject lands have a lot area of approximately 27.6 hectares and lot frontage of approximately 358 metres fronting onto Sixteen Road. The subject lands contain an existing single detached dwelling unit and accessory building and is used for agricultural purposes. The subject lands also contain natural heritage features in the northwest portion of the property and regulated areas in the southeast.

The proposed surplus farm dwelling severance (Part 2) will have a proposed lot area of approximately 0.4 hectares and lot frontage of 45 metres onto Sixteen Road. Part 2 will maintain the existing single detached dwelling and accessory building. The proposed retained/remnant parcel (Part 1) will have a lot area of approximately 23.7 hectares and 313 metres of lot frontage on Sixteen Road and will continue to be used for agricultural purposes.

CURRENT SITUATION:

Planning Staff have completed an analysis of the proposed consent and can provide the following evaluation:

Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS 2024) provides guidance on all land use planning matters. The subject lands are located within the Prime Agricultural Area. In accordance with the PPS, lot creation in the Prime Agricultural Area may only permit one new residential lot per farm consolidation for a residence surplus to an agricultural operation provided that the new lot is limited in size in order to accommodate appropriate private sewage and water services. The proposed surplus farm dwelling severance is surplus to a bona-fide agricultural operation and is proposed to have a lot area of approximately 0.4 hectares which conforms to the Township's Official Plan and Zoning By-law.

The proposed severed lot (Part 2) that is considered surplus to the farm operation has an existing private sanitary sewage system, as a condition of consent the applicant will be required to provide documentation indicating compliance with Part 8 Sewage System of the Ontario Building Code. Water service will continue to be supplied by the existing private well, as shown on the survey sketch plan (Attachment 1). The PPS states new residential uses on the remnant farmland parcel are prohibited. As a condition of this severance the retained/remnant parcel (Part 1) will require a Zoning By-law Amendment application to rezone Part 1 to the Agricultural Purposes Only (APO) Zone.

Based on the above, Planning Staff are satisfied that the proposed lot creation by way of Surplus Farm Dwelling severance is consistent with PPS 2024.

Township of West Lincoln Official Plan and Niagara Region Official Plan

Bill 23 has changed Niagara Region's role in land use planning and as of March 31, 2025, the Niagara Official Plan (NOP) is no longer a Regional Plan and is an Official Plan of the twelve area municipalities in Niagara. Therefore, the Township has considered the applicable policies of the NOP alongside the Township's Official Plan (OP) for the assessment to support proposed Surplus Farm Dwelling Severance.

The subject lands are designated as 'Good General Agriculture' within the Township's Official Plan (OP). Section 4 of the OP states the main objectives of this designation is to provide the second highest level of protection to preserve the Township's agricultural lands. Section 18.13.2 g) of the OP only permits the creation of a new lot in the Good General Agricultural designation subject being surplus to a farm operation, a lot size of 0.4 hectares, can adequately support private sewage and water services, and that the remnant farmland parcel be rezoned to Agricultural Purposes Only (APO). Similarly, with the reference to the former Niagara Region Official Plan, lot creation within Prime Agricultural Areas lots shall have an area of 0.4 hectares and required to support private sewage and water supply system.

The proposed surplus farm dwelling severance is surplus to a bona-fide farm operation and will have a lot area of 0.4 hectares. The severed lands (Part 2) will be serviced by the existing private water well and existing septic sewage system. As a condition of

consent the applicant will be required to provide documentation indicating compliance with Part 8 Sewage System of the Ontario Building Code.

The retained/remnant lands (Part 1) will continue to be used for agricultural purposes and is to be rezoned to a site-specific Agricultural Purpose Only (APO) Zone which will prohibit any future non-farm related uses including residential. The severed lands (Part 2) will be rezoned to Rural Residential (RuR) for residential purposes.

As mentioned, the subject lands (primarily in the northwest section) contain lands designated Natural Environment System (Provincially significant Wetlands and associated 30 metre buffer area, watercourse and 15 metre buffer area, Potential unevaluated wetlands and floodplain hazard). The Niagara Peninsula Conservation Authority (NPCA) has identified that the proposed lot for the severed lands is outside the identified flood hazard elevation levels. The proposed severed lands encroach within the 15-metre watercourse buffer area, however, there are no flood hazard concerns within the area of the severed lands.

Based on the above, Planning Staff are satisfied that the proposed Surplus Farm Dwelling Severance conforms with the general intent of the Township and Regional Official Plan policies.

Township of West Lincoln Zoning By-law

7997 Sixteen Road is zoned Agriculture (A) and Environmental Protection (EP) within the Township's Zoning By-law 2017-70, as amended. The A Zone permits a variety of agricultural uses and permits the use of a single detached dwelling and accessory buildings and structures. As previously mentioned, the proposal will not impact the EP Zone and will remain the same.

Retained/remnant farmland (Part 1)

The APO Zone permits a range of agricultural uses only to further protect valuable agricultural lands. Part 1 proposes to have a lot area of 23.7 hectares and lot frontage of 313 metres fronting onto Sixteen Road and will continue to be used for agricultural purposes only. The site-specific amendment is to permit a lot area of 23.7 hectares, whereas the Zoning By-law for an APO Zone requires a minimum lot area of 39 hectares and a lot frontage of 100 metres.

The subject lands are considered an existing lot of record and currently does not meet the required lot area of the A Zone of a minimum of 40 hectares. Following the proposed severance, the property will become further undersized to 23.7 hectares and therefore will be captured by the Zoning By-law Amendment application.

Severed Lands (Part 2)

The RuR Zone permits the use of single detached dwellings and accessory buildings. The

proposed severed lot has a lot area of approximately 0.4 hectares and a lot frontage of 45 metres on Sixteen Road, thus meeting the requirements of lot area and lot frontage of the RuR Zone. Both the single detached dwelling unit and accessory building comply to the setbacks of the RuR Zone and will be used for residential purposes.

Based on the review of the zoning regulations, Planning Staff are of the opinion that the proposed Surplus Farm Dwelling Severance meets the general intent of the Township's Zoning By-law.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

Township Septic Inspector

At the time of application submission, no supporting documentation was provided regarding compliance to Part 8 (Septic Systems) of the Ontario Building Code. As a condition of consent the applicant is to provide confirmation and documentation from a licensed sewage septic installer, designer or engineer detailing compliance with Part 8 Sewage Systems of the Ontario Building Code, to the satisfaction of the Township's Septic Inspector and Building Department.

Niagara Peninsula Conservation Authority (NPCA)

As per the current NPCA mapping, the area identified as Parcel 1 to be retained, contain the following NPCA Regulated features:

- Provincially Significant Wetland (PSW) - Lower Twenty Mile Creek Wetland Complex
- All wetlands have an associated 30-meter buffer area applied from the wetland limits. This is referred to as the 'wetland allowance area'.
- Floodplain hazard area has been identified within the northwest corner of the retained lands.
- Watercourses: All watercourses have a 15-meter buffer area applied starting from the watercourse top of bank.
- Areas of potential unevaluated wetlands.

Parcel 2, the proposed lot appears to be within an area of existing disturbance and is within proximity to an NPCA Regulated watercourse and associated buffer. Although the survey does not include the NPCA regulated areas, as per the NPCA current Policy, NPCA lot creations are supportable to encroach within an NPCA Regulated watercourse so long as there is no associated floodplain and there is sufficient room for servicing and amenities outside of the NPCA Regulated Areas.

As the watercourse nearest Parcel 2 is not of a flood hazard concern, the NPCA can offer no objection to the proposed lot creation (Parcel 2) to be severed for the purpose of Rural Residential lot. Please be advised that the retained lands referred to as, Parcel 1, are impacted by NPCA Regulated features. Depending on the scope, nature, and location of

any future proposed development activities in relation to an NPCA regulated area, an NPCA Permit maybe required prior to the start of works.

Niagara Region

The proposed severance does not affect any Regional infrastructure and has no comments in this regard.

The subject property is impacted by the Natural Environment System of the Niagara Official Plan consisting of a Permanent and Intermittent Watercourse, Other Wetland and Significant Woodland. The proposed consent is outside the 120 metre buffer of these features. Regional Staff offer no recommendations.

Regional Infrastructure Planning and Development staff offer no objections to the proposed consent.

PUBLIC COMMENTS:

No public comment have been received at the time of writing this report.

CONCLUSION:

Based on the above analysis of Consent Application B010/2025WL, Planning Staff recommend **APPROVAL** for the creation of one severed farm surplus dwelling (Part 2) one retained/remnant farm lot (Part 1) for agricultural purposes, subject to the conditions outlined in the beginning of this report.

ATTACHMENTS:

Schedule A – Survey Sketch Plan
Schedule B – Agency Comments

Prepared & Submitted by:

Robin Shugan, CPT, ACST
Senior Planner

Approved by:

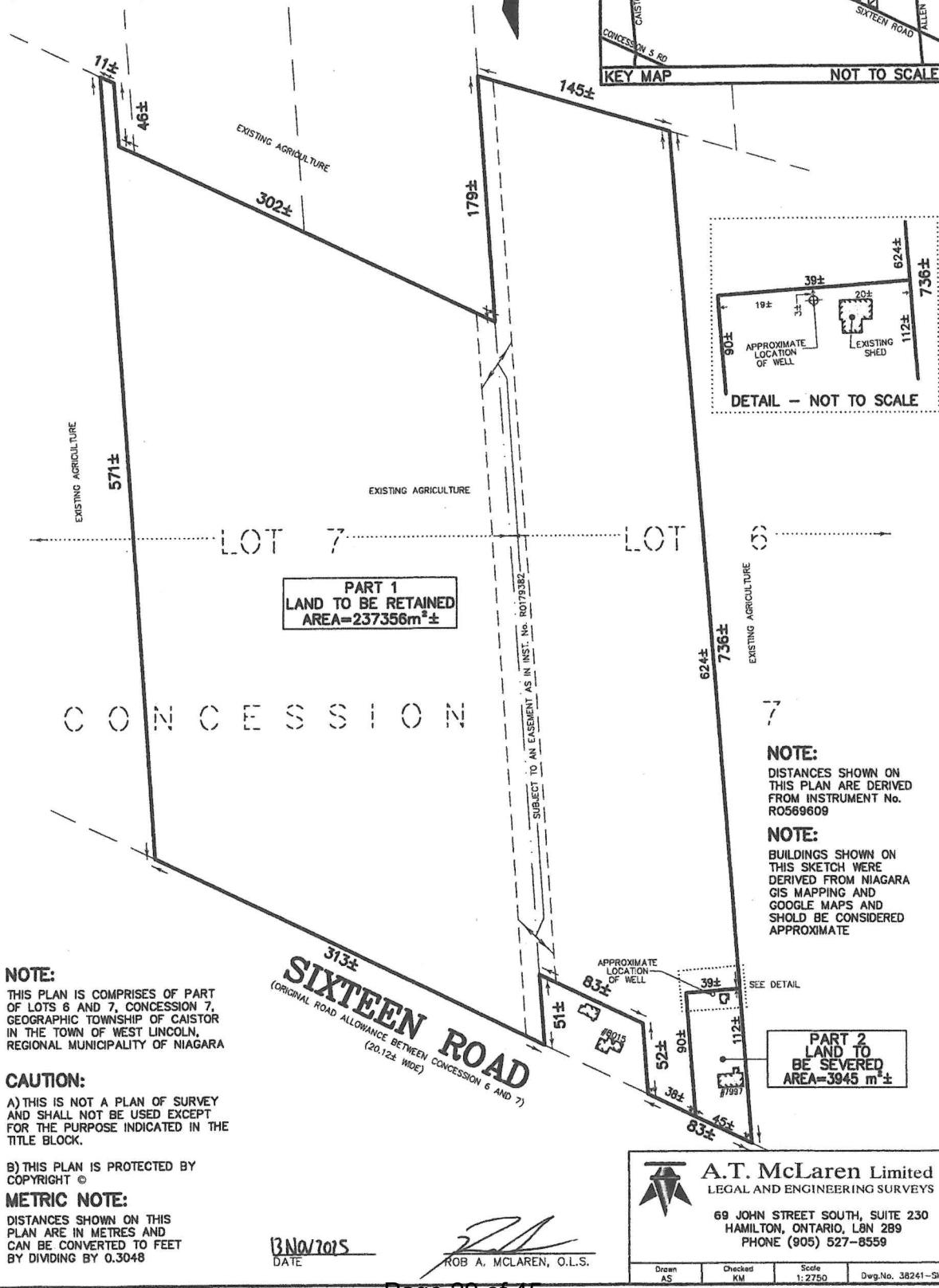
Susan Smyth, CPT
Manager, Community Planning and Design

SKETCH FOR SEVERENCE APPLICATION
OF
7997 SIXTEEN ROAD
IN THE
TOWN OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:2750 METRIC

55 27.5 0 55 110 165 metres

R. A. MCLAREN, O.L.S. - 2025



**GROWTH AND SUSTAINABILITY DEPARTMENT
BUILDING DEPARTMENT MEMO**

DATE: January 20, 2026

TO: Growth and Sustainability Department (Committee of Adjustment)
Jeni Fisher – Acting Secretary Treasurer

FROM: Lyle Killins, Septic Inspector

SUBJECT: B10/2025WL – 7997 Sixteen Road – Maria and David Bartels

Dear Ms. Fisher,

Please be advised the proposed application has been reviewed relating to the requirements of Part 8 (Septic Systems) of the Ontario Building Code. Notation was made that no supporting documentation was provided by the applicant relating to the existing on-site sewage disposal system.

In light of the aforementioned, this Department would request the Committee of Adjustment entertain the following for consideration as a Condition of Consent:

Applicant(s) provide, to the satisfaction of the West Lincoln Building Department, confirmation and documentation from licensed sewage system installer, designer and/or Engineer detailing compliance with Part 8 (Septic Systems) of the Ontario Building Code requirement(s).

We trust the preceding serves as required; however, should additional information be required please contact this office at 905-957-3346.

Yours truly,



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

January 19, 2026

VIA EMAIL ONLY

Planning Department
Township of West Lincoln
318 Canborough Street,
Smithville, ON L0R 2A0

Attention: Jeni Fisher, Acting Secretary Treasurer to the Committee of Adjustment

Subject: **Application for Consent, B10/2025WL**
7997 Sixteen Road
West Lincoln, ON
ARN 260201000144000

To the Committee of Adjustment (COA),

Further to your request for comments for the Consent for the above noted property, the Niagara Peninsula Conservation Authority (NP霞) can offer the following.

The NP霞 has reviewed the NP霞 Mapping of **ARN 260201000144000** and notes that the property is impacted by NP霞 regulated features.

The NP霞 regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under Ontario Regulation 41/24 of the Conservation Authorities Act. The NP霞 Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority (NP霞 policies) provides direction for managing NP霞 regulated features.

As per the COA Notice, the purpose of the application is to create 1 new Rural Residential lot and 1 retained lot for agricultural purposes. As per the provided survey, Parcel 1, are identified as the lands 'to be retained' and Parcel 2, are referred to as the lands 'to be severed' for Rural Residential. As per the current NP霞 mapping, the area identified as Parcel 1 to be retained, contain the following NP霞 Regulated features:

- Provincially Significant Wetland (PSW) - Lower Twenty Mile Creek Wetland Complex
 - All wetlands have an associated 30-meter buffer area applied from the wetland limits. This is referred to as the 'wetland allowance area'.
- Floodplain hazard area has been identified within the northwest corner of the retained lands
- Watercourses
 - All watercourses have a 15-meter buffer area applied starting from the watercourse top of bank
- Areas of potential unevaluated wetlands

Regarding the area for proposed severance being, Parcel 2, the proposed lot appears to be within an area of existing disturbance and is within proximity to an NP霞 Regulated watercourse and associated buffer. Although the survey does not include the NP霞 regulated areas, as per the NP霞 current Policy, NP霞 lot creations are supportable to encroach within an NP霞 Regulated watercourse so long as there is no associated floodplain

and there is sufficient room for servicing and amenities outside of the NPCA Regulated Areas. As the watercourse nearest Parcel 2 is not of a flood hazard concern, the NPCA can offer no objection to the proposed lot creation (i.e., Parcel 2) to be severed for the purpose of Rural Residential lot.

Please be advised that the retained lands referred to as, Parcel 1, are impacted by NPCA Regulated features. Depending on the scope, nature, and location of any future proposed development activities in relation to an NPCA regulated area, an NPCA Permit maybe required prior to the start of works. To confirm if any future proposed development activities would be subject to an NPCA Permit and are permissible as per the NPCA Policy Document(s), please contact the NPCA for prior review and approval.

Conclusion

At this time, the NPCA staff can offer no objection to the application for Consent, **B10/2025WL**.

Please be advised that any future development within a NPCA Regulated area will require NPCA review, approval and Permits from this office prior to the commencement of any works on site.

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter.

Yours truly,



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



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 Only

January 22, 2026

Region File: PLCS202600045

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 and Provincial Comments
Application Type: Consent
Township File: B10/2025WL
Owner: Maria and David Bartels
7997 Sixteen Road
West Lincoln

Regional Infrastructure Planning and Development staff has reviewed the consent application for lands municipally known as 7997 Sixteen Road in the Township of West Lincoln. The purpose of this consent application is to create one Rural Residential lot and one retained lot for agricultural purposes.

The following comments are provided from a Provincial and Regional perspective to assist the Committee with their consideration of the application.

Provincial and Regional Comments

A pre-consultation meeting was held on December 5, 2024, with the applicant and Township and Regional staff in attendance. The following comments regarding environmental review are provided as advice in accordance with the Planning Services Agreement between the Region and the Township of West Lincoln to assist the Township in their review of the application. The application does not affect any Regional infrastructure interests under the Memorandum of Understanding for Engineering Services between the Region and Township and, therefore, Regional staff has no comments in this regard.

Natural Environment System

The subject property is impacted by the Natural Environment System (NES) of the Niagara Official Plan (NOP), consisting of a Permanent and Intermittent Watercourse, Other Wetland and Significant Woodland. NOP policies require the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed within 120 metres of these features.

The proposed consent is outside of the above-noted setback. As such, Regional staff offer no recommendations.

Conclusion

Regional Infrastructure Planning and Development staff offer no objections to the proposed consent application.

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 Committee'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: January 28, 2026

REPORT NO: COA-04-2026

SUBJECT: **Recommendation Report – Minor Variance Application
A20/2025WL for 113 Griffin Street**

CONTACT: Susan Smyth, Manager, Planning and Community Design

OVERVIEW:

- An Application for a Minor Variance has been submitted by Schilstra Brothers Inc. (Owners) for the lands located at 113 Griffin Street.
- The purpose of this Application is to grant relief from the provisions of Section 3.12.2 Driveways and Parking Aisles (e)(iii) and Section 3.9.2 (c) of the Township of West Lincoln Zoning By-law 2017-70, as amended.
- The variances sought under this submission are:
 1. Driveways shall not be located closer than 1.5 metres to an interior side lot line, request 0 metre interior side lot line at the main driveway entrance.
 2. Area of a lot required to be used for no other purpose than a planting strip, a minimum width of 1.5 metres measured perpendicular to the adjoining lot line, request 0.5 metre planting strip along the interior lot line for the parking lot, and 0 metres for the driveway located in the front yard.
- An Application for Minor Variance (A21/2022WL) was presented to the Committee on April 24, 2024, and report [COA-12-2024](#) provided the requested relief from the by-law. Approval was granted for the variances including:
 1. A minimum amenity space of 10m² per dwelling unit whereas 20m² is required.
 2. A minimum parking space dimension of 2.6m x 6.0m, from the required minimum of 2.7m x 6.0m is required.
 3. A double traffic lane with a minimum width of 3.13m and a maximum width of 4.4m for travel in two directions, whereas a minimum width of 6m required.
 4. An exception from the requirement of planting strips along the rear lot line whereas a planting strip is required along the rear lot line.
- Since then, the proposal has been modified for access to the rear parking area which now includes a driveway through the left side of the building to access to parking area.

- The effect of this variance, if granted, is to facilitate the conversion of the existing 2-storey building to a mixed-use commercial building with one or two commercial units on the ground floor and four residential accessory dwelling units above the ground floor.

RECOMMENDATION:

That, the Application for Minor Variance A20/2025WL, submitted by Schilstra Brothers Inc. as outlined in Report COA-04-2026, to permit the reconstruction of the existing 2-storey building to a mixed-use commercial building with one or two units on the ground floor and four residential accessory dwelling units above the ground floor **BE APPROVED** with a reduced interior side lot line of 0m at the main driveway entrance and minimum planting strip of 0.5m along the interior lot line for the parking lot located in the rear yard.

BACKGROUND:

The subject property municipally known as 113 Griffin Street is located on the west side of Griffin Street/Regional Road 14, between Smits Cove and St. Catharines Street.

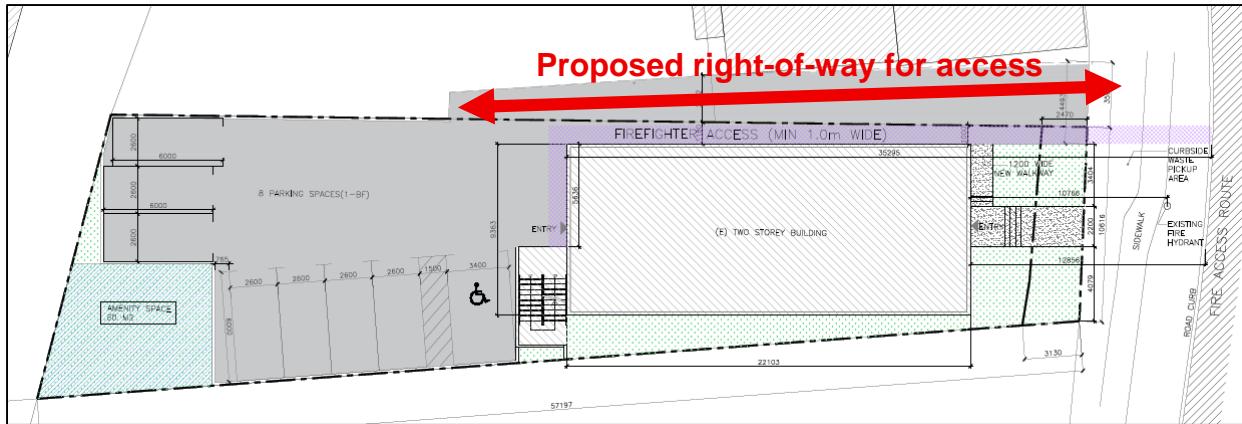
The subject property is an irregular rectangular shaped lot with 10.6 metres of frontage on Griffin Street, and lot depth of 53.43 metres with total area of 717.4 square metres.

The property contains a vacant two-storey brick building, which was formerly used as a Masonic Lodge.

An Application for Minor Variance (A21/2022WL) was approved by the Committee on April 24, 2024 with the following requested relief from the Zoning By-law 2017-70, as amended:

1. A minimum amenity space of 10m² per dwelling unit whereas 20m² is required.
2. A minimum parking space dimension of 2.6m x 6.0m, from the required minimum of 2.7m x 6.0m is required.
3. A double traffic lane with a minimum width of 3.13m and a maximum width of 4.4m for travel in two directions, whereas a minimum width of 6m required.
4. An exception from the requirement of planting strips along the rear lot line whereas a planting strip is required along the rear lot line.

These variances applied for the original proposal would have permitted access the rear parking area from what was assumed an entitled right-of-way access easement on the north side of the building shared by others. Refer to Figure 1 for the site plan presented with A21/2022WL.

Figure 1: Site Plan for Application A21/2022WL

However, the applicants have now changed the proposal whereby the parking area located in the rear of the property will be by a driveway through the left side of the building.

However, the granted variance that is applicable to this application and revised proposal is the double traffic lane with a minimum width of 3.13m and a maximum width of 4.4m for travel in two directions, although this new site plan has rounded the maximum width of the driveway access to 4.5m and this modification is negligible and Staff have no concerns.

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

In the Township's Official Plan, the subject property is designated as 'Core Commercial' within the Urban Settlement Area found in Section 6 of the Official Plan. The intent of the Urban Settlement Area is to protect and enhance the existing character of Smithville, and ensure new developments and redevelopments maintain compatibility with existing development. The objective is also to promote mixed use development and redevelopment in appropriate locations in Smithville.

The intent of the Core Commercial land use designation promotes economic revitalization of the downtown, specifically, through adaptive reuse, moderate levels of redevelopment, while ensuring no adverse impacts on adjacent areas within the Downtown area. Intensification can also be accommodated subject to keeping with the character of the Downtown area.

Section 6.7.1 states that density will not be specifically regulated in the Core Commercial Area and that sufficient parking is provided. Due to the limited parking availability in the Downtown, municipally available parking spaces are intended to serve

commercial uses and not for residential uses.

The proposal is providing the required parking for the residential units, which is one space per accessory dwelling unit (minimum four spaces) and six spaces in total are being provided with four for the residential units and one dedicated commercial space and one dedicated accessible barrier-free space.

Furthermore, the subject property is located within the Smithville Community Improvement Plan (CIP) Area. Section 18 provides policies for the CIP areas that aim to preserve, rehabilitate and redevelop the existing built environment, and to maximize the use of existing public infrastructure, facilities, lands and amenities. The proposal is intended to preserve as much as the original building as possible and maintain the character of the street face.

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

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

The subject property is zoned 'Core Commercial - C1'. This zone permits the commercial ground floor units as well as the residential accessory dwelling units to a maximum of four units, and anything above four units would be considered as apartment units and not accessory dwelling units.

The following table provides the regulations and provisions from the Zoning By-law that require relief.

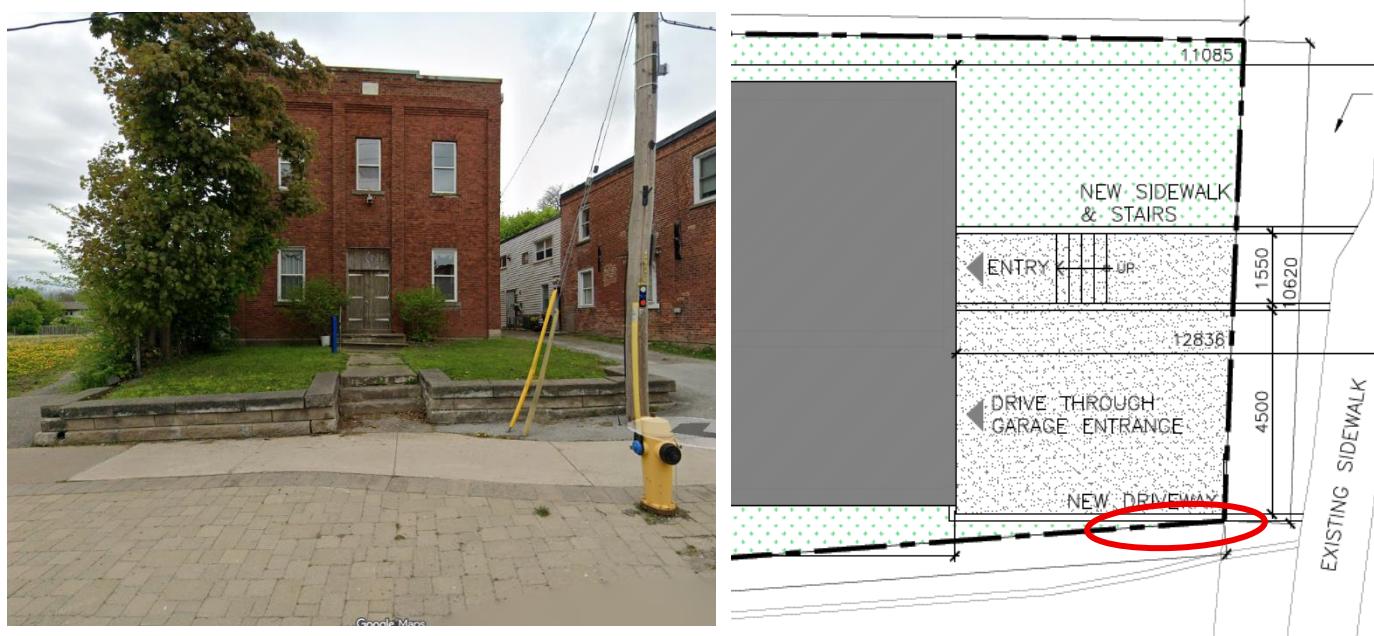
Part 3 General Provisions	PROPOSED
Section 3.9.2 Planting Strips	
c) Where an area of a lot is required to be used for no other purpose than a planting strip, it shall have a minimum width of 1.5 metres measured perpendicular to the adjoining lot line unless otherwise specified in this By-law.	0.5 metres (for parking area) 0 metres (for front driveway) Reduction of 1 – 1.5 metres
Section 3.12.2 Driveways and Parking Aisles	PROPOSED
e) Driveways shall be located as follows: iii. All other driveways shall not be located closer than 1.5 metres to an interior side lot line or a rear lot line, except for a permitted driveway located in the rear yard of a through lot and a permitted shared driveway for two adjoining lots that are in the same zone.	0 metre interior side lot line at the main driveway entrance Reduction of 1.5 metres

In terms of the requested relief for the planting strip along the interior lot line, the reduction of 1 metre leaving an area of 0.5 metres for a planting strip can be considered sufficient space for the placement of sod/grass, or ornamental vegetation that can help

to minimize runoff and provide drainage areas to penetrate to the ground. With the planting strip and a recessed curb, this treatment will prevent drainage spill over onto adjacent properties. This will be confirmed through the completion of a site plan agreement which will include detailed drawings for grading and stormwater management.

In terms of the requested relief for the interior setback of the driveway to the lot line at 0 metres, this is only at the pinch point at the front lot line and then is tapers and increases as it extends to the rear lot line. Refer to Figure 2 for the location of the reduced setback of the driveway to the lot line.

Figure 2: Driveway Location



The Region of Niagara commented that the driveway was to be 4.5 metres to meet their requirements. The driveway access as shown in the image above can only be accommodated on the left side of the building because of the existing hydro line and fire hydrant which would be too expensive to relocate. The proposed driveway will not remove any on street parking. The pedestrian access to the building will be shifted with a new sidewalk and entrance into the building.

Considering the residential units are considered as accessory dwelling units and are under five, the regulations for amenity area is not required as it was identified in the previous application A21/2022WL.

In this proposal, the parking stalls meet the required width of 2.7 metres and length of 6 metres and the number of parking spaces are being provided with one space per unit (4 spaces), and one space for the commercial unit, and one accessible barrier free space.

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 proposal is to renovate an existing building in the Downtown Core introducing a mixed-use commercial and residential building with ground floor commercial units and four accessory dwelling units above offering an opportunity to increase the rental tenure for Smithville. Revitalizing the building will enhance the existing character of the downtown community and is an example of adaptive reuse that maximizes the existing infrastructure and amenities in the area.

This development will be subject to Site Plan Control and additional considerations for the site like landscaping, lighting, stormwater and drainage will be captured.

Additionally, due to the constraints presented in obtaining access around the building over adjacent properties, the variances are necessary to allow for a proposed access through the building present a balanced option for development.

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

Is the proposal minor in nature? Yes

Given the constraints of this property with no legal right-of-way access the rear yard and parking area as well as the existing hydro line and fire hydrant, this new design with a driveway access through the building with a reduced driveway setback to the lot line and reduced planting strip along the interior lot line will make this project feasible.

Considering the minor reductions to planting strips and parking setbacks, and the necessity to provide off street parking, Staff is of the opinion that the requested variances are minor in nature.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

Niagara Peninsula Conservation Authority (NPCA)

The NPCA has reviewed the current NPCA mapping and notes that the subject property does not contain and is not impacted by NPCA Regulated features. Therefore, the NPCA would have no objection to Minor Variance or proposed works on this property.

Township Fire Services

Fire route signs and parking signs be clearly posted.

Township Civil Land Development

An updated stormwater plan and site grading plan will be required at the time of site plan approval.

PUBLIC COMMENTS:

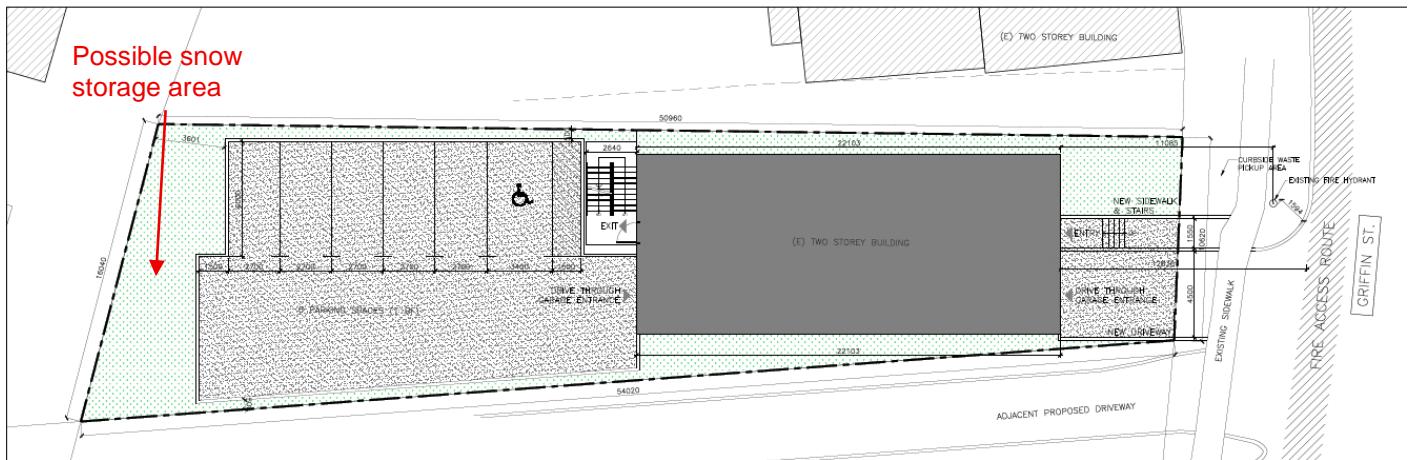
Staff received a comment asking if there will be an elimination of on-street parking. As shown in image in Figure 2, there is not a dedicated public on-street parking stall in front of the building, therefore there is no anticipated impacts to the public parking spaces on this section of Griffin Street as a result of this application.

Other comments received from the neighbouring property:

1. How will they control rainwater runoff so it is directed over their property as opposed to moving onto my lot? I'd like make sure we prevent any sort of flooding and winter ice build-up on my property.
2. How will they control snow removal? Where is the ploughed snow going to be placed?
3. What type of green space landscaping will they have in the proposed 0.5m space? Does not seem to be much of space for any significant plantings/buffers). And with a zero meter clearance at the driveway, all the above concerns become even more significant.

Staff noted previously that the reduced planting strip can offer enough space for the placement of sod/grass, or ornamental vegetation that can help to minimize runoff and provide drainage areas to penetrate to the ground. With the planting strip and a recessed curb, this treatment will prevent drainage spill over onto adjacent properties.

Staff note that there is open space located in the rear yard that can be used for snow removal, and if necessary, the snow would need to be removed by a private contractor. This will be further explored during the site plan approval process where the applicant will be required to provide to the Township a full engineering package ensuring that there are no impacts to adjacent property owners.



The reduced setback at the front lot line and interior lot line for the driveway access is the only viable option to allow for this project to proceed and considering the driveway proceeds through the building and the parking stalls are along the north side of the property, Staff are of the opinion that there will be no negative impacts to the driveway access to the property to the south.

CONCLUSION:

Based on the analysis, Planning Staff recommend **APPROVAL** of the proposed Minor Variance Application A202025WL as outlined in Report COA-04-2026, to permit the reconstruction of the existing 2-storey building to a mixed-use commercial building with one or two units on the ground floor and four residential accessory dwelling units above the ground floor be **APPROVED** with a reduced interior side lot line of 0m at the main driveway entrance and minimum planting strip of 0.5m along the interior lot line.

ATTACHMENTS:

Schedule A – Site Plan

Schedule B – Agency Comments

Prepared & Submitted by:

Susan Smyth

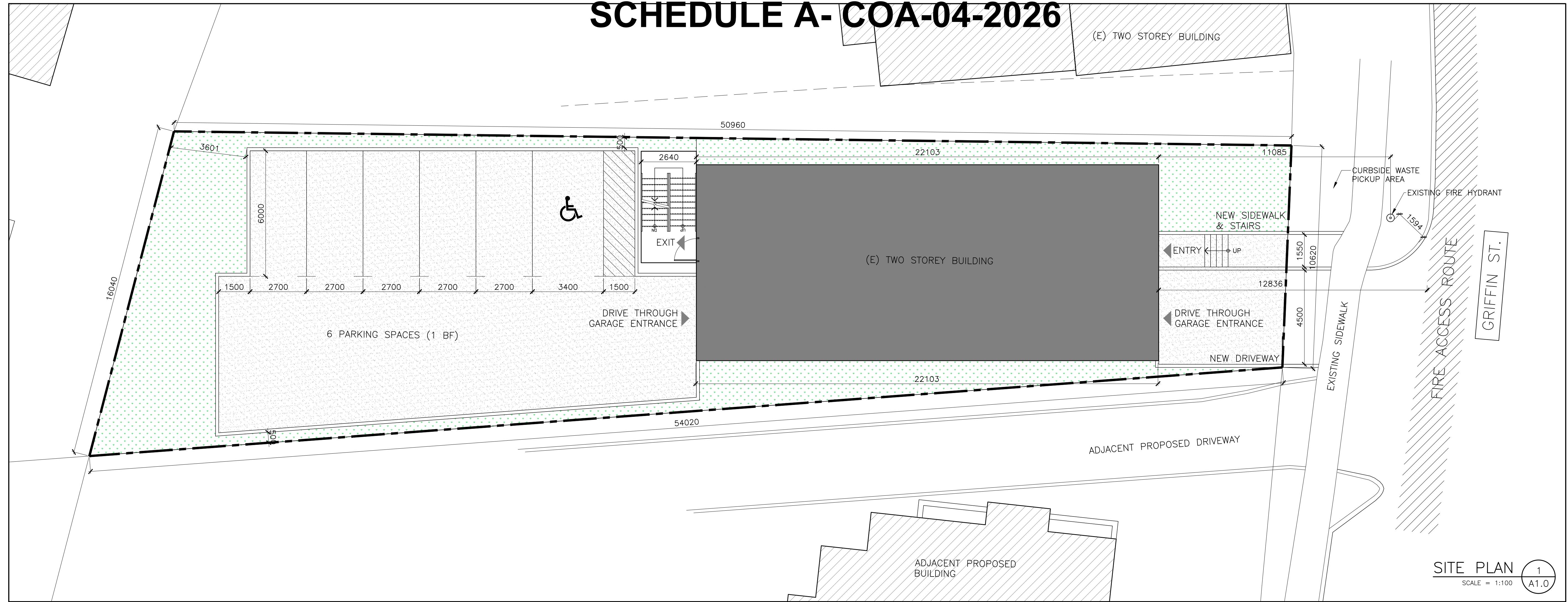
Manager, Community Planning and Design

Approved by:

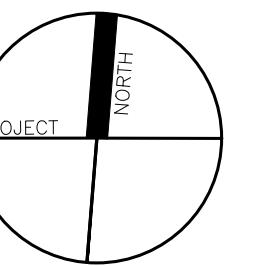
Gerrit Boerma

Director, Growth and Sustainability

SCHEDULE A- COA-04-2026



D	ISSUED FOR CLIENT REVIEW	JAN 09/26
C	ISSUED FOR CLIENT REVIEW	DEC 05/25
B	ISSUED FOR CLIENT REVIEW	OCT 22/25
A	ISSUED FOR CLIENT REVIEW	SEP 16/25
2	ISSUED FOR SPA	OCT 26/22
1	ISSUED FOR MINOR VARIANCE	JUL 19/22
REV.	DESCRIPTION	DATE



113 GRIFFIN STREET, SMITHVILLE - NEW CONDOMINIUM DEVELOPMENT CORE COMMERCIAL "C1" ZONE OF TOWNSHIP OF WEST LINCOLN ZONING BY-LAW NO. 2017-70			
PROVISIONS	REQUIRED	PROPOSED	CONFORMITY
PERMITTED USE	APARTMENT DWELLING	APARTMENT DWELLING WITH 4 UNITS	YES
MINIMUM LOT AREA	120 m ²	717.4 m ²	YES
MINIMUM LOT FRONTAGE	-	10.6 m	-
MINIMUM FRONT YARD ABUTTING RR 14	-	6.31 m / 5.96 m	-
MINIMUM INTERIOR SIDE YARD	-	1.28 m / 2.4 m	-
MINIMUM REAR YARD ABUTTING RESIDENTIAL ZONE	6m	25.2 m	YES
MAXIMUM LOT COVERAGE	-	30.8%	-
MAXIMUM HEIGHT	15m	11m	YES
MINIMUM AMENITY AREA - DWELLING WITH 5 TO 8 DWELLING UNITS ON ONE LOT	40 m ² PLUS 10 m ² PER DWELLING UNIT = 80m ²	45m ²	NO

PARKING REQUIREMENTS

MINIMUM NUMBER OF PARKING SPACES	1.75 PARKING SPACES PER DWELLING UNIT	1 PARKING SPACE PER DWELLING UNIT	NO
MINIMUM PARKING SPACE DIMENSIONS	2.7m x 6 m	2.7m x 6 m	YES
MINIMUM PARKING SPACE WIDTH WHERE IT ABUTS LANDSCAPED OPEN SPACE	2.4 m	2.4m	YES

BARRIER-FREE PARKING FACILITIES			
MINIMUM BARRIER-FREE PARKING SPACES	1 TYPE A SPACE	1	YES
MINIMUM TYPE A BARRIER-FREE PARKING SPACE WIDTH	3.4 m	3.4 m	YES
BARRIER-FREE PARKING SPACE ACCESS AISLE WIDTH	1.5 m	1.5 m	YES
DRIVEWAY REQUIREMENTS			
DOUBLE TRAFFIC LANE FOR TRAVEL IN TWO DIRECTIONS	MINIMUM 7.5m MAXIMUM 9.0 m	3.13m 3.35m	NO
OFF-STREET BICYCLE PARKING FACILITY REQUIREMENTS			
MINIMUM BICYCLE PARKING FACILITIES TO BE PROVIDED FOR APARTMENT DWELLING	1 PER DWELLING UNIT = 4 SPACES	4	YES
LOADING FACILITIES			
MINIMUM NUMBER OF LOADING SPACES TO BE PROVIDED FOR AN APARTMENT DWELLING	NO MINIMUM REQUIREMENT	0	YES

3.3.1 ALLOWABLE PROJECTIONS INTO REQUIRED YARDS

AIR CONDITIONERS, HEAT PUMPS AND ANY APPURTENANCES THERETO	UP TO 0.6 m FROM THE SIDE LOT LINE	0.09 m FROM LOT LINE	YES
AWNINGS, CANOPIES, CORNICES, COVES, BELT COURSES, EAVES, GUTTERS, OVERHANGS, PILASTERS, SILLS OR OTHER WEATHER SHIELD	0.6 m	0.3 m	YES
FIRE ESCAPES	1.5 m	1.14 m	YES

(EXISTING)

STAIRS ABOVE GRADE, UNCOVERED AND UNENCLOSED, FOR ACCESS TO A MAIN BUILDING	FRONT YARD UP TO 1.5 METRES FROM THE APPLICABLE LOT LINE	0.93m	YES
3.9 LANDSCAPING AND PLANTING STRIPS			
PLANTING STRIPS	ALONG THE INTERIOR SIDE LOT LINE AND THE REAR LOT LINE OF A LOT THAT IS USED FOR A DWELLING WITH 5 OR MORE DWELLING UNITS	PARTIAL PLANTING STRIP MINIMUM 0.7m WIDE PROVIDED ALONG INTERIOR SIDE LOT LINE	NO

NOTES:

- SEE ENGINEERING DRAWINGS FOR GRADING AND SERVICING DETAILS.
- SEE LANDSCAPE DRAWINGS FOR LANDSCAPE DETAILS.
- BARRIER-FREE PARKING SIGN TO BE INSTALLED IN ACCORDANCE WITH CITY STANDARDS AND O.B.C. REGULATIONS.
- GARBAGE AND RECYCLING BINS TO BE ROLLED OUT FROM GARBAGE ROOM TO WASTE COLLECTION PAD ON THE DAY OF COLLECTION.

SITE STATS

TOTAL LOT AREA = 717.4 SQ.M.
2 - STOREY RESIDENTIAL AND COMMERCIAL BUILDING
BUILDING HEIGHT = 9M.
CONDO UNIT TYPE -1 = 39.3 SQ.M.
CONDO UNIT TYPE -2 = 47.9 SQ.M.
TOTAL UNITS = 4 UNITS
BUILDING FOOTPRINT AREA = 221 SQ.M.
TOTAL GFA = 428 SQ.M.
PARKING SPACE = 8 (1 BF)
PARKING RATIO = 1.0
PAVED AREA = 374 SQ.M.
GRAVELED AREA = 0
LANDSCAPED AREA = 343 SQ.M.
OUTDOOR AMENITY AREA = 455SQ.M.

DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.
ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS OF THE CONTRACTOR'S PROPERTY OR WORKS MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

THE DRAWING SEAL IS NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZI ARCHITECTS INC.

PROJECT NAME:
NEW CONDOMINIUM (CORONATION LODGE) DEVELOPMENT

PROJECT ADDRESS:
113 GRIFFIN STREET, SMITHVILLE, ONTARIO

PROJECT NO.:
21-018

DRAWING TITLE:
SITE PLAN

PLOT DATE: 9-Jun-26
DRWN: KW
CHKD: EC

DATE: SEPTEMBER
SCALE: 1:100
DRAWING NO.: A1.0

A1.0

SCHEDULE B - COA-04-2026



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

January 19, 2026

VIA EMAIL ONLY

Planning Department
Township of West Lincoln
318 Canborough Street,
Smithville, ON L0R 2A0

Attention: Jeni Fisher, Acting Secretary Treasurer to the Committee of Adjustment

Subject: **Application for Minor Variance, A202025WL**
113 Griffin Street
West Lincoln, ON
ARN 260203001524700

To the Committee of Adjustment,

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

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under Ontario Regulation 41/24 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 current NPCA mapping of **ARN 260203001524700** and notes that the subject property does not contain and is not impacted by NPCA Regulated features. Therefore, the NPCA would have no objection to Minor Variance or proposed works on this property.

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter.

Yours truly,

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

From: [Jennifer Bernard](#)
To: [Susan Smyth](#)
Cc: [Gerrit Boerema](#); [Jeni Fisher](#)
Subject: RE: Minor Variance notice (A202025WL)
Date: January 21, 2026 12:10:23 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image303544.png](#)
[image780641.png](#)

Hi Susan,

The Owners of 113 Griffin St had previously submitted a stormwater management report and received comments from the Region for some revisions, due to the need to change the entrance, design of the building and layout of the back parking area they likely haven't revised that Stormwater plan yet until they know they can proceed. I would suggest you can comment that the approval of a stormwater management plan and site grading plan is a requirement for the site plan approval.

I don't normally ask about snow removal and storage, they are showing an amenity space in the back parking area so my guess is that is where they will store their snow and if that isn't sufficient space they would need to have it hauled off site. I would suggest asking the Schilstra brothers if they have considered that to save us assuming.

Hope that helps,

Jenn



Jennifer Bernard | Manager, Civil Land Development
Township of West Lincoln

T 905-957-3346 ext 6732
E jbernard@westlincoln.ca
W www.westlincoln.ca

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