



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

Wednesday, February 25, 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 no requests for withdrawals and/or adjournment at this time.
4. **APPLICATIONS**
 - a. **A01/2026WL - 8373 Silver Street - Christina and Paul Bellavia** 3
The purpose of this application is to grant the applicant relief from the provisions of the Township of West Lincoln Zoning By-law 2017-070, as amended. The variances sought under this submission are:
 - To permit an Accessory Dwelling Unit closer to the front lot line than the main dwelling unit. (Section 3.2.1., g)
 - To decrease the front yard setback for an Accessory Dwelling Unit from the required 15 metre setback to 5.0 metres (Section 3.1 Table 1-1)
 - To increase the maximum ground floor area of an Accessory Dwelling Unit from 100 square metres to 106.56 square metres. (Section 3.2.1., b)
 - To increase the maximum distance from a main building to an Accessory Dwelling Unit from 50 metres to 180.73 metres. (Section 3.2.1., h)
 - To permit an Accessory Dwelling Unit to have separate and independent access and parking by utilizing the existing driveway (Section 3.2.1, k)

The effect of this variance, if approved, is to permit the conversion of the existing single detached dwelling unit into an Accessory Dwelling Unit.

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: February 25, 2026

REPORT NO: COA-05-2026

SUBJECT: **Recommendation Report**
Minor Variance A01/2026WL
8373 Silver Street /Bismark Road (Regional Road 65)

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

OVERVIEW:

- A Minor Variance Application has been submitted by the Owners, Paul and Christina Bellavia to permit the conversion of the existing single detached dwelling unit into an Accessory Dwelling Unit (ADU).
- The Township’s Official Plan designates the subject property as ‘Good General Agriculture’.
- The subject property is zoned Agriculture (A).
- The subject lands contain an existing newly constructed single detached dwelling on the east side of the property and an existing dwelling that is required to be demolished located on the west side of the property, which is now proposed to be converted to an ADU.
- Planning staff have reviewed the application and recommend that the application not be supported as it does not meet the four tests of a minor variance and local and provincial planning policy.

RECOMMENDATION:

1. That, the Application for Minor Variance A01/2026WL, submitted by Paul and Christina Bellavia, as outlined in Report COA-05-2026:
 - a. To permit an Accessory Dwelling Unit closer to the front lot line than the main dwelling unit. (Section 3.2.1. g), be denied.
 - b. To decrease the front yard setback for an Accessory Dwelling Unit from the required 15 metre setback to 5.0 metres (Section 3.1 Table 1-1), be denied.
 - c. To increase the maximum ground floor area of an Accessory Dwelling Unit from 100 square metres to 106.56 square metres. (Section 3.2.1.b), be approved.

- d. To increase the maximum distance from a main building to an Accessory Dwelling Unit from 50 metres to 180.73 metres. (Section 3.2.1.h), be denied and that Committee grant a maximum distance of 60 metres.
- e. To permit an Accessory Dwelling Unit to have separate and independent access and parking by utilizing the existing driveway (Section 3.2.1.k), be denied.

BACKGROUND:

A Minor Variance Application has been submitted by the Owners, Paul and Christina Bellavia for the lands municipally known as 8373 Silver Street/Bismark Road (Regional Road 65). The subject property is an irregular triangular piece of land located on the north side of Silver Street/Bismark Road. The subject property has a lot area of approximately 1.75 hectares and lot frontage of approximately 268 metres onto Silver Street/Bismark Road.

The subject property contains two single detached dwelling units (one recently constructed and one to be demolished following occupancy as per the conditional permit agreement) and two accessory structures, one being a pre-fabricated shipping container. The new dwelling has been constructed with the possibility of having a purpose built attached ADU in the basement. The subject property also contains a hydro tower, hydro easements, as well as a Niagara Peninsula Conservation Authority regulated feature. The surrounding land use is predominately agricultural and rural residential with single detached dwellings.

At the time of purchase the subject lands, the primary dwelling on the property was a one-and-a-half-storey vinyl-sided house located in the northwest corner of the subject lands. The Applicant proposed to construct a new primary dwelling on the east side of the property and to demolish the existing dwelling. In 2023, the Applicant obtained a Conditional Building Permit to construct the new primary dwelling, which required that the existing dwelling be demolished within 180 days of final occupancy of the new primary dwelling unit. In June 2025, the Applicant obtained final occupancy of the newly constructed primary dwelling. In late 2025 the property was listed for sale advertising two dwellings at which time staff informed the applicants that under the conditional permit agreement, the original house was required to be demolished.

The Applicant upon the consideration of the Provincial legislation and the Township's permissions for Accessory Dwelling Units (ADUs) in agricultural areas has proposed to seek permission to retain the original single detached dwelling unit and convert it to an Accessory Dwelling Unit (ADU) through a Minor Variance application. The original home does not meet several regulations of the zoning bylaw as an ADU. The Applicant obtained an extension on the agreement for demolishing the original single detached dwelling until April 2026 until such time this variance application was processed for Committee's consideration. If the variances are not granted, the demolition agreement remains applicable, and the original single detached dwelling would be required to be demolished.

The application for Minor Variance is to permit the conversion of the existing single detached dwelling unit into an ADU with the following variances requested :

- To permit an Accessory Dwelling Unit closer to the front lot line than the main dwelling unit. (Section 3.2.1. g)
- To decrease the front yard setback for an Accessory Dwelling Unit from the required 15 metre setback to 5.0 metres (Section 3.1 Table 1-1)
- To increase the maximum ground floor area of an Accessory Dwelling Unit from 100 square metres to 106.56 square metres. (Section 3.2.1.b)
- To increase the maximum distance from a main building to an Accessory Dwelling Unit from 50 metres to 180.73 metres. (Section 3.2.1.h)
- To permit an Accessory Dwelling Unit to have separate and independent access and parking by utilizing the existing driveway (Section 3.2.1.k)

Submitted with the application was a Planning Justification Report completed by Adam Moote, a registered professional planner.

Provincial Planning Statement:

The Planning Act requires that all decisions made by the Committee of Adjustment shall be consistent with the provincial policy. Section 4.3.2.5 of the Provincial Planning Statement (PPS) permits up to two additional residential units and shall be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principle dwelling and any additional residential units. They must comply with the minimum distance separation formula, must be compatible with, and not hinder surrounding agricultural operations, have appropriate sewage and water services, address any public health and safety concerns, are of limited scale and are located within, attached or in close proximity to the principle dwelling or farm building cluster, and minimize land taken out of agricultural production.

In this situation, the proposed ADU is not within close proximity to the principle dwelling being over 180 metres away. Furthermore, the subject lands are 1.75 hectares in size and the Applicant indicated that the lands have not been actively used for agricultural uses for the last few years, therefore the placement of an ADU closer to the newly constructed primary dwelling would not be taking land out of agricultural production. Additionally, due to the size of the property and the impacts that the new dwelling has already had on the property, the impacts to potential farmland that a new ADU would have closer to the main dwelling are minimal for this site.

Does the Proposal Maintain the General Intent of the Official Plan? No

The subject property is designated as 'Good General Agricultural' 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).

Section 17.1.3 titled *Detached Accessory Apartment Units* states that:

- a) ADU's must be secondary and subordinate to the main dwelling on the property.
- b) Must be located in the same cluster of buildings as the main dwelling on the property.
- c) Must comply with zoning regulations regarding size, setbacks, height etc.
- d) The requirements of the Building Code and Fire Codes must be satisfied.

The proposed converted ADU would be subordinate in size to the newly constructed main dwelling, however would not be within the same cluster as the main building on the property, would not comply with the zoning regulations for size and setbacks. This is due to the new dwelling that was recently built, was constructed at the opposite end of the property, south of the hydro easement, with the requirement that the original house and accessory buildings be removed. The converted ADU has a gross floor area of 106.56 square metres whereas 100 square metres is the maximum and the ADU is located 5 metres front the front yard whereas 15 metres is required.

Recognizing that there are limitations on the property mainly due to the Hydro easement, planning staff are recommending that the ADU be permitted within 60 metres of the main dwelling, allowing an ADU to be located closer to the main dwelling while eliminating the need for the balance of the variances requested.

Therefore, Planning Staff is of the opinion that this proposal does not meet the general intent and purpose of the Official Plan, but that by allowing a slightly larger maximum distance of 60 metres, the subject property could still have a detached ADU.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?
No**

The subject property is zoned Agriculture (A) Zone. The Agriculture Zone permits a single detached dwelling unit, accessory buildings and ADUs.

The general intent for limiting ADUs to the side or rear yards is to preserve the rural character and to keep ADUs subordinate to the main dwelling. Section 3.1 and Table 1-2 of the Zoning By-law permits ADUs to be no closer to the front lot line than the main dwelling unit. The newly constructed main dwelling unit has a front yard setback 18.07 metres, whereas the original house has an existing front yard setback of 5.0 metres.

Variance #3 – Increased Ground Floor Area for an Accessory Dwelling Unit

The intent of limiting the gross floor area (GFA) of ADUs is to ensure that they remain subordinate to the main dwelling. Section 3.1 and Table 1-2 of the Zoning By-law, an ADU shall have a maximum GFA of 100 square metres and the ADU has a GFA of 106.56 square metres, which is subordinate to the main dwelling although does not adhere to the maximum 100 square metres in size.

While minimal justification has been provided in allowing the larger area, planning staff do recognize this increase as a minor enlargement to what the zoning provides and is generally in keeping with the zoning bylaw, however, the balance of the variances planning staff do not determine to be minor, nor keeping with the zoning bylaw.

Variance #4 – Increased distance from main dwelling unit to Accessory Dwelling Unit

The intent of the maximum distance setback for an accessory building to the main dwelling is to cluster the accessory buildings, including detached ADU's, protecting agricultural land and practices, and keeping ADU's subordinate to the main dwelling. This is in alignment and regards to Provincial Policy and the Townships Official Plan policy which seeks to have ADUs in close proximity to the main dwelling. Section 3.1.2 h) of the Zoning By-law states that the maximum distance of an accessory dwelling unit shall be 50 metres. The converted dwelling unit as an ADU is situated 180.73 metres from the main dwelling unit and does not meet the clustering requirement.

There is an existing hydro easement that bisects the property, limiting the options for where an ADU could be located, however, there are locations on the property where an ADU could be located which would significantly reduce the separating distance between the ADU and the dwelling, as well as remove the need for the balance of the variances.

Therefore staff are recommending that an alternative setback of no greater than 60 metres be approved by the Committee of Adjustment, allowing the owners to construct a new ADU north of the new dwelling and hydro corridor, or if possible, moving the existing original dwelling closer, yet out of the easement.

As stated previously in this report, a policy found both within the Provincial Planning Policy and within the Township's Official Plan is that ADU's be located within the cluster and in close proximity to the main dwelling. Planning staff in review of the application have determined that there are alternative locations which align with Provincial and Local planning policy, that do not require as significant variances.

Variance #5 – Permit Accessory Dwelling Unit to have independent access and parking

Section 3.1.2 k) of the Zoning By-law states *that access to the required parking for the accessory dwelling unit shall be provided from the same driveway that provides access to the principle dwelling unit on the same lot.* Despite there is an existing driveway for the ADU, there is a new driveway entrance to the newly constructed primary dwelling that can be extended to an ADU set to the rear past the hydro easements approximately 60 metres.

Therefore based on other available locations that come closer to meeting the zoning requirements and provincial and local policy, a separate driveway entrance is not necessary since the new dwelling driveway could be utilized.

Is the Proposal desirable for the appropriate development or use of the land? No

Planning Staff recognizes the desire by the applicants to retain the original dwelling as an ADU, however, there are other locations on the property where a detached ADU could be located that is more appropriate in maintaining provincial and local planning policy. Once the original dwelling and accessory buildings are removed, there would be opportunity to utilize that land for farming and farmland, if that was the desire of the applicant.

Is the proposal minor in nature? No

The proposal to permit an increased distance from the main dwelling unit to the converted ADU from 50 metres to 180.73 metres is not considered minor as it is over three times the distance permitted in the Township's zoning bylaw and does not meet the intent of the PPS or Township's OP policies for clustering to the main buildings on the land. Additionally, there are alternative locations on the property where an ADU could be located which does not require as significant an increase to the setback, and where the balance of the variances would not be required.

Staff have reviewed the property and has determined that a new ADU could be located north of the existing dwelling and hydro easement within 60 metres of the new main dwelling.

The variance requested for the enlarged ADU from 100 sq. m. to 106.56 square meters is being requested to accommodate the existing dwelling. As mentioned previously in the report, while there is not significant justification for this, and a willingness to reduce the size of the ADU, staff can see this variance as minor.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

Niagara Peninsula Conservation Authority

NPCA provide clearance July 2023 based on the scope, nature and location of works in the relation to the NPCA regulated areas. NPCA remains the same and offer no objection. Regulated features are located on the western and eastern side of the property. Any future works in regulated areas will require a NPCA permit.

Niagara Region

No comments.

Building and Septic

The owners of the land have entered into a conditional permit agreement with the Township to remove the original dwelling by April of 2026, to allow time for the applicants to apply for applications to the Township to maintain the original dwelling as an ADU.

If the applicant is successful in obtaining the variances, Building and Septic require an

inspection of the current septic system as well as a change of use permit for the building.

If the applicant is not successful, the applicant would be required to remove the original dwelling and accessory structures as per the agreement to receive their deposit back.

PUBLIC COMMENTS:

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

CONCLUSION:

Based on the above analysis, staff recommends that the application for Minor Variance A01/2026WL not be approved entirely, as per the recommendation, to permit the conversion of the existing single detached dwelling unit into an Accessory Dwelling Unit.

Staff are recommending that a maximum distance of 60 meters be granted to locate the ADU from the dwelling, recognizing that there is a hydro easement on the property and limitations on the location of an ADU. Staff are also recommending approval of a slightly larger ADU.

ATTACHMENTS:

- Schedule A – Survey Sketch Plan
- Schedule B – Agency Comments
- Schedule C – Planning Justification Report

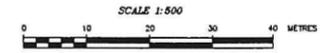
Prepared & Submitted by:

Susan Smyth
Manager, Community Planning and Design

Approved by:

Gerrit Boerema
Director of Growth and Sustainability

PLAN SHOWING PROPOSED DWELLING & GRADING
 (8373 SILVER STREET)
**PART OF LOT 9
 CONCESSION 5**
 (GEOGRAPHIC TOWNSHIP OF CAISTOR)
 TOWNSHIP OF WEST LINCOLN
 REGIONAL MUNICIPALITY OF NIAGARA



B.A. JACOBS SURVEYING LTD.
 ONTARIO LAND SURVEYOR

METRIC NOTE:
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE
 CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARING NOTE:
 BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE
 NORTHERLY LIMIT OF SILVER STREET AS SHOWN ON PLAN
 30R-3492, HAVING A BEARING OF N 61° 41' W.

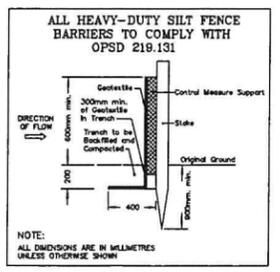
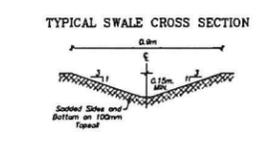
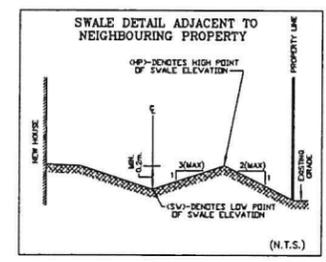
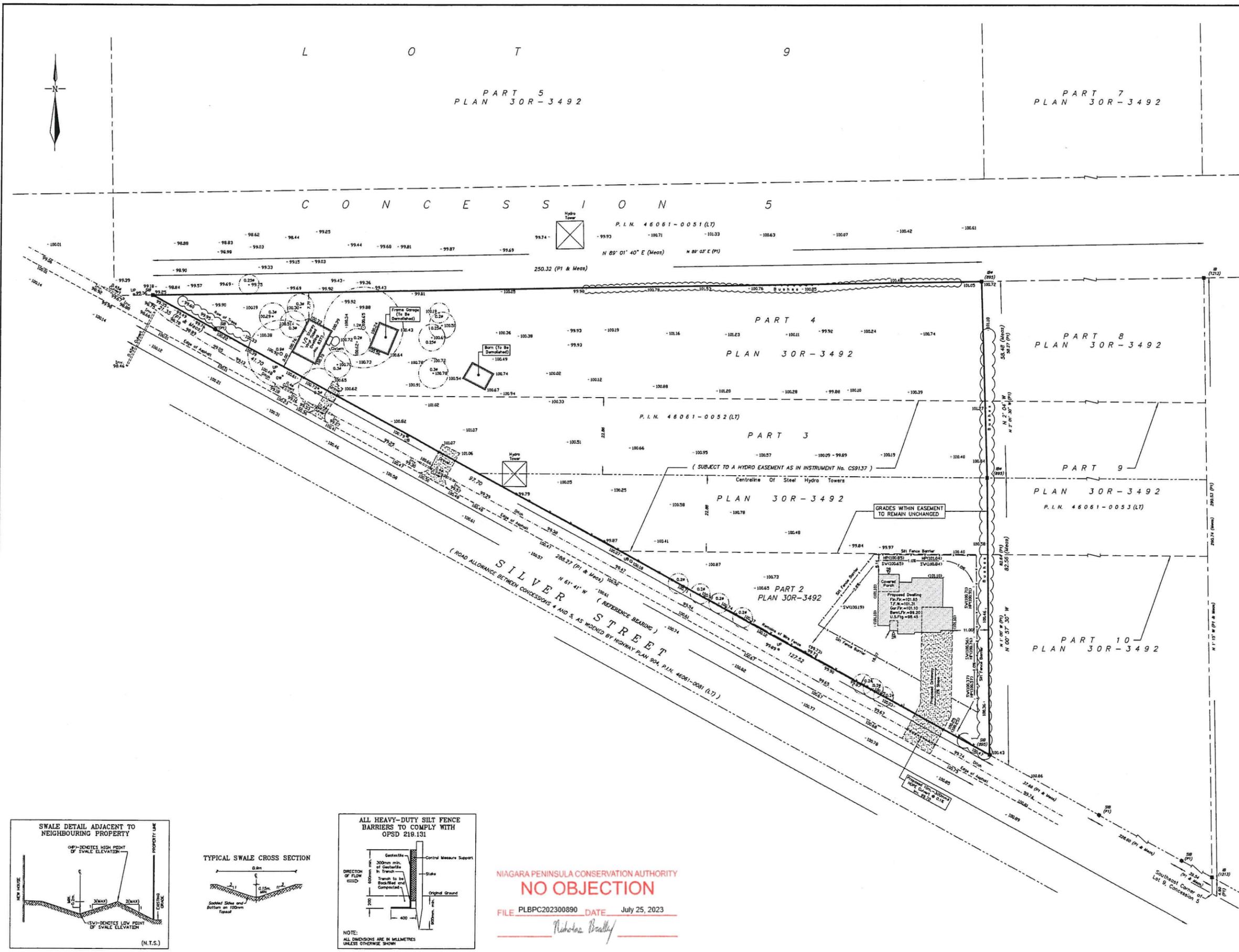
- LEGEND:**
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT PLANTED
 - SIB DENOTES STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - IB# DENOTES ROUND IRON BAR
 - P1 DENOTES PLAN 30R-3492
 - (895) DENOTES D.A. LANE O.L.S.
 - (1213) DENOTES J.D. PETERS O.L.S.
 - C.W. DENOTES CUY WIRE
 - U.B. DENOTES UTILITY BOX
 - U.P. DENOTES UTILITY POLE
 - Ø.34 DENOTES DIAMETER OF TREE
 - * 101.00 DENOTES EXISTING ELEVATION
 - * (101.00) DENOTES PROPOSED ELEVATION
- ELEVATIONS SHOWN ON THIS PLAN ARE ASSUMED.

DATE	REVISIONS	INITIAL
MARCH 6, 2023	LOCATION OF DWELLING REVISED	BAJ

JULY 26, 2022
 DATE

Bryan Jacobs
 BRYAN JACOBS
 ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.
 158 JACKSON STREET EAST, SUITE 102
 HAMILTON, ONTARIO (L8P 1L5)
 PHONE: 905-521-1535 bjacobs@rogers.com



NIAGARA PENINSULA CONSERVATION AUTHORITY
NO OBJECTION
 FILE PLBPC202300890 DATE July 25, 2023
Nicholas Beatty

**GROWTH AND SUSTAINABILITY DEPARTMENT
BUILDING DEPARTMENT MEMO**

DATE: February 19th, 2026
TO: Growth and Sustainability Department (Committee of Adjustment)
Jeni Fisher – Acting Secretary Treasurer
FROM: Lyle Killins, Septic Inspector
SUBJECT: A01/2026WL – 8373 Silver Street – Bellavia

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.

As of this date, no documentation has been submitted relating to the existing on-site disposal system. A permit as issued for a treatment tank replacement on June 14, 2024. The functional capability of the existing sewage disposal system was not provided at the time of the treatment tank replacement as this was considered an emergency installation.

The variances requested may compromise the minimum separation requirements for a sewage system to a structure as defined in Tables 8.2.1.6 A and B Part 8, Ontario Building Code.

Thus, it is the recommendation of the Department that the following be considered by the Committee as a condition, in respect to the minor variance application

A01/2026WL:

That the applicant provide to the satisfaction of the Township of West Lincoln Building Department and/or Sewage System Inspection Manager, documentation from a licensed sewage system designer, installer and/or Engineer, indicating the existing sewage system is in compliance with the requirements of Part 8, Ontario Building Code.

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

Fw: NPCA COA Comments: A01/2026WL - 8373 Silver Street

From Jeni Fisher <jfisher@westlincoln.ca>
Date Wed 2026-02-11 10:43 AM
To Robin Shugan <rshugan@westlincoln.ca>

 3 attachments (5 MB)

Notice of Public Meeting - Minor Variance A012026WL.pdf; A012026WL - Full Package.pdf; 8373 Silver Street, West Linc. - NPCA Map.pdf;



Jeni Fisher | Planning Secretary

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: Wednesday, February 11, 2026 10:33 AM
To: Jeni Fisher <jfisher@westlincoln.ca>
Subject: NPCA COA Comments: A01/2026WL - 8373 Silver Street

Hi Jeni,

Thank you for circulating the NPCA.

As shown, the NPCA provided an NPCA Clearance on July 25, 2023. Based on the scope, nature, and location of works in relation to the NPCA regulated areas, the NPCAs comments remain the same to offer a no objection to the Minor Variance Application, A01/2026WL.

Please note, the western most corner of the subject property does contain an NPCA regulated watercourse and associated 15-meter buffer area. The east watercourse was verified as not present by NPCA staff in July of 2023. Attached is a map for the Committee of Adjustments reference. Should any future proposed works encroach within the identified NPCA regulated area, an NPCA Permit would be required prior to the start of works.

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!**

From: Jeni Fisher <jfisher@westlincoln.ca>

Sent: February 10, 2026 3:51 PM

To: Busnello, Pat <pat.busnello@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>; 'susan.dunsmore@niagararegion.ca' <susan.dunsmore@niagararegion.ca>; Paige Pearson <ppearson@npca.ca>; Taran Lennard <tlennard@npca.ca>; Mike DiPaola <mdipaola@westlincoln.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; Ben Agro <bagro@westlincoln.ca>; Taf Tsuru <ttsuro@westlincoln.ca>; Barb Behring <bbehring@westlincoln.ca>; Lyle Killins <killins@live.com>; Ray Vachon <rvachon@westlincoln.ca>; Reddon, Alexandra <alexandra.reddon@niagararegion.ca>; Ben Agro <bagro@westlincoln.ca>; Justin Paylove <jpaylove@westlincoln.ca>; Barb Hutchinson <BHutchinson@westlincoln.ca>; Tim Hofsink <thofsink@westlincoln.ca>; Adam.Boudens@niagararegion.ca; Philippe.Biba@niagararegion.ca; Josh.Wilson@niagararegion.ca; Maggie.Ding@niagararegion.ca; Karlewicz, Lori <lori.karlewicz@niagararegion.ca>; LandUsePlanning@HydroOne.com

Cc: Gerrit Boerema <gboerema@westlincoln.ca>; Susan Smyth <ssmyth@westlincoln.ca>; Robin Shugan <rshugan@westlincoln.ca>

Subject: February 25th, 2026 - CoA Full Package

Good Afternoon,

Please find attached the Notice of Hearing and full package for the below application going forward at the Wednesday, February 25th, 2026 Committee of Adjustment hearing.

A01/2026WL - 8373 Silver Street (Regional Road 65) - Bellavia

•

If you would like to provide a comment and have it be included in the staff report, please do so before end of day Thursday, February 19th, 2026.

Sincerely,

RE: February 25th, 2026 - CoA Full Package

From Reddon, Alexandra <Alexandra.Reddon@niagararegion.ca>
Date Tue 2026-02-10 4:02 PM
To Jeni Fisher <jfisher@westlincoln.ca>
Cc Development Planning Applications <devtplanningapplications@niagararegion.ca>

Hi Jeni,

Regional staff have no comments on this application.

Kindly,
Allie



Allie Reddon
Development Planner
Niagara Region, 1815 Sir Isaac Brock Way,
Thorold, ON, L2V 4T7, PO Box 1042
P: (905) 980-6000 ext. 3387
W: www.niagararegion.ca
E: alexandra.reddon@niagararegion.ca



My workday may look different from your workday. Please do not feel obligated to respond outside of your normal working hours.

From: Jeni Fisher <jfisher@westlincoln.ca>
Sent: Tuesday, February 10, 2026 3:51 PM
To: Busnello, Pat <pat.busnello@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>; Dunsmore, Susan <Susan.Dunsmore@niagararegion.ca>; Paige Pearson <ppearson@npca.ca>; 'tlennard@npca.ca' <tlennard@npca.ca>; Mike DiPaola <mdipaola@westlincoln.ca>; Jennifer Bernard <jbernard@westlincoln.ca>; Ben Agro <bagro@westlincoln.ca>; Taf Tsuru <ttsuro@westlincoln.ca>; Barb Behring <bbehring@westlincoln.ca>; Lyle Killins <lkillins@live.com>; Ray Vachon <rvachon@westlincoln.ca>; Reddon, Alexandra <Alexandra.Reddon@niagararegion.ca>; Ben Agro <bagro@westlincoln.ca>; Justin Paylove <jpaylove@westlincoln.ca>; Barb Hutchinson <BHutchinson@westlincoln.ca>; Tim Hofsink <thofsink@westlincoln.ca>; Boudens, Adam <Adam.Boudens@niagararegion.ca>; Biba, Philippe <Philippe.Biba@niagararegion.ca>; Wilson, Josh <Josh.Wilson@niagararegion.ca>; Ding, Maggie <Maggie.Ding@niagararegion.ca>; Karlewicz, Lori <Lori.Karlewicz@niagararegion.ca>; LandUsePlanning@HydroOne.com
Cc: Gerrit Boerema <gboerema@westlincoln.ca>; Susan Smyth <ssmyth@westlincoln.ca>; Robin Shugan <rshugan@westlincoln.ca>
Subject: February 25th, 2026 - CoA Full Package

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Planning Justification Report
Minor Variance(s) to permit an Accessory Dwelling Unit
8373 Silver Street, West Lincoln



Prepared for Paul and Tina Bellavia

A.D. Moote Consulting
adam@admconsultants.ca



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Introduction

AD Moote Consulting (ADMC) is the planning consultant to Paul Bellavia owner of the property located at 8373 Silver Street, West Lincoln legally known as Part of Lot 9, Concession 5, Geographic Township of Caistor, Township of West Lincoln.

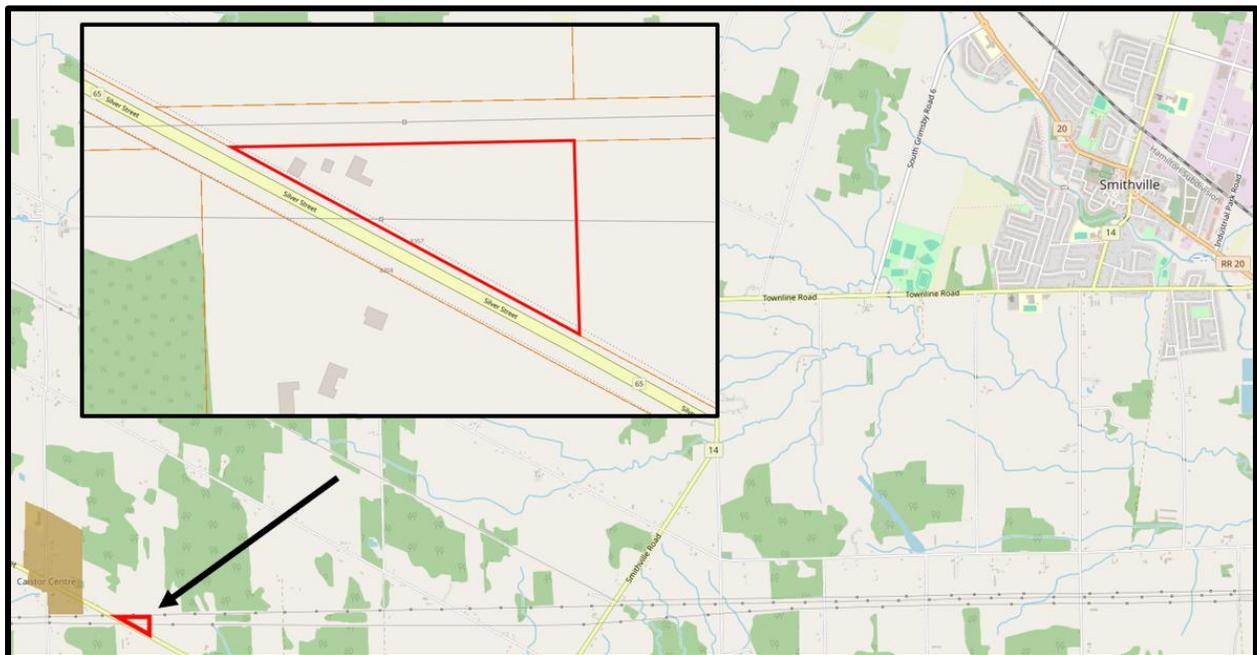
The owner has applied for several minor variances which would permit an accessory dwelling unit on their property. Upon review from Township staff, it was noted that detailed information and the four tests of minor variance standard was still outstanding. This Planning Justification Report serves to provide an analysis and justification of the proposed variances in accordance with the applicable planning policies and zoning by-laws.

Site Context

The subject property is located at 8373 Silver Street, West Lincoln. It is located within the Agriculture area of the Township, approximately 320 metres east of the Hamlet of Caistor Centre, and 8 kilometres southwest of the urban area of Smithville.

The property is a triangular lot, with an area of approximately 1.7 hectares. Frontage is located on the south of the property on Silver Street, and the north of the property abuts a Hydro One Right-of-Way.

Figure 1: Location of Property within the Township of West Lincoln (property outlined in red)





Description of Proposal

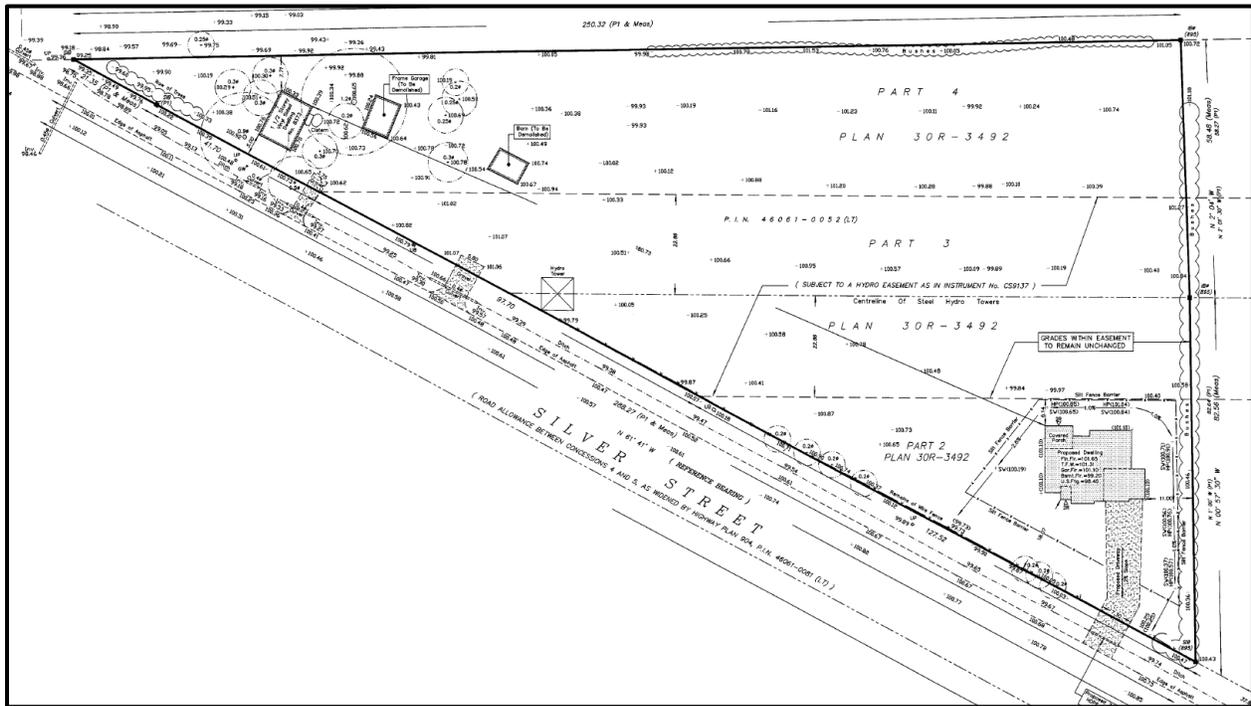
The property currently has two dwellings on it. The property was purchased in 2021 to build a new dwelling with the intent to eventually demolish the existing dwelling on site in accordance with provincial and local planning rules which at that time permitted only one dwelling unit on a single lot. During the permitting, approval and building phase of the new dwelling the province introduced new planning rules permitting Accessory Dwelling Units, or more than one dwelling unit on a lot.

The property owner learned from the Township Planning department that to permit the existing dwelling as an Accessory Dwelling Unit they would need to gain approval for several minor variances from the Zoning By-law to permit the use. They are:

- b) An accessory dwelling unit shall have a maximum gross floor area, of the lesser, of 100 square metres or 40% of the gross floor area of the principle dwelling. For the purposes of this provision, associated garage and/or basement contributes to the maximum gross floor area of the accessory dwelling unit;
- g) The accessory building that is used for an accessory dwelling unit shall not be located in the front or exterior yards and shall remain secondary and subordinate to the principle dwelling;
- h) The accessory building that is used for an accessory dwelling unit shall be located within 50 metres of the principle dwelling;
- k) Parking shall be provided in accordance with Tale 6 and access to the required parking for the accessory dwelling unit shall be provided from the same driveway that provides access to the principle dwelling unit on the same lot.

Approval of the minor variances will permit the dwelling to be used as an Accessory Dwelling Unit, secondary to the primary dwelling unit. A site plan is found in **Figure 2**, below.

Figure 2: Site Plan



Policy and Analysis

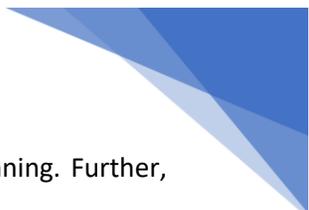
The following documents were reviewed and analyzed to demonstrate good planning with respect to this application.

1. Planning Act, R.S.O 1990
2. Provincial Planning Statement, 2024
3. Niagara Region Official Plan, 2022
4. Township of West Lincoln Official Plan
5. Township of West Lincoln Zoning By-law 2017-70

Planning Act

The Planning Act is the provincial legislation that provides the basis for land use planning in Ontario, identifying tools for managing how, where and when land use change occurs. The Act is designed to recognize the decision-making authority and accountability of municipal councils in planning.

The purposes of the Act as outlined in Section 1.1 are (a) to promote sustainable economic development in a healthy natural environment, (b) to provide for a land use planning system led by provincial policy, (c) to integrate matters of provincial interest in provincial and municipal decisions, (d) to provide for planning processes that are fair, (e) to encourage co-operation and coordination among various interests, (f) to



recognize the decision-making authority and accountability of municipal councils in planning. Further, consent applications are governed under Part VI, Section 53.

The matters of Provincial Interest are outlined in Section 2 of the Act. This application has regard to the following matters: g, h), j), l), p).

Further, Subsection 16 (3) of the Planning Act, 1990 provides the legislation for **Restrictions for residential units**. The text below is verbatim from the Planning Act.

No official plan may contain any policy that has the effect of prohibiting the use of,

(a) two residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;

(b) three residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or

(c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units. 2022, c. 21, Sched. 9, s. 4 (1).

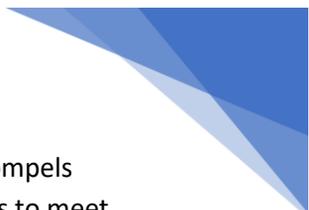
This application has regard for the relevant sections of the Planning Act.

Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS) provides policy direction on matters relating to land use planning and development that are of provincial interest. The PPS sets the policy foundation for regulating the development and use of land province-wide, to help achieve the provincial goal of meeting the needs of Ontarians while enhancing their quality of life. All while maintaining the vision to increase the supply and mix of housing options in the province, with a goal of getting at least 1.5 million homes built by 2031.

Applicable to this application, the PPS provides supporting policies in Chapter 2: Building Homes, Sustaining Strong and Competitive Communities.

Section 2.1.4 of the PPS states that planning authorities are to provide an appropriate range and mix of housing options and densities to meet the current and future residents. And that they should support the achievement of complete communities by accommodating a range and mix of land uses and housing options (Section 2.1.6.a).



Further, Section 2.2 Housing provides policies for the provision of housing. Section 2.2.1 compels municipalities to provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area.

To provide for an appropriate range and mix of housing options, planning authorities are required to permit and facilitate:

- all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents (2.2.1.b).1.)

Supporting policies are also found within the Section 4.3 Agricultural, which provides the policies for agriculturally designated properties. The supporting policy for this section is below:

4.3.2.5. Where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential units shall be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling, and any additional residential units:

- a) comply with the minimum distance separation formulae;
- b) are compatible with, and would not hinder, surrounding agricultural operations;
- c) have appropriate sewage and water services;
- d) address any public health and safety concerns;
- e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
- f) minimize land taken out of agricultural production. Lots with additional residential units may only be severed in accordance with policy 4.3.3.1.c).

The minor variances requests will permit the addition of an accessory dwelling unit. The PPS provides for the opportunity to meet the provincial goal of getting at least 1.5 million homes built by 2031. To do this the PPS policies support a mix and range of housing options to meet the needs of current and future residents. Additionally, these housing options can be applied to agricultural areas with the PPS supporting accessory dwelling units in a prime agricultural area, while meeting the criteria indicated above in 4.3.2.5, which it does.

The application is consistent with the Provincial Planning Statement.

Niagara Region Official Plan

The Niagara Official Plan is the Regional Municipality of Niagara's long-term, strategic policy planning framework for managing growth coming to Niagara. The policies of the Plan guide land use and development thereby influencing economic, environmental, and planning decisions until 2051 and beyond.



The Niagara Official Plan (NOP) identifies what to protect; how and where to grow; and policy tools to manage the same. It identifies resources such as the natural environment system, agricultural system, source water, aggregates and petroleum, and cultural heritage and archaeology that are to be protected for specific reasons whether it be ecological, economic, cultural heritage or community health.

As of March 31, 2025, the Niagara Official Plan is no longer a Regional Plan. It is now an Official Plan of the Township of West Lincoln and policies are to be implemented by the Township.

The proposal is to permit an accessory dwelling unit on a property by way minor variances. The option of providing an accessory dwelling unit is a result of building a new dwelling unit with the proposed accessory dwelling unit being the remnant dwelling unit.

The Housing objectives of the NOP include:

- 2.3.a. provide a mix of housing options to address current and future needs; and
- 2.3.b. provide more *affordable* and *attainable housing* options within our communities.

This is supported by the following NOP policies:

2.3.3.1 The following tools will be considered to support the development of *affordable* and *attainable housing*:

- a. flexibility in the scale, form, and types of residential uses permitted as-of-right, including *additional residential units* and other alternative housing forms;

2.3.3.2 Local Area Municipalities shall permit up to two *additional residential units* as-of-right within new or existing residential development, subject to Provincial legislation and appropriate land use, size, and locational criteria.

The NOP supports the provision of providing for a mix of housing options to address current and future needs, and to provide for affordable and attainable housing options within Niagara communities. The proposal will permit the use of a dwelling unit that was once to be demolished but has been retained for the provision of affordable housing.

The application conforms with the Niagara Region Official Plan.

Township of West Lincoln Official Plan

The Township of West Lincoln Official Plan (WLOP) outlines development policies for the Township, aiming to enhance long-term social, economic, and environmental stability. It offers guidance for decision-making to Council, government agencies, landowners, and the public regarding development proposals.

The WLOP designates the property in Schedule B-2 as Good General Agricultural. The applicable sections of the WLOP that apply are Section(s) 3 Land Use, 4 Agricultural Land Use, and 17 Affordable Housing.



Section 3.4(a) recognizes that:

The Township of West Lincoln is predominantly an agricultural municipality within the Regional Municipality of Niagara. The essence of the agricultural area includes farm land supporting agriculture and related uses, natural features, including forests, streams and wetlands, and existing residential uses. The Plan supports the health of the agricultural industry, and the economic growth of the Township. Non-agricultural uses are encouraged to locate within existing settlement areas.

Section 4.2.1 outlines the General Agricultural Policies of the Plan. It identifies the permitted uses in all Agricultural Areas. Including: 4.2.1.a).i. All types of Agricultural uses, new or otherwise, including, but not limited to, livestock operations, cash cropping, food production, forestry and natural heritage uses with a strong focus on specialty crop production.

Section 17.1.1 General Provisions for Accessory Apartments provides the criteria for policy conformity, found in the table below:

Section 17.1.1 Policies	Planning Comment
a) Only one accessory apartment will be permitted per property, either in a dwelling or in an accessory building.	Conforms, in the form of an accessory building.
b) The accessory apartment must be subordinate in size to the main dwelling.	The principal building has a main floor area of 232.35 sq.m; ADU gross floor area is 106.56 sq.m. The ADU is smaller/subordinate to the main dwelling.
c) The lot size and configuration are sufficient in size to accommodate parking and amenity areas and services.	The lot size is sufficient to accommodate parking and amenity area and services. This is indicated spatially on the site plan.
d) Details regarding size and permitted zones will be outlined in the Township’s Zoning By-law.	Seeking minor variances to address zoning deficiencies.
e) Where the main dwelling is serviced by a septic system and private potable water, verification must be provided that the septic system is capable of accommodating an additional dwelling unit and that there is adequate potable water to service both the accessory	Both dwelling units will have independent septic systems and water supply.

apartment and the main dwelling unit.	
f) The accessory apartment shall not be severed from the property that contains the principal residence.	A severance would not be permitted under WLOP policies.
g) A lot may not have both an accessory apartment and a garden suite.	Only an accessory dwelling unit is proposed.
h) A zoning amendment is required to establish an accessory apartment in a townhouse dwelling.	Not applicable.

17.1.3 Detached Accessory Apartment Units

Section 17.1.3 Policies	Planning Comment
a) Must be secondary and subordinate to the main dwelling on the property.	The principal building has a main floor area of 232.35 sq.m; ADU gross floor area is 106.56 sq.m. The ADU is smaller/subordinate to the main dwelling.
b) Must be located in the same cluster of buildings as the main dwelling on the property.	Due to the relatively small lot size and the Hydro One easement the buildings are situated as close to as possible given those existing constraints.
c) Must comply with zoning regulations regarding size, setbacks, height, etc.	Seeking minor variance approval to permit the use.
d) The requirements of the Building and Fire Codes must be satisfied.	Historical building.

The proposed minor variances will permit an accessory dwelling unit. Residential uses, including accessory dwelling units a generally permitted use of the property subject to criteria reviewed and commented on

above. Additionally, the property previously rented out the minimal amount of surplus land to a cash cropper, and the ability to do so in the future is available should an opportunity arise.

The application conforms with the Township’s Official Plan.

Township of West Lincoln Zoning By-law 2017-70

The Township of West Lincoln Zoning By-law is used to manage land use compatibility and regulate the character, and appearance of communities; and to implement the policies of the Official Plan.

The subject property is zoned Agriculture, additionally residential uses and accessory dwelling units are permitted. However, to permit an accessory dwelling unit use on this property four minor variance approvals are required under **Section 3.2 Accessory Dwellings and Dwelling Units** of the Zoning By-law. The zoning regulations that relief is being sought from are the following:

- b) An accessory dwelling unit shall have a maximum gross floor area, of the lesser, of 100 square metres or 40% of the gross floor area of the principle dwelling. For the purposes of this provision, associated garage and/or basement contributes to the maximum gross floor area of the accessory dwelling unit;
- g) The accessory building that is used for an accessory dwelling unit shall not be located in the front or exterior yards and shall remain secondary and subordinate to the principle dwelling;
- h) The accessory building that is used for an accessory dwelling unit shall be located within 50 metres of the principle dwelling;
- k) Parking shall be provided in accordance with Tale 6 and access to the required parking for the accessory dwelling unit shall be provided from the same driveway that provides access to the principle dwelling unit on the same lot.

The requested variances are found below along with associated four tests justification.

Variance 1: To permit an ADU to have a maximum gross floor area of 106.56 sq.m where 100 sq.m is permitted.

Section 3.2.1 Accessory Dwelling Units		
Zone Provision	Permitted	Proposed
<p>Regulation 3.2.1.b</p> <p>An accessory dwelling unit shall have a maximum gross floor area, of the lesser, of 100 square metres or 40% of the gross floor area of the principle dwelling. For the purposes of this provision, associated garage</p>	100 sq. m	106.56 sq.m

and/or basement contributes to the maximum gross floor area of the accessory dwelling unit;		
Minor Variance Test:	Analysis	
Is the variance minor in nature?	A detached accessory dwelling unit is a permitted use on this property. The minor variance will permit the former primary dwelling on this property to be converted into a detached accessory dwelling unit. Permitting the variance will allow the dwelling to be utilized in its current design and configuration without the need to demolish any parts of it to achieve the 100 sq.m maximum, a difference of 6.56 sq.m. Because no design or configuration changes are proposed the variance is minor in nature.	
Is the variance appropriate and desirable for the area?	<p>Considering the lot and general area of the property, the variance is appropriate and desirable. Although zoned for agricultural use, both a primary dwelling and the proposed accessory dwelling are permitted.</p> <p>Additionally, the property being 1.77 ha in size, is small for agricultural purposes that are similar in the area. This is further complicated by the fact of the hydro easement that runs through the property with a width of 22.86 m. Making a residential use a preferred option to utilize the property.</p> <p>The conversion of the former primary dwelling unit into an ADU will be negligible from an aesthetic perspective since it has been present on the property for decades along with the hydro towers and lines and will allow for another housing unit within the Township.</p>	
Does the variance maintain the general intent and purpose of the Zoning By-law?	<p>The requested variance maintains the general intent and purpose of the zoning by-law as accessory dwelling units are generally a permitted use.</p> <p>This variance will simply permit the existing dwelling to be utilized as an accessory dwelling unit in its current built form, without the need to demolish areas of the house to accommodate the 100 sq.m maximum.</p>	
Does the variance maintain the general intent and purposes of the Official Plan?	The requested variance maintains the general intent and purpose of the Official Plan as the property permits residential uses and accessory dwelling units. And meets the policy tests of the Official Plan as indicated previously in this report.	

Variance 2: To permit the ADU in its existing location.

Section 3.2.1 Accessory Dwelling Units		
Zone Provision	Required	Proposed
<p>Regulation 3.2.1.g</p> <p>The accessory building that is used for an accessory dwelling unit shall not be located in the front or exterior yards and shall remain secondary and subordinate to the principle dwelling;</p>	As written in 3.2.1.g	To permit the ADU in the existing location.
Minor Variance Test:	Analysis	
Is the variance minor in nature?	<p>The variance being requested is relief from this provision. The opinion is that the proposed accessory dwelling unit previously served as the primary dwelling on the property. Historical development, the triangular shape, and the Hydro easement all complicate and negate any site plan adjustments that could have been made that would facilitate the new primary dwelling being placed in front of the proposed accessory dwelling unit without having to physically move it.</p> <p>The variance will permit and recognize it without having to move it to another place on the property. This is minor in nature as no changes will be made to the site plan as it relates to the existing buildings.</p>	
Is the variance appropriate and desirable for the area?	<p>Considering the lot and general area of the property, the variance is appropriate and desirable. Although zoned for agricultural use, both a primary dwelling and the proposed accessory dwelling are permitted.</p> <p>Additionally, the property being 1.77 ha in size, is small for agricultural purposes that are similar in the area. This is further complicated by the fact of the hydro easement that runs through the property with a width of 22.86 m. Making a residential use a preferred option to utilize the property.</p> <p>The conversion of the former primary dwelling unit into an ADU will be negligible from an aesthetic perspective since it has been present on the property for decades along with the hydro towers and lines and will allow for another housing unit within the Township.</p>	

Does the variance maintain the general intent and purpose of the Zoning By-law?	<p>The requested variance maintains the general intent and purpose of the zoning by-law as accessory dwelling units are generally a permitted use.</p> <p>This variance will simply permit the existing dwelling to be utilized as an accessory dwelling unit in its current built form, without the need to locate it elsewhere.</p>
Does the variance maintain the general intent and purposes of the Official Plan?	The requested variance maintains the general intent and purpose of the Official Plan as the property permits residential uses and accessory dwelling units. And meets the policy tests of the Official Plan as indicated previously in this report.

Variance 3: To permit the detached accessory dwelling unit in its current location, 180.73 metres apart from the primary dwelling.

Section 3.2.1 Accessory Dwelling Units		
Zone Provision	Required	Proposed
<p>Regulation 3.2.1.h</p> <p>The accessory building that is used for an accessory dwelling unit shall be located within 50 metres of the principle dwelling;</p>	As written in 3.2.1.h	To permit the ADU in the existing location, or within 180.73 metres
Minor Variance Test:	Analysis	
Is the variance minor in nature?	Due to the hydro easement on site, the two units cannot be any closer than they currently are located. Making the location of each of the dwellings the only areas on the property where they could be situated. As a result, the variance is minor in nature because the consideration to place the units within 50 metres is nullified by the easement, and the permitted buildable areas of the property.	
Is the variance appropriate and desirable for the area?	Considering the lot and general area of the property, the variance is appropriate and desirable. Although zoned for agricultural use, both a primary dwelling and the proposed accessory dwelling are permitted.	

	<p>Additionally, the property being 1.77 ha in size, is small for agricultural purposes that are similar in the area. This is further complicated by the fact of the hydro easement that runs through the property with a width of 22.86 m. Making a residential use a preferred option to utilize the property.</p> <p>The conversion of the former primary dwelling unit into an ADU will be negligible from an aesthetic perspective since it has been present on the property for decades along with the hydro towers and lines and will allow for another housing unit within the Township.</p>
Does the variance maintain the general intent and purpose of the Zoning By-law?	<p>The requested variance maintains the general intent and purpose of the zoning by-law as accessory dwelling units are generally a permitted use.</p> <p>This variance will simply permit the existing dwelling to be utilized as an accessory dwelling unit in its current built location.</p>
Does the variance maintain the general intent and purposes of the Official Plan?	<p>The requested variance maintains the general intent and purpose of the Official Plan as the property is designated for residential purposes and will continue to be used for residential purposes.</p>

Variance 4: To permit access and parking for the Accessory Dwelling Unit to be permitted in its current configuration

Section 3.2.1 Accessory Dwelling Units		
Zone Provision	Required	Proposed
<p>Regulation 3.2.1.k</p> <p>Parking shall be provided in accordance with Tale 6 and access to the required parking for the accessory dwelling unit shall be provided from the same driveway that provides access to the principle dwelling unit on the same lot.</p>	<p>As per regulation 3.2.1.k</p>	<p>To permit the ADU access in its current configuration.</p>
Minor Variance Test:	Analysis	
<p>Is the variance minor in nature?</p>	<p>Due to the hydro easement on site, the two units cannot be situated any closer than they are. They also cannot share an access point due to the</p>	

	<p>hydro easement that runs between both the primary dwelling and the proposed accessory dwelling unit.</p> <p>As a result, the variance is minor in nature because the consideration to place the units closer to one another to facilitate a shared access point is nullified by the easement and the permitted buildable areas of the property.</p>
Is the variance appropriate and desirable for the area?	<p>Considering the lot and general area of the property, the variance is appropriate and desirable. Although zoned for agricultural use, both a primary dwelling and the proposed accessory dwelling are permitted.</p> <p>Additionally, the property being 1.77 ha in size, is small for agricultural purposes that are similar in the area. This is further complicated by the fact of the hydro easement that runs through the property with a width of 22.86 m. Making a residential use a preferred option to utilize the property.</p> <p>The conversion of the former primary dwelling unit into an ADU will be negligible from an aesthetic perspective since it has been present on the property for decades along with the hydro towers and lines and will allow for another housing unit within the Township.</p>
Does the variance maintain the general intent and purpose of the Zoning By-law?	<p>The requested variance maintains the general intent and purpose of the zoning by-law as accessory dwelling units are generally a permitted use.</p> <p>This variance will simply permit the existing dwelling to be utilized as an accessory dwelling unit in its current built location, utilizing the original access point independent of the primary dwelling access point.</p>
Does the variance maintain the general intent and purposes of the Official Plan?	<p>The requested variance maintains the general intent and purpose of the Official Plan as the property is designated for residential purposes and will continue to be used for residential purposes.</p>

This section reviews the minor variance requests and provides a justification against the four tests of minor variance. The justification provides demonstrates the each are: minor in nature; desirable and appropriate for the area; and they maintain the general intent and purposes of both the Township’s Official Plans and Zoning By-law. Further, approval of the minor variances will facilitate the permission for an accessory dwelling unit, which is a permitted use for the property. Upon approval of application, it will conform to the Township’s Zoning By-law.



Summary

The minor variance applications are required to permit the establishment of an accessory dwelling unit on this property, which is permitted under Section 16(3) of the Planning Act.

The requested variances will enable the creation of an accessory dwelling unit which aligns with the Provincial Policy Statement objective of constructing at least 1.5 million homes by 2031, and supporting a diverse range of housing options to address the needs of present and future residents. The PPS further allows such housing options in agricultural areas, including accessory dwelling units in prime agricultural lands, provided they satisfy the criteria outlined in Section 4.3.2.5, which this proposal does.

The Niagara Official Plan promotes the delivery of a variety of housing options to meet both current and future demands and emphasizes the provision of affordable and attainable housing within Niagara communities. This proposal supports the continued use of a dwelling unit that was previously considered for demolition but is now being proposed as an affordable housing option.

In accordance with the Township Official Plan, residential uses—including accessory dwelling units—are generally permitted, subject to compliance with provincial and municipal policy.

Lastly, the minor variances are seeking relief from the Zoning By-law regulations related to accessory dwelling units. The four tests of a minor variance analysis confirm that the requests are satisfactorily addressed. The justification demonstrates that each request is minor in nature, appropriate and desirable for the area, and maintains the general intent and purpose of both the Township's Official Plan and general use of the Zoning By-law. Approval of the minor variances will authorize the accessory dwelling unit as a permitted use of the property.

Conclusion

It is the opinion of the author that the minor variances represent good planning and should be approved because of the following, it:

1. Has regard to the Planning Act;
2. Is consistent with the Provincial Planning Statement;
3. Conforms with the Niagara Region Official Plan;
4. Conforms with the Township of West Lincoln Official Plan;
5. Conforms with the Township of West Lincoln Zoning By-law 2017-70.

Sincerely,



Adam Moote, MPlan, RPP, MCIP