



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

Wednesday, April 29, 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 withdrawal and/or adjournments at this time.
4. **APPLICATIONS**
 - a. **A03/2026WL - 2235 Rosedene Road** 4
The purpose of this application is to grant relief from the General Provisions, Section 3.2.1 (Accessory Dwelling Units-ADU) of Zoning By-law 2017-70, as amended. The variances sought under this submission are:
 - To increase the maximum gross floor area of an ADU from the required 100 square metres to 128 square metres (Section 3.2.1.b)
 - To increase the maximum height of an Accessory Building containing an ADU from the required 8 metres to 10 metres (Section 3.2.1.f)
 - To permit an ADU 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 an ADU within an existing Accessory Building.
 - b. **B03/2026WL - Skyway Road** 12
This application has been submitted for the lands legally described as Plan M94 Part Lot 35 RP; 30R15799 Part 2. The property currently has

no municipal address.

The purpose of this application is to sever and create one new lot and retain one lot for employment and industrial purposes.

Both the severed (Part 1 on Survey Sketch) and retained parcel (Part 2 on Survey Sketch) will have a lot frontage of approximately 55.29 metres and lot area of approximately 0.67 hectares.

- c. B02/2026WL - 1660 Caistor Centre Road 18
The purpose of this application is to create one new infill residential lot located within the hamlet limits of Caistor Centre and retain the balance of the land outside of the hamlet for agricultural uses.

Land to be severed (Parcel 1 on the Survey Sketch) will have a lot frontage of approximately 36.5 metres onto Caistor Centre Road and lot area of approximately 0.59 hectares. Land to be retained (Parcel 4 on the Survey Sketch) will have lot frontage of approximately 187.11 metres onto Caistor Centre Road and lot area of approximately 19.9 hectares. This application is subject to road widening requirements along Caistor Centre Road and depicted as Parcel 2 and Parcel 3 on the Survey Sketch.

- d. B04/2026WL - 1168 Regional Road 27 30
The purpose of this application is for a lot addition and boundary adjustment for residential purposes. The intent of this application is to relocate a vacant lot used for residential purposes in a more suitable location.

As shown on the Survey Sketch attached to this notice, Parcel 3 (to be merged with Parcel 1) is a vacant residential lot with an area of approximately 0.34 ha and lot frontage of 21.73 metres on Baldwin Road. Parcel 2 (severed lot) with a lot frontage of 58.15 metres on Regional Road 27 and a lot area of approximately 0.4 ha is intended to create a new residential lot in a more suitable location. Parcel 1 (retained lot) has a lot frontage of approximately 71.55 metres on Regional Road 27 and lot area of approximately 13.82 ha, although Parcel 3 will increase the lot area to 14.16 ha and used for agricultural purposes.

- e. A04/2026WL - 1168 Regional Road 27 39
The purpose of this application is to grant relief from the provisions of Section 5.3 (Agricultural Zone) of the Zoning By-law 2017-70, as amended. The variances sought under this submission are:

- To decrease the minimum lot frontage of Parcel 2 from the required 100 metres to 58.15 metres on Regional Road 27.
- To decrease the minimum lot area of Parcel 2 from the required

40 hectares to 0.4 hectares.

- To recognize the existing deficient lot area of Parcel 1 from 40 hectares to 14.16 hectares.
- To decrease the minimum lot frontage of Parcel 1 from 100 metres to 71.55 metres.

The effect of this variance, if approved, is to permit the creation of a new residential lot and one retained lot for agricultural purposes.

5. MINUTES FOR APPROVAL

6. NEW BUSINESS

7. ADJOURNMENT

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

DATE: April 29, 2026

REPORT NO: COA-10-2026

SUBJECT: Recommendation Report – Application for Minor Variance (File No. A032026WL) for 2235 Rosedene Road

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

OVERVIEW:

- A Minor Variance Application has been submitted by Gabe Stroobach (Owner) to permit an Accessory Dwelling Unit (ADU) in the second floor of an existing barn.
- The Township’s Official Plan designates the subject property as ‘Good General Agriculture’ and ‘Natural Heritage System’.
- The Township’s Zoning By-law 2017-70, as amended zones the property as Agriculture (A) Zone, Environmental Protection (EP) Zone, and Environmental Conservation (EC) Zone.
- An ADU is a permitted use in the ‘A’ zone and can be located above an existing accessory building. The location of the existing barn is outside of the ‘EP’ and ‘EC’ Zone.
- The Owner constructed the ADU prior to receiving the building permit and upon review of the floor plan, the ADU did not comply with the regulations under Section 3.2.1 of the By-law for maximum gross floor area of the ADU, the maximum building height, and the driveway access to the ADU.
- Planning Staff have reviewed the application and recommend the application be supported as it meets the four tests of a minor variance and the general intent of the Provincial, Regional and Local policies.

RECOMMENDATION:

1. That, the Application for Minor Variance A032026WL, submitted by Gabe Stroobach (Owner), as outlined in Report COA-10-2026, to permit:
 - a. An Accessory Dwelling Unit (ADU) with an increased maximum gross floor area of 128 square metres (Section 3.2.1.b), **BE APPROVED**;
 - b. The maximum height of an accessory building that contains an ADU above the first storey shall be 10 metres (Section 3.2.1.f); **BE APPROVED**;
 - c. An ADU shall be provided access on a separate driveway than the driveway

access to the principal/main dwelling (Section 3.2.1.k), **BE APPROVED.**

2. That, the 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.

BACKGROUND:

A Minor Variance Application has been submitted Gabe Stroobach (Owner) for a parcel municipally referred as 2235 Rosedene Road. The subject parcel is located on east side of Rosedene Road and south of Sixteen Road. The parcel has a lot area of 22.13 hectares (54.67 acres) with a lot frontage of approximately 481 metres on Rosedene Road.

The subject parcel currently contains a single detached dwelling, and two detached accessory buildings with the barn building directly behind the principal/main dwelling unit containing the accessory dwelling unit (ADU) on the second floor.

The Building Department was provided a Report a Concern for the subject parcel to investigate, and Staff discovered that an ADU was constructed on the second storey of the barn without a permit. The Owner confirmed that he completed the work and constructed the ADU without the proper approvals in place to have separate living quarters and was unaware of the regulations of the by-law but knew that ADUs were permitted.

The application for Minor Variance is to permit the existing and constructed ADU with the following variances:

1. To permit an ADU with a maximum gross floor area of 128 square metres whereas Section 3.2.1 (b) allows for a maximum gross floor area of 100 square metres.
2. To permit an ADU with a maximum height of an accessory building with an ADU above the first storey not exceeding 10 metres whereas Section 3.2.1 (f) allows for a maximum building height of 8 metres.
3. To permit an ADU with a separate driveway access than the driveway access to the principle/main dwelling whereas Section 3.2.1 (k) requires 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.

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

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

The subject property is designated as 'Good General Agricultural' and 'Natural Heritage System' in the Township's Official Plan. The Good General Agricultural designation allows single detached dwellings and accessory buildings and structures including accessory

dwelling units (ADUs). According to Section 17.1.3 of the Official Plan, the ADU has to be secondary and subordinate to the main dwelling on the property, located in the same cluster of buildings as the main dwelling on the property, comply with zoning regulations regarding size, setbacks, height, and meet the requirements of the Building and Fire Codes.

The proposed ADU is located on the second storey of an existing accessory building (barn) located within the cluster of the existing main dwelling unit and accessory buildings, thereby minimizing land consumption and preserving viable agricultural lands.

The Health Inspector recently visited the subject property and noted there were no septic system records with specific details on the existing single detached dwelling and ADU and therefore unable to confirm compliance with Part 8 (Sewage Systems) of the Ontario Building Code (OBC) regulations. Therefore, a condition of approval is recommended for the Owner to provide proper documentation to confirm compliance with Part 8 of the OBC.

Subject to and pending approval of the Minor Variance requests, the Owner is required to obtain the necessary building permits for the ADU to receive occupancy.

The subject property contains a Provincially Significant Wetland (PSW) and associated buffers. The barn and ADU is outside the Natural Heritage System designation and will not negatively impact any environmental features.

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

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

The subject parcel is zoned Agriculture (A) Zone, Environmental Protection (EP) and Environmental Conservation (EC) Zone. The Agricultural (A) Zone permits a single detached dwelling unit, accessory buildings, and accessory dwelling units (ADUs).

The location of the barn and ADU are not located in the EP or EC Zones and therefore no negative impacts to the features and satisfies the regulations under Part 11 Environmental Zone.

Section 3.2.1 of the by-law permits an ADU to have a maximum gross floor area (GFA) of 100 square metres. The proposed ADU will have a GFA of 128 square metres, an increase of 28%, although is contained in the existing barn and therefore will not further increase the maximum lot coverage for all accessory buildings or structures on an agricultural lot. The additional 28 square metres is measured from the supporting beams and interior walls of the barn and captures the liveable space (e.g., kitchen/dining, bedroom, bathroom) but excludes the areas for storage, deck, stairs and elevator.

The ADU is for the Owner (Gabe) since he needed to downsize for medical reasons and

the main dwelling is for his family.

The relief for the maximum building height of the ADU is because the barn was constructed years ago and already has a higher elevation and exceeds the regulation of Section 3.2.1 (f). The height of the barn meets the requirements of maximum height for an accessory building however, unfortunately the nuance is that the regulation for the maximum height for ADUs does not consider existing buildings, hence the reason for the relief and to request an increase in height from 8 metres to 10 metres.

Similarly, the barn currently has an existing driveway that leads directly to it and since the ADU is on the second floor it makes sense to use this driveway instead of the driveway to the main dwelling. The two driveways currently exist and require no additional entrance permits and therefore nothing changes in terms of access to the main dwelling and ADU.

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

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

The subject parcel is zoned and designated to allow accessory buildings and ADUs. The Owner is requesting an increase in ground floor area to accommodate a functionable floor plan that already exists on the second floor of the barn. The requested variance to increase the maximum GFA does not exceed the total accessory lot coverage or the total lot coverage which helps ensure that the ADU remains subordinate to the main dwelling.

The ADU will contribute to additional housing within the Township's agricultural and rural area without creating any impacts for privacy concerns since there are no close neighbouring properties. Additionally, the ADU is in an existing barn where the appearance of an ADU is not visible to the public from the street and blends in with the character of the property while being able to maintain the active agricultural use that surrounds the building.

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

Is the proposal minor in nature? Yes

The intent of limiting the gross floor area (GFA) of ADUs is to ensure that the ADU remains subordinate to the main dwelling, maintain the agricultural uses and minimize any changes to the drainage patterns on the parcel. The ADU is located inside the existing barn on the second floor, hence remains subordinate to the main dwelling unit.

Additionally, the proposed increase from 100 square metres to 128 square metres will not result in over development since the ADU is located inside an existing barn on an agricultural lot approximately 54.67 hectares and since there is no new construction there would be no impact to the existing drainage and no removal of agricultural uses and

production.

The requests for additional building height of 2 metres for the ADU will have no visual impacts since it is located inside an existing barn with a building height of 10 metres.

Similarly, the request to have the existing secondary driveway access that leads to the barn as the primary access to the ADU instead of the driveway access to the principle/main dwelling unit is not an issue because again it already exists and can alleviate any concerns with ingress and egress to these units.

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

INTER-DEPARTMENTAL & AGENCY COMMENTS:

Township Civil Land Development

No comments.

Township Building Department

Requires building permits and confirmation and documentation from a licensed sewage septic installer, designer or engineer detailing compliance with Part 8 Sewage Systems of the Ontario Building Code

NPCA

Based on the current NPCA mapping, the subject property contains the following NPCA regulated features:

- Non-Provincially Significant Wetlands (Non-PSW), there is an additional 30-meter buffer area that is regulated by the NPCA starting from the wetland boundary
- Watercourses are identified throughout the property. Watercourses have an associated 15-meter buffer area starting from the top of bank.

The proposal is to change the use of an existing structure (i.e., barn) to an additional dwelling unit (ADU). The existing barn does not encroach within an NPCA regulated area as such, the change in use is supported with no objection by the NPCA. Should there be any required septic system changes on the property, the NPCA will require circulation of where the septic system is proposed in relation to the mapped NPCA regulated features. Depending on the scope, nature, and location of the septic system (if required) or future development activities on-site, an NPCA Permit and prior approval maybe required.

In summary, the NPCA have no objection to the ADU and minor variance application, A03/2026WL.

Niagara Region

No comments.

PUBLIC COMMENTS:

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

CONCLUSION:

Based on the above analysis, Planning Staff recommend **APPROVAL** of Minor Variance A03/2026WL as submitted to permit the ADU with a total gross floor area of 128 square metres, a maximum building height of 10 metres, and to have the secondary driveway access subject to the condition of providing the proper documentation to satisfy the requirements of Part 8 of the Ontario Building Code for sewage system.

ATTACHMENTS:

Schedule A – Survey
Schedule B – Floor Plan

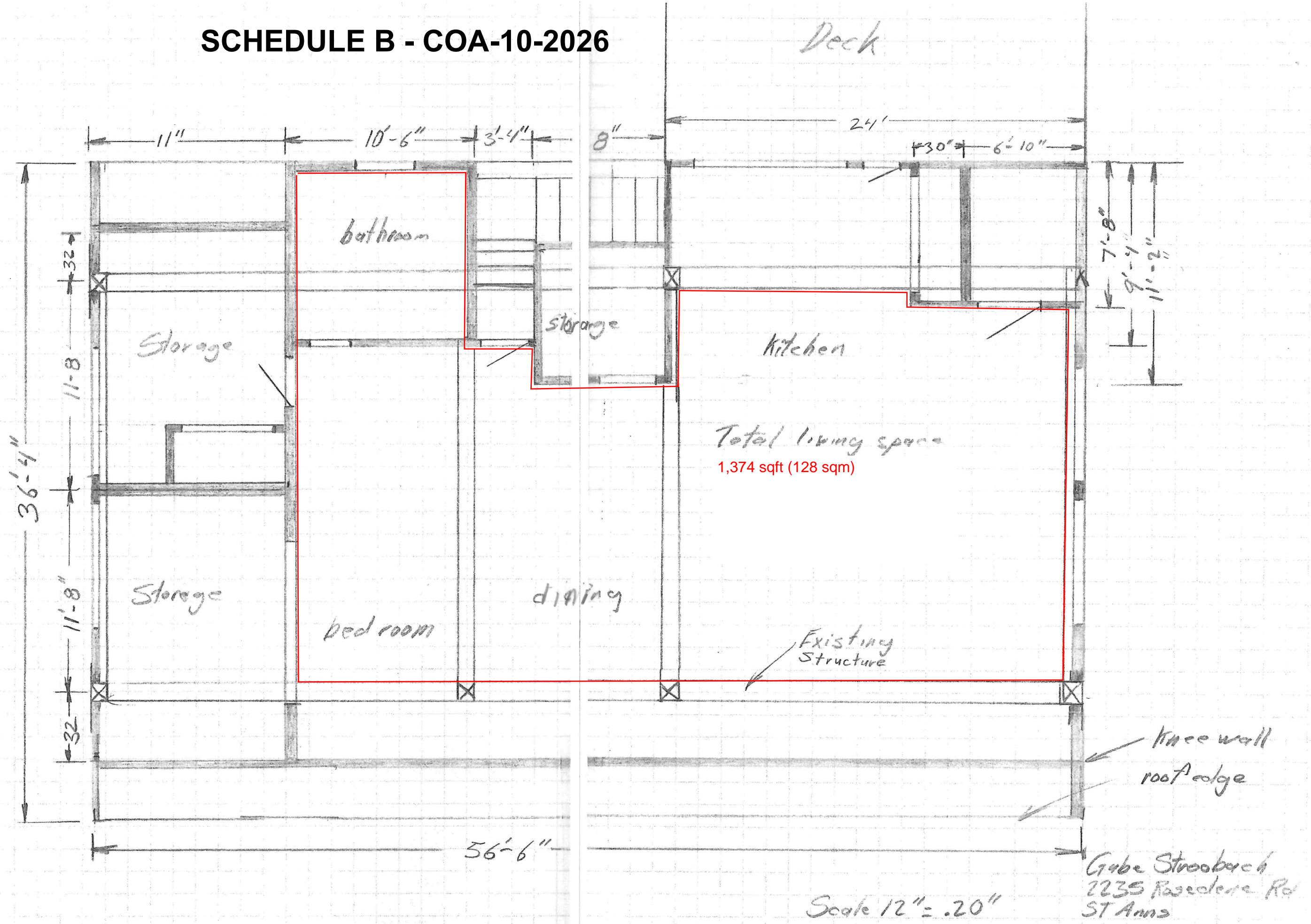
Prepared & Submitted by:

Susan Smyth, CPT
Manager, Community Planning and Design

Approved by:

Gerrit Boerema
Director of Growth and Sustainability

SCHEDULE B - COA-10-2026



DATE: April 29, 2026

REPORT NO: COA-07-2026

SUBJECT: **Recommendation Report for Consent B03/2026WL – Skyway Road**

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

OVERVIEW:

- A Consent Application has been submitted by Paul Paszynski (Owner).
- The subject property is designated as ‘Employment Area’ within the Township’s Official Plan.
- The subject property is zoned Industrial Employment (M2) in the Township’s Zoning By-law 2017-70, as amended.
- The application proposes to create one new lot (Parcel 1) and one retained lot (Parcel 2) for industrial uses.

RECOMMENDATION:

That, Consent Application B03/2026WL, submitted by Paul Paszynski as outlined in Report COA-07-2026, for the lands legally known as Plan M94 Part Lot 35 RP;30R15799 Part 2 for the creation of one new industrial lot (Parcel 1) and one retained industrial lot (Parcel 2) **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 (Parcel1) 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 contribute 2% of the appraised value of the severed lands for parkland dedication purposes. An individual who is certified with the Accredited Appraiser of Canada Institute (A.A.C.I) designation shall undertake the appraisal.

5. 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.
6. 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 Paul Paszynski (Owner) for the lands legally known as Plan M94 Part Lot 35 RP;30R15799 Part 2, Township of West Lincoln. The purpose of this consent application is to create one new lot and one retained lot for industrial purposes.

The subject property is located on the north side of side of Skyway Road and east side of Clifford Street within the Urban Settlement area of Smithville. The subject property is currently vacant and has a lot area of approximately 1.3 hectares and lot frontage of 111.5 metres along Clifford Street. The surrounding land uses are predominantly industrial within the Township's Employment Area.

The consent application proposes to create one severed parcel (Parcel 1) and one retained parcel (Parcel 2) equally having approximate lot areas of 0.67 hectares and with lot frontages of approximately 55.56 metres onto Clifford.

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 property is located within the Urban Settlement Area of Smithville. The PPS directs municipalities to promote economic growth and development by providing an appropriate mix and range of employment, provide opportunities for a diversified economic base, including maintaining a range of and choice of suitable sites for employment uses, and encourages intensification of employment uses.

The proposed severed lot will facilitate the creation of an additional employment lot that can support economic growth and intensification within the settlement area. Both the severed and retained parcels will have available municipal water and sanitary services ensuring that development will occur in an orderly and efficient manner.

Therefore, the application is consistent with the PPS.

Township of West Lincoln Official Plan and Niagara Region Official Plan

The subject property is designated 'Employment Area' within the Township's Official Plan (OP). The OP encourages employment development and a range of industrial uses in the employment areas. The Employment Area permits the use of, but not limited to, manufacturing, processing, servicing, storage of goods, and warehousing and development shall be provided with full municipal water and sanitary services.

The proposed severed lot is appropriate in size and configuration and is compatible with the surrounding land uses and will have available municipal water and sanitary services. Furthermore, the additional infill lot will encourage economic growth by providing a suitable parcel of land for economic development.

The Niagara Official Plan (NOP) locates the subject property within the delineated Built-Up and Employment Areas of the Township of West Lincoln. Employment Areas are intended to encourage employment development in urban areas with uses such as industrial, manufacturing, and warehousing. Additionally, the NOP supports for the intensification of employment uses.

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

Township of West Lincoln Zoning By-law

The subject lands are zoned 'Industrial Employment (M2)' Zone in the Township's Zoning By-law 2017-70, as amended. The M2 Zone permits a variety of industrial uses such as manufacturing, processing, fabricating, assembling and warehousing. The minimum lot frontage required in the M2 Zone is 30 metres and the minimum required lot area is 2000 square metres.

Both the proposed severed lands (Parcel 1) and retained lands (Part 2) will have lot frontages of approximately 55.56 metres on Clifford Street and lot areas of approximately 6,700 square metres. As a result, both parcels will meet the requirements of the M2 zone.

Bases on the above, Planning Staff are satisfied that the proposed consent conforms with the general intent of the Township's Zoning By-law 2017-70, as amended.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

Township Civil Land Development

Both Skyway Road and Clifford Street have the required 20 metre road allowance, no widening is required. Water and wastewater services are available on Skyway Road and Clifford Street. There is an existing entrance off Skyway Road for Parcel 2. Parcel 1 will require a new entrance onto Clifford Street and an entrance permit will be required with the entrance paved to the property line.

PUBLIC COMMENTS:

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

CONCLUSION:

Based on the above analysis, of Consent Application B03/2026WL, Planning Staff recommend **APPROVAL** for the creation one severed lot (Parcel 1) and one retained employment lot (Parcel 2) for future industrial uses, 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

SCHEDULE A - COA-07-2026

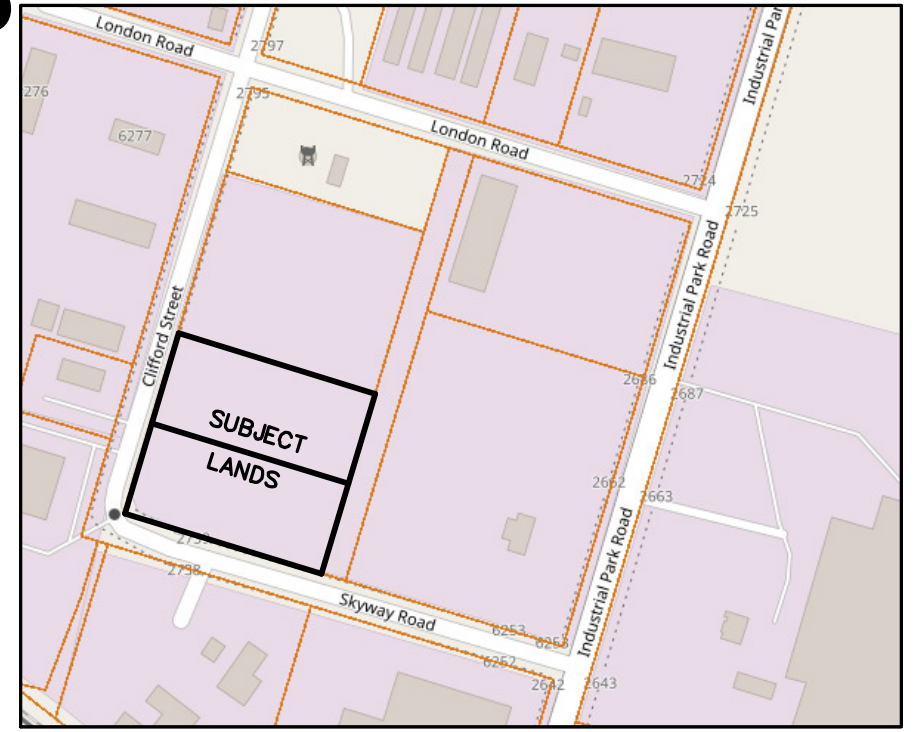
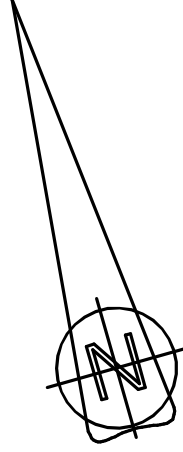
SKETCH FOR PLANNING ACT APPLICATION
2691 CLIFFORD STREET
TOWNSHIP OF WEST LINCOLN
 REGIONAL MUNICIPALITY OF NIAGARA

0 50 100 150m

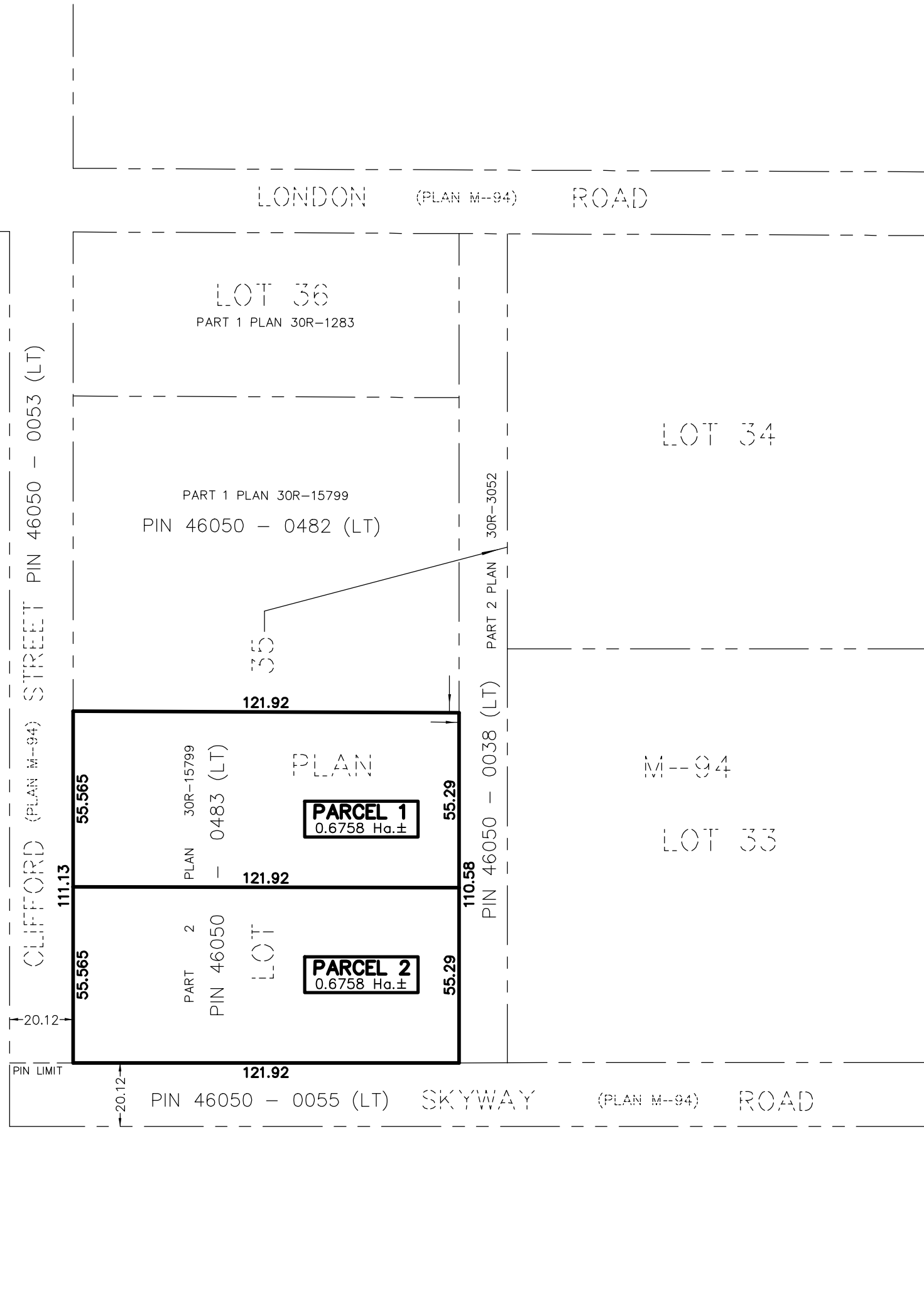
SCALE 1:1500

RASCH & HYDE LTD.
 ONTARIO LAND SURVEYORS

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KEY PLAN NOT TO SCALE



PROPERTY DESCRIPTION

PART OF LOT 35, PLAN M-94
 TOWNSHIP OF WEST LINCOLN
 REGIONAL MUNICIPALITY OF NIAGARA
 ALL OF PIN 46050-0483 (LT)

CAUTION

1. THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.
2. THIS SKETCH IS PROTECTED BY COPYRIGHT ©
3. THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH THE SURVEYOR'S SEAL, OR PDF CERTIFIED.

BOUNDARY NOTE

BOUNDARIES HAVE BEEN DERIVED FROM PLAN 30R-15799 AND ACTUAL FIELD WORK.

LEGEND

PIN DENOTES PROPERTY IDENTIFIER NUMBER
 N=NORTH, S=SOUTH, E=EAST, W=WEST
 DISTANCES AND AREAS ARE APPROXIMATE

METRIC NOTE

DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

MARCH 13, 2026
 DATE

Harold D. Hyde
 HAROLD D. HYDE
 ONTARIO LAND SURVEYOR

RASCH + HYDE LTD. Ontario Land Surveyors		
P.O. Box 6, 1333 Highway #3 East, Unit B DUNNVILLE, ONT, N1A 2X1 DUNNVILLE: 905-774-7188 FORT ERIE: 905-871-9757 (FAX 905-774-4000)		
HAROLD D. HYDE O.L.S.		
SCALE 1 : 1500	SURVEY : 26-035	DRWN BY : T. Matheson

GROWTH & SUSTAINABILITY DEPARTMENT

Date: April 15, 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. B03/2026WL – Skyway Road

A review has been completed of this consent application to create one new lot (0.67 hectares) and one retained lot (0.67 hectares) for employment and industrial purposes.

Comments remain unchanged from the pre-consultation meeting in February 2026, both Skyway Road and Clifford Street have the required 20m road allowance so a road widening would not be required. There are water and wastewater services available on Skyway Road and Clifford Street to service both proposed lots. The proposed lot identified as Parcel 2 on the survey sketch has an existing entrance onto Skyway Road, Parcel 1 will require a new entrance onto Clifford Street. An Entrance Permit will be required, and the entrance will need to be paved to the property line.

DATE: April 16, 2026

REPORT NO: COA-06-2026

SUBJECT: **Recommendation Report for Consent Application B02/2026WL for 1660 Caistor Centre Road**

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

OVERVIEW:

- A Consent Application has been submitted by Niagara Planning Consultants (Jeremy Brown – Agent) on behalf of Inge Schaub (Owner).
- The purpose of this application is to create one new residential lot and one retained lot for agricultural purposes.
- The subject property is designated as ‘Good General Agriculture, Hamlet Settlement Area, and ‘Natural Heritage System’ within the Township’s Official Plan.
- The subject property is zoned Agriculture (A), Residential Low-Density Type 1A (R1A), Service Commercial (C3), Environmental Conservation (EC), and Environmental Protection (EP).
- The proposed severed lot (Parcel 1) is within the Caistor Centre Hamlet Settlement Area, and the proposed retained lot (Parcel 4) is outside the Hamlet Settlement Area. Parcels 2 and 3 will be dedicated road widenings.
- A Zoning By-law Amendment application will be required as a condition of severance to rezone the proposed severed lot from R1A and C3 to a site-specific R1A zone and rezone the retained lot to a site-specific Agriculture zone.

RECOMMENDATION:

That, Consent Application B02/2026WL, submitted by Niagara Planning Consultants (Jeremy Brown – Agent) on behalf of Inge Schaub (Owner) as outlined in Report COA-06-2026, for the lands municipally known as 1660 Caistor Centre Road for the creation of one new residential lot (Parcel 1) and one retained agricultural lot (Parcel 4) **BE APPROVED**, subject to the following conditions:

1. That the approval applies to the transaction as applied for.
2. That all municipal requirements be 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 subject parcel, and legal description of the subject parcel 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 contribute 5% of the appraised value of the lot to be severed (Parcel 1) for parkland dedication purposes. An individual who is certified with the Accredited Appraiser of Canada Institute (A.A.C.I) designation shall undertake the appraisal.
 5. That a Zoning By-law Amendment application is submitted for the rezoning of the severed parcel (Parcel 1) to a site specific R1A zone and the retained parcel (Parcel 4) to a site-specific A zone and be passed by Council.
 6. That a 4.86 metre by 34.13 metre (Parcel 2) ,4.25 metre by 187.11 metre (Parcel 3) and a 4.25 metre by 465.62 metre (on the southern portion of the retained lands) Right of Way along Caistor Centre Road be dedicated to the satisfaction of the Township of West Lincoln. All costs for providing the necessary survey plan and related documents are the responsibility of the Owner/Applicant.
 7. That the Owner/Applicant dedicate the required 6 metres by 6 metres daylight triangle at the corner of Regional Road 65 (Bismark Road) and Caistor Centre Road, to the satisfaction of the Surveys section of the Niagara Region Transportation Services Division. All costs for providing the necessary survey plan and all related documents are the responsibility of the Owner/Applicant.
 8. The Owner/Applicant submits an application for sewage system approval along with the \$338 fee for the Health Inspection/Septic Inspection for the severed parcel (Parcel 1), to the satisfaction of the Township of West Lincoln.
 9. That any unused wells be decommissioned to the satisfaction of the Township of West Lincoln, if required.
 10. 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
 11. 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 Niagara Planning Consultants (Jeremy Brown – Agent) on behalf of Inge Schaub (Owner) for the lands municipally known as 1660 Caistor Centre Road.

The purpose of this application is to create one new lot for residential purposes. The subject property is located on the southside of Bismark Road and west side of Caistor Centre Road (Regional Road 65) within the Caistor Centre Hamlet and has a total lot area of approximately 38.16 hectares and lot frontage of 489 metres.

The proposed severed parcel (Parcel 1) will have a lot area of approximately 0.6 hectares and lot frontage of 36.50 metres on Caistor Centre Road. Parcel 1 will be entirely within the Caistor Centre Hamlet Settlement Area.

The retained parcel (Parcel 4) will have a lot frontage of approximately 398 metres on Bismark Road (Regional Road 65), and lot area of approximately 37.0 hectares. However, this parcel is outside of the Caistor Centre Hamlet Settlement Area and will require rezoning to a site specific Agricultural zone to recognize a reduced lot area with the existing single detached dwelling and detached accessory buildings.

A pre-consultation meeting was held on March 20, 2025, where the Township Staff advised the Applicant that a Zoning By-law Amendment application will be required as a condition of the consent to rezone the lands zoned Low Density Residential (R1A) Zone and Service Commercial (C3) to a site specific R1A Zone and site specific Agriculture Zone (A) to capture the deficiencies on both parcels. Furthermore, the Township and Niagara Region stated that a 4.86 metre by 34.13 metre (Parcel 2) and 4.25 metre by 187.11 metre (Parcel 3) road widening along Caistor Centre Road will be required as condition of the consent.

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 property is located within the Prime Agriculture and Rural Settlement Area under the PPS 2024. In accordance with the PPS, growth and development are to be focused within settlement areas. Rural Settlement Areas allow for residential development, including the creation of new lots, provided that site conditions can support appropriate sewage and water services. Development in these areas should also reflect the rural character and accommodate an appropriate range and mix of housing options.

The proposed severed lands are entirely located within Caistor Centre Hamlet Settlement Area. The proposed lot will accommodate appropriate residential infill development on private services. A hydrological assessment has been submitted and demonstrates that private water and sanitary can be supported on the severed lands.

Based on the above, Planning Staff are satisfied that the proposed lot creation is consistent with the PPS 2024.

Township of West Lincoln Official Plan and Niagara Region Official Plan

The subject property is designated as 'Hamlet Settlement Area, Good General

Agriculture and Natural Environment System' in the Township's Official Plan (OP). The proposed lot to be severed is designated Hamlet Settlement Area and entirely within the Caistor Centre Hamlet Settlement Area. Section 7 states the purpose and intent of the designation is to provide residential uses (predominantly single detached dwelling lots) within an existing Hamlet and recognize and encourage further development within Hamlet communities that provides residential accommodation as an alternate place for residential uses outside the Urban Area of Smithville and Agricultural Area. The proposed severed lot (Parcel 1) is considered infill and will provide an additional residential lot within the Caistor Centre Hamlet Settlement Area.

The proposed retained lot (Parcel 4) is designated 'Good General Agriculture and Natural Environment.' Section 4 states the purpose and intent of this designation is to preserve and protect agricultural lands. Parcel 4 is intending to be maintained for agricultural uses for the long term. The lands are divided by a hydro corridor in the southern portion of the lot and is designated 'Agriculture' and 'Natural Environment System', containing Environmental Conservation and Environmental Protection zones for the Moores Slough Forest Wetland Complex (PSW), unevaluated wetlands, regulated watercourse and unmapped floodplain area. Section 10.7.2 (k) states that development and site alteration shall not be permitted in these areas. The proposed consent does not contain or intersect with any natural heritage features and satisfy the Natural Environment policies of the Township's OP.

Section 18.13.5 of the Township's OP provides policies for consents in Hamlet Settlement Areas, state that new proposed infill lots shall have a lot area of approximately 1.0 hectares to appropriately accommodate private water and sanitary services. Proposed lots that do not meet the 1.0 hectare lot area size will require a hydrological assessment. The Applicant has submitted a Hydrological Assessment prepared by JLP Services Inc. dated December 19, 2025, that demonstrated that the proposed severed lot (Parcel 1) will appropriately accommodate private water and sanitary services.

Similarly, with reference to the former Niagara Region Official Plan, rural development outside of urban area boundaries should be planned to encourage residential infill development that builds on the rural characteristics of the surrounding area and ensure there are adequate amenities to serve the needs of rural residents, area business and the surrounding agricultural community. The proposed severed lot is considered as residential infill development and consistent with the existing rural characteristics of the surrounding area.

Based on the above, Staff are satisfied that the proposed lot creation conforms with and meets the intent of the policies of the Official Plans.

Township of West Lincoln Zoning By-law

The Zoning By-law 2017-70, as amended zones the subject property as Agriculture (A), Low Density Residential (R1A), Service Commercial (C3), Environmental Conservation

(EC) and Environmental Protection (EP).

Currently, the proposed severed lands (Parcel 1) are situated on a piece of land that has dual zoning, being 'Low Density Residential (R1A)' and 'Service Commercial (C3)' zones. Considering the proposed infill lot is strictly going to be used for residential purposes having an approximate lot area of 0.6 hectares and lot frontage of 36.50 metres on Bismark Road, it will require a site specific R1A Zone to address the deficient lot frontage from the required 45 metres to 36.50 metres and to permit the use of a single detached dwelling and remove the C3 zone and permissions for commercial uses.

The proposed retained lands (Parcel 4) will continue to contain the existing single detached dwelling and detached accessory buildings. The current Agricultural Zone requires a minimum lot area of 40 hectares, with a required lot frontage of 100 metres. The subject lands are considered an existing lot of record and has an existing lot area of approximately 38.14 hectares. Following the proposed severance, Parcel 4 will become further undersized with a lot area for approximately 37.0 hectares, although sufficient for the continued field crop production and current agricultural uses. The deficient lot area will be captured under the required Zoning By-law Amendment application.

As shown on the survey sketch, Parcels 2 and 3 are dedicated to the road widening of Caistor Centre Road.

Based on the review, Staff are of the opinion that the proposed lot creation meets the general intent of the Township's Zoning By-law.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

Township Civil Land Development

The application and survey identify the required road widening on Caistor Centre Road as required at the pre-consultation meeting in March 2025, which includes the lands south of the hydro corridor. The road widening is to be required as a condition of the consent as per the Township policy POL-PW-1-23.

The sketch indicates an entrance for the residential parcel will be to Bismark Road. The applicant would require an entrance permit through Niagara Region.

Township Septic Inspector

Minimal information was provided by the applicant relating to type and size of sewage system and whether it can be installed within Part 8 of the Ontario Building Code. As a condition of approval, the applicant shall provide documentation indicating a sewage system can be installed to fulfil all Part 8 of the Ontario Building Code requirements to the satisfaction of the Township of West Lincoln.

PUBLIC COMMENTS:

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

CONCLUSION:

Based on the above analysis, of Consent Application B02/2026WL, Planning Staff recommend **APPROVAL** for the creation one new lot (Parcel 1) for residential purposes and one retained lot (Parcel 4) for agricultural purposes, subject to the conditions outlined in the beginning of this report.

ATTACHMENTS:

Schedule A – Survey Sketch
Schedule B – Agency Comments

Prepared & Submitted by:

Robin Shugan, CPT, ACST
Senior Planner

Approved by:

Susan Smyth, CPT
Manager, Community Planning and Design

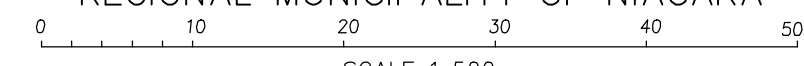
SURVEYOR'S SEAL

SKETCH

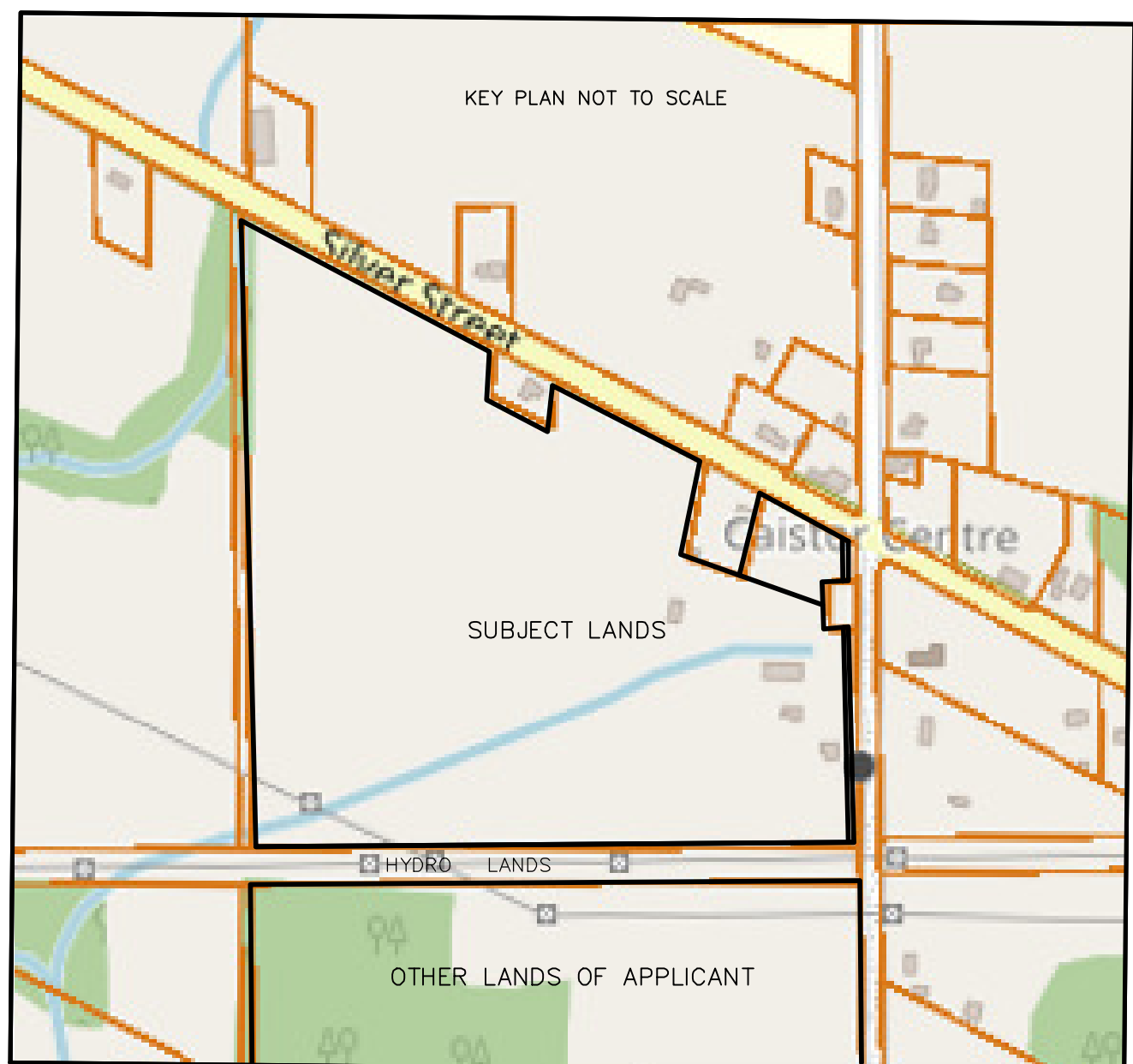
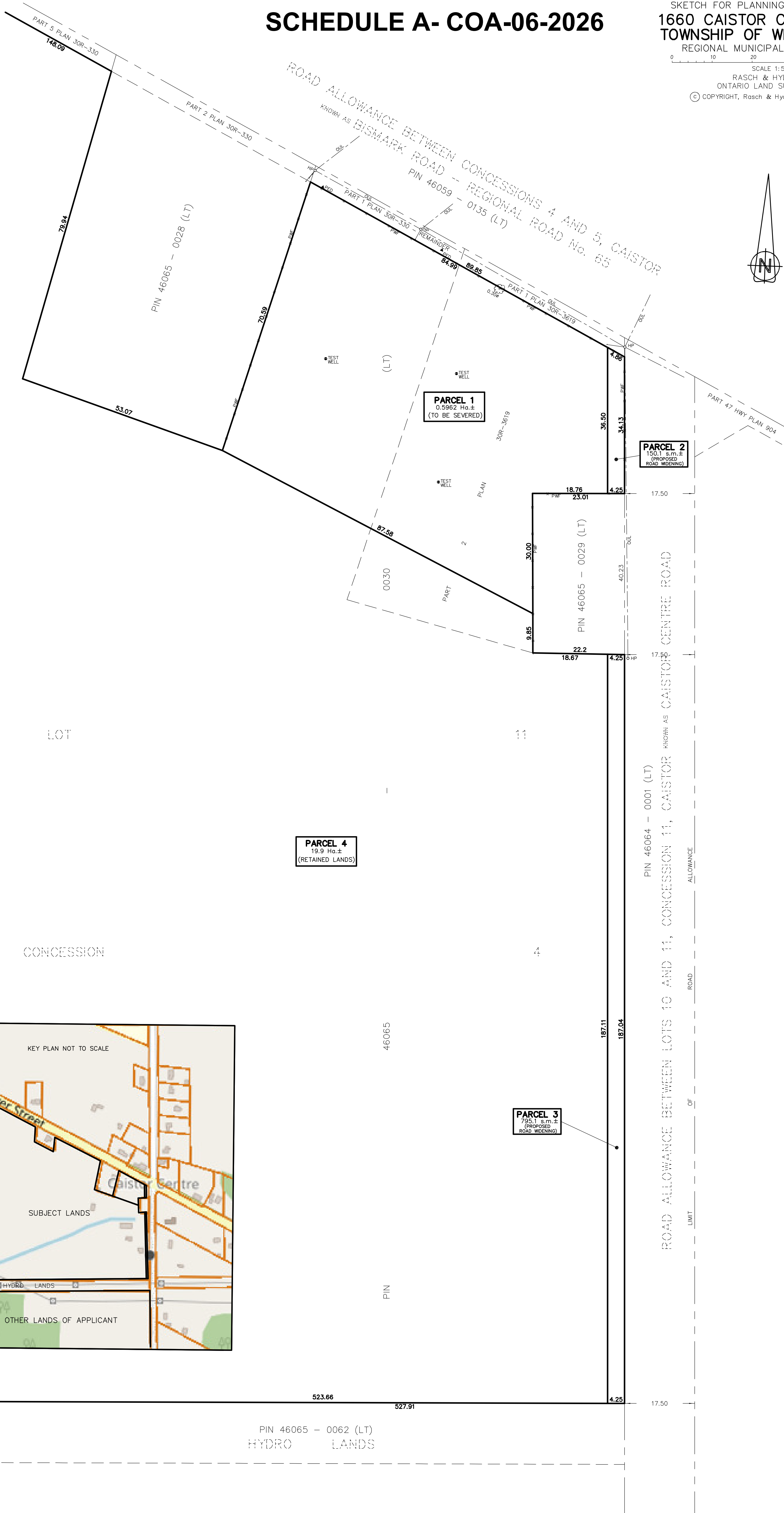
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SCHEDULE A- COA-06-2026

SKETCH FOR PLANNING ACT APPLICATION
1660 CAISTOR CENTRE ROAD
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA



SCALE 1:500
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ONTARIO LAND SURVEYORS
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LEGEND
PIN DENOTES PROPERTY IDENTIFIER NUMBER
HP DENOTES HYDRO/UTILITY POLE
OUL DENOTES OVERHEAD HYDRO/UTILITY POLE LINE
PWF DENOTES POST AND WIRE FENCE
N=NORTH, S=SOUTH, E=EAST, W=WEST

BOUNDARY NOTE
BOUNDARIES HAVE BEEN DERIVED FROM REGISTRY OFFICE RECORDS AND ACTUAL FIELD WORK.
PROPERTY DESCRIPTION
PART OF LOT 11, CONCESSION 4
GEOGRAPHIC TOWNSHIP OF CAISTOR
TOWNSHIP OF WEST LINCOLN
ALL OF PIN 46065-0030 (LT)

METRIC NOTE
DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
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NOVEMBER 10, 2025
DATE
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT, N1A 2X1
DUNNVILLE: 905-774-7188 FORT ERIE: 905-871-9757
(FAX: 905-774-4000)

HAROLD D. HYDE O.L.S.

SCALE 1 : 500 SURVEY : 25-198 DRWN BY : T. Matheson

**GROWTH AND SUSTAINABILITY DEPARTMENT
BUILDING DEPARTMENT MEMO**

**TO: Growth and Sustainability Department (Committee of Adjustment)
Jeni Fisher - Secretary**

FROM: Lyle Killins, Septic Inspector

DATE: April 20, 2026

**RE: File B02/2026WL
Inge Schaub**

Dear Ms Fisher,

Please be advised the proposed application has been reviewed as it relates to the requirements of Part 8 (Septic Systems) of the Ontario Building Code.

Minimal information was provided by the applicant relating to type and size of a sewage system and whether it could be installed within Part 8 Ontario Building Code compliance.

Based upon information provided, this department would recommend, as a condition of approval indicating a sewage system could be installed to fulfill all Part 8 Building Code requirements to the satisfaction of the Township of West Lincoln Sewage System Manager or Building Department Chief Building Official.

We trust the preceding serves as required; however, should additional information and/or clarification be required, please contact myself at 905-957-3346.

Respectfully submitted,



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

GROWTH & SUSTAINABILITY DEPARTMENT

Date: April 15, 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. B02/2026WL – 1660 Caistor Centre Road

A review has been completed of this consent application to create one new lot (0.59 hectares) and one retained lot (19.9 hectares).

The application and survey identify the required road widening on Caistor Centre Road as requested at the pre-consultation meeting in March 2025, however, the road widening is to be provided along the full length of the property, which includes the lands south of the hydro corridor. The road widening is to be required as a condition of consent as per Township policy POL-PW-1-23.

The sketch provided with the application indicates an entrance for the residential parcel will be to Bismark Road. The proponent would require an entrance permit through Niagara Region for this new entrance.

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

April 24, 2026

Region File: PLCS202600450

Jeni Fisher

Interim Secretary Treasurer of the Committee of Adjustment

Township of West Lincoln

318 Canborough Street

Smithville, ON L0R 2A0

Dear Ms. Fisher:

Re: Regional Comments**Application type: Consent****Township File: B02/2026WL****Applicant/Owner: Janet and Inge Schaub****Agent: Jeremy Brown, Niagara Planning Consultants****1660 Caistor Centre Road and Bismark Road (Regional Road 65)****Township of West Lincoln**

Regional Infrastructure Planning and Development staff have reviewed the consent application for lands municipally known as 1660 Caistor Centre Road (Regional Road 65) in the Township of West Lincoln. The purpose of this consent application is to create one new residential lot, and the retained lot will be used for agricultural purposes.

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

Regional Comments

A pre-consultation meeting was held to discuss the proposal on March 20, 2025, with Township and Regional staff in attendance. Regional road comments are provided in accordance with the Memorandum of Understanding for engineering review between the Region and the Town and are Regional requirements that must be addressed.

Regional Road

The subject property has frontage along Regional Road 65 (Bismark Road). The following Regional property is required to be conveyed as a condition of approval:

- A daylighting triangle of 6 metres by 6 metres is required at the corner of Regional Road 65 (Bismark Road) and Caistor Centre Road to maintain sightlines.

The required property is to be conveyed free and clear of any mortgages, liens or other encumbrances, and is to be described by Reference Plan. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for a land surveyor to submit the preliminary undeposited survey plan along with all related documents to Niagara Region Surveys staff for review and approval. Surveys staff will advise the land surveyor of any required revisions to the plan. Once the plan is deposited and the transfer registered, the Region will clear the applicable condition.

Should the applicant have any questions, please direct them to contact the individuals listed below:

Jordan Hadler, Law Clerk

E-mail: Jordan.Hadler@niagararegion.ca

Phone: 905-980-6000 ext. 3271

(For inquiries specific to the transfer of property to the Region)

Cameron Brockwell, Geomatics Survey Specialist

E-mail: Cameron.Brockwell@niagararegion.ca

Phone: 905-980-6000 ext. 3304

(For inquiries specific to the reference plan)

ROAD USE PERMITS

The applicant is responsible for obtaining any applicable Regional road use permits:

- Construction encroachment permit – needed for any construction work to be completed on or below the Regional road allowance.
- Entrance permit – needed for any private road entranceway, driveway, gate or facility constructed as a means of access to a Regional road.
 - Regional staff request that the new lot entrance is located at the westerly limits of the new property and at minimum, outside of the daylighting triangle.
- Sign permit – needed for placing any sign, notice or advertisement within 20 metres of the centreline of a Regional road.
- Road occupancy permit – needed for any item that will be installed and remain on a Regional road allowance for a period of time.

Permit applications can be made through the following link:

<https://www.niagararegion.ca/living/roads/permits/>

Restorations within the regional right-of-way are to be to Niagara Region standards: <https://www.niagararegion.ca/living/roads/permits/construction-encroachment-specifications.aspx>

Conclusion

Regional Infrastructure Planning and Development staff have no objections to the proposed consent application, subject to the following condition of consent approval:

- That the Owner dedicate the required 6 metres by 6 metres daylight triangle at the corner of Regional Road 65 (Bismark Road) and Caistor Centre Road, to the satisfaction of the Surveys section of the Niagara Region Transportation Services Division. All costs for providing the necessary survey plan and all related documents are the responsibility of the applicant.

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.

Kind regards,



Allie Reddon
Development Planner

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region
Philippe Biba, Development Approvals Technician, Niagara Region

DATE: April 29, 2026

REPORT NO: COA-09-2026

SUBJECT: **Recommendation Report for Consent Application B04/2026WL for 1168 Regional Road 27**

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

OVERVIEW:

- A Consent Application (Lot Boundary Adjustment) has been submitted by Simone Deboer (Owner).
- 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 Protection (EP), and Environmental Conservation (EC) in the Township’s Zoning By-law 2017-70, as amended.
- The application proposes to reconfigure and relocate an existing lot of record to be used for residential purposes in a better location on the subject lands. This will result in the creation of one new residential lot (Parcel 2) and the existing residential parcel (Parcel 3) will be consolidated with the retained lands (Parcel 1) for the lands located at 1168 Regional Road 27.
- Parcel 1 will maintain the existing single detached dwelling and accessory building and agricultural use (field crop production).
- Parcel 2 will be the newly relocated residential lot that will meet the minimum lot area for a small agricultural holding of 0.4 hectares.
- As a condition of consent, a Minor Variance Application will be required for the retained parcel (Parcels 1 and 3) and severed parcel (Parcel 2) to recognize deficient lot area and lot frontages.

RECOMMENDATION:

That, Consent Application B04/2026WL, submitted by Simone Deboer (Owner) as outlined in Report COA-09-2026, for the creation of one new residential lot (Parcel 2) and the consolidation of an existing residential parcel (Parcel 3) with the retained lot (Parcel 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 any buildings and 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 2) and legal description of the subject lands prior to the issuance of the Certificate of Consent.
4. That the Owner/Applicant shall provide a copy of the legal description for the consolidation of Parcel 1 and 3 prior to the issuance of the Certificate of Consent.
5. That the Owner/Applicant shall obtain and provide confirmation satisfactory to the Township of a new municipal address for the severed parcel (Parcel 2), prior to the issuance of the Certificate of Consent.
6. That a Minor Variance Application be submitted for the retained lot (Parcels 1 and 3) and the severed lot (Parcel 2) for a reduced lot area and lot frontage.
7. That the Owner/Applicant shall provide site specific information from a licensed Sewage System Designer and/or Engineer to the satisfaction of the Sewage System Manager or Chief Building Official indicating potential for compliance with Part 8 (Sewage Systems) Ontario Building Code and pay the Inspection Fee of \$338 (payable to Township of West Lincoln).
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 deemed to be refused.

BACKGROUND:

A consent application has been submitted by Simone Deboer (Owner) for the lands municipally known as 1168 Regional Road 27. The purpose of this consent is to reconfigure and relocate an existing lot of record to be used for residential purposes in a better location on the subject lands. This will result in the creation of one new residential lot (Parcel 2) and the existing residential parcel (Parcel 3) will be consolidated with the retained lands (Parcel 1) for the lands located at 1168 Regional Road 27.

The subject lands are located west of Regional Road 27 (Wellandport Road) and north of Baldwin Road. The lands are surrounded by agricultural uses and rural residential uses.

Parcel 1 (retained lot) has a lot area of approximately 13.83 hectares, with approximately 90.36 metres of frontage on Regional Road 27 and 242.85 metres on Baldwin Road. Parcel 1 contains an existing single detached dwelling unit and one accessory building and the balance being agricultural field crops and natural heritage features (e.g., wetlands).

Parcel 2 (severed lot) will have a lot area of approximately 0.4 hectares and approximately 56.15 metres of frontage on Regional Road 27.

Parcel 3 (to be consolidated lot with Parcel 1) is approximately 0.34 hectares in area and 53.43 metres of frontage on Baldwin Road.

The proposed consolidation of Parcels 1 and 3 will result in a lot area of approximately 14.17 hectares and approximately 90.36 metres of frontage on Regional Road 27.

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 adjustments in Prime Agricultural Areas may be permitted for legal or technical reasons, while the creation of new residential lots is only permitted for a residence surplus to an agricultural operation. The proposal is best understood as a technical lot line adjustment involving the consolidation of an existing undersized parcel (Parcel 3) with the retained lands (Parcel 1) and the creation of a new lot (Parcel 2) of an appropriate size for residential purposes.

As proposed, the application functions as one integrated transaction and does not create an additional residential lot opportunity within the Prime Agricultural Area. Instead, it regularizes an existing lot pattern by merging the existing residential parcel with the retained lands and establishing a new parcel intended to appropriately accommodate residential use on private services. While a parcel is being created through the consent process, the proposal does not result in a net new residential lot and is therefore not being considered a surplus farm dwelling severance.

Planning Staff are satisfied that the proposal is considered consistent with the PPS 2024 as a legal/technical lot adjustment.

Township of West Lincoln Official Plan and Niagara 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 of the proposed consent and lot line adjustment.

The subject lands are designated as 'Good General Agriculture' and 'Natural Heritage System' 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. The general consent policies in Section

18.13.1 require that development conform with the designated uses of the Official Plan, have adequate frontage on a public road, maintain safe access, and be supported by suitable servicing, drainage, and soil conditions. The proposed parcels will continue to front on public roads, and a condition of consent requires confirmation that the existing and proposed lots can be appropriately serviced in accordance with the Ontario Building Code.

Policies 18.13.2(d) and (f) recognize that consents may be permitted for legal or technical reasons where lands are being conveyed to an abutting existing non-farm use, or where a minor boundary adjustment is proposed that does not result in the creation of a new lot. In this instance, the application is best understood as a boundary adjustment to address an existing undersized legal parcel through the consolidation of Parcel 3 with the Parcel 1 and the creation of a replacement lot of more appropriate size. While Section 18.13.2(g) generally does not permit the creation of new non-farm residential lots in the Good General Agriculture designation except through a surplus farm dwelling severance, Planning Staff are of the opinion that the proposal maintains the general intent of the OP because it does not create an additional residential lot opportunity beyond what already exists.

Based on the above, Planning Staff are satisfied that the proposed consent conforms with the general intent of the Township and Regional Official Plan policies, subject to the recommended conditions of approval and the required Minor Variance Application.

Township of West Lincoln Zoning By-law

The Zoning By-law 2017-70, as amended zones the subject lands as Agriculture (A), Environmental Protection (EP), and Environmental Conservation (EC). The proposed consent is being assessed primarily in relation to the Agriculture (A) Zone, as the proposal does not alter or introduce development within the existing EP or EC zoned portions of the property.

Parcel 2 (Severed Lot)

The proposed severed parcel is intended to be created as a new residential lot with a lot area of approximately 0.4 hectares (1 acre) and frontage of approximately 56.15 metres on Regional Road 27. While the parcel meets the minimum lot area of 0.4 hectares for a rural residential lot, it does not comply with the minimum lot area of 40 hectares or the minimum lot frontage of 100 metres required in the A Zone. Accordingly, a Minor Variance Application will be required to address the deficient lot area and lot frontage for this small agricultural holding.

Parcels 1 and 3 (Consolidated/Retained Lot)

Parcel 1 (retained lot) contain the existing single detached dwelling and one accessory building with the balance used for agricultural production. The lot area was an existing undersized agricultural lot and with the consolidation with Parcel 3, it still remains deficient of the required minimum lot area of 40 hectares with the minimum lot frontage of 100

metres required in the A Zone. Accordingly, the Minor Variance Application will also address these deficiencies.

Based on the review of the zoning regulations, Planning Staff are of the opinion that the proposed consent (lot boundary adjustment) meets the general intent of the Township's Zoning By-law subject to a subsequent Minor variance Application.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

Region of Niagara

The Region of Niagara requires a new encroachment and entrance permit for Parcel 2.

The Region also requests that the applicant submit payment of the Regional Minor Engineering Review fee of \$590 to the Infrastructure Planning and Development Division as a condition of consent.

NPCA

Based on the current NPCA mapping, the subject property is impacted by the following NPCA regulated features:

- Provincially Significant Wetland (PSW) with a 30-meter wetland allowance buffer area
- Watercourses with a 15-meter buffer area starting from the top of bank
- A floodplain hazard area (i.e., Beaver Creek) that has a drainage of 125+ ha and therefore would be regulated apart of the 1-in-100 year storm event

Regarding the proposed Parcel 2 to be severed, the NPCA can offer no objection to the lot creation as it is well outside of the NPCA regulatory floodplain mapping, wetlands and the associated buffers. Please note, there would appear to be a potential watercourse that may extend slightly within the southwestern corner of the proposed lot however, to verify the presence of this feature the NPCA may require to complete a future site visit depending on the scope, nature, and location of future works. Verification of this feature would not be required at this time for the proposed lot creation as there remains adequate space outside of this potential watercourse for serving, amenities, developmental works, and there are no flood hazards associated with this potential watercourse.

Regarding the boundary adjustment to merge the identified Parcel 3 to the retained lands, Parcel 1, the NPCA can offer no objection as there is no lot being created and would be apart of the larger retained lands.

Township Civil Land Development

No issues with the relocation of the lot with frontage on Regional Road 27.

Building Department

The Applicant shall provide site specific information from a licensed Sewage System Designer and/or Engineer to the satisfaction of the Sewage System Manager or Chief Building Official indicating compliance with Part 8 (Sewage Systems) Ontario Building Code.

PUBLIC COMMENTS:

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

CONCLUSION:

Based on the above analysis of Consent Application B04/2026WL, Planning Staff recommend **APPROVAL** for the creation of one new residential lot (Parcel 2) and the consolidation of Parcel 3 with the retained parcel (Parcel 1), subject to the conditions outlined in this report.

ATTACHMENTS:

Schedule A – Survey Sketch
Schedule B – Agency Comments

Prepared & Submitted by:

Marcus Ruggiero
Intermediate Planner

Approved by:

Susan Smyth, CPT
Manager, Community Planning and Design

SURVEYOR'S SEAL

SKETCH

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SCHEDULE A - COA-09-2026

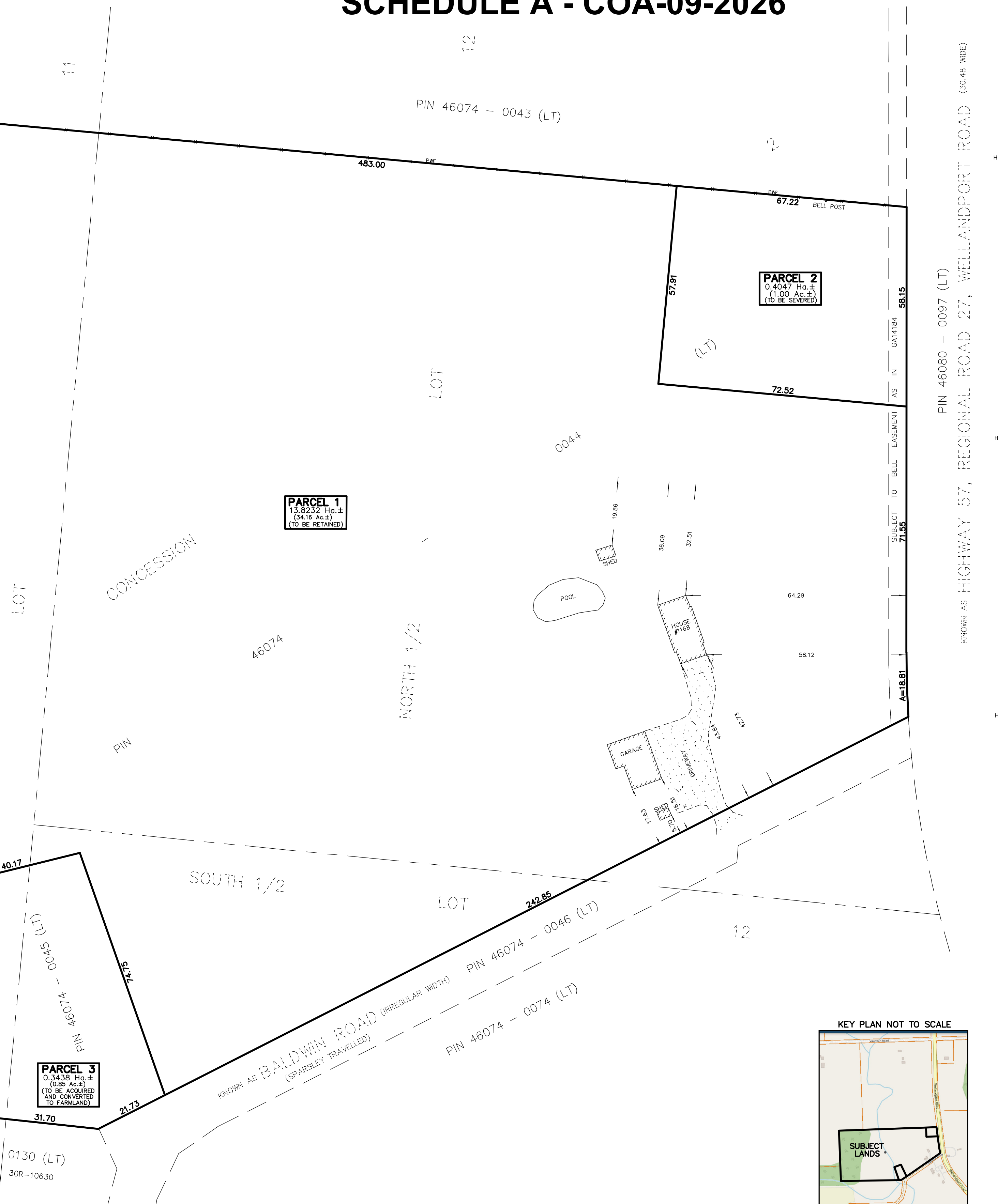
SKETCH FOR PLANNING ACT APPLICATION
1168 REGIONAL ROAD 27
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA



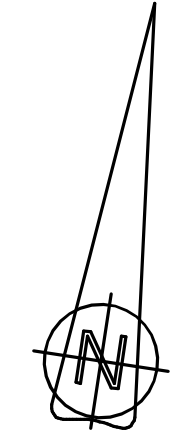
SCALE 1:750

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PIN 46080 - 0097 (LT)
KNOWN AS HIGHWAY 57, REGIONAL ROAD 27, WELLANDPORT ROAD (30.48 WIDE)



PROPERTY DESCRIPTION

PART OF LOT 11, PART OF THE NORTH 1/2 LOT 12,
PART OF THE SOUTH 1/2 LOT 12, CONCESSION 2,
GEOGRAPHIC TOWNSHIP OF GAINSBOROUGH,
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA
ALL OF PIN 46074-0044 (LT); ALL OF PIN 46074-0045 (LT)

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BOUNDARY NOTE

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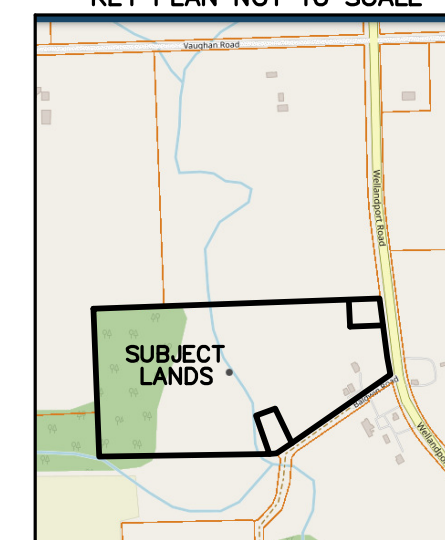
LEGEND

- PIN DENOTES PROPERTY IDENTIFIER NUMBER
- HP DENOTES HYDRO/UTILITY POLE
- OUL DENOTES OVERHEAD HYDRO/UTILITY POLE LINE
- PWF DENOTES POST AND WIRE FENCE
- N=NORTH, S=SOUTH, E=EAST, W=WEST
- DISTANCES AND AREAS ARE APPROXIMATE

METRIC NOTE

DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

KEY PLAN NOT TO SCALE



MARCH 18, 2026
DATE

Harold D. Hyde
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
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DUNNVILLE: 905-774-7188 FORT ERIE: 905-871-9757
(FAX 905-774-4000)

HAROLD D. HYDE O.L.S.

SCALE 1 : 750 SURVEY : 26-027 DRWN BY : T. Matheson

GROWTH & SUSTAINABILITY DEPARTMENT

Date: April 15, 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. B04/2026WL – 1168 RR27 (Wellandport Road)

A review has been completed of this consent application to create one new residential lot (Parcel 2 - 0.4 hectares) and merge an existing residential lot with the retained lot (Parcels 1 and 3 - 14.16 hectares).

Staff are supportive of locating the new residential lot fronting RR27, as a road extension and road improvements would be required to support a lot fronting onto Baldwin Road.

**GROWTH AND SUSTAINABILITY DEPARTMENT
BUILDING DEPARTMENT MEMO**

DATE: April 23, 2026
TO: Growth and Sustainability Department (Committee of Adjustment)
Jeni Fisher – Acting Secretary Treasurer
FROM: Lyle Killins, Septic Inspector
SUBJECT: B04/2026WL – 1168 Regional Road 27

Dear Ms. Fisher,

Please be advised relevant file searches relating to fulfillment of Part 8 (Sewage Systems) Ontario Building Code requirements relating to this application, B04/2026WL, have been completed.

No site specific information was located for 1168 Regional Road 27. In addition, no specific information relating to its potential for sewage system installation compliance was made available for review.

Thus, this Department would recommend the Committee consider the following as a Condition of Approval in respect to the consent application B04/2026WL:

The applicant provide site specific information from a licensed Sewage System Designer and/or Engineer to the satisfaction of the Sewage System Manager or Chief Building Official indicating potential for compliance with Part 8 (Sewage Systems) Ontario Building Code.

We trust the preceding serves as required, however, should additional information and/or clarification be required please contact this office.

Yours truly,

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

DATE: April 29, 2026

REPORT NO: COA-08-2026

SUBJECT: **Recommendation Report for Minor Variance Application A03/2026WL for 1168 Regional Road 27**

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

OVERVIEW:

- A Minor Variance Application has been submitted by Simone Deboer (Owner).
- 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 Protection (EP), and Environmental Conservation (EC) in the Township’s Zoning By-law 2017-70, as amended.
- The application seeks relief from the minimum lot area and minimum lot frontage requirements of the Agriculture (A) Zone for the lands municipally known as 1168 Regional Road 27.
- The requested variances are intended to facilitate a related consent application (B04/2026WL) involving the creation of one new residential lot (Parcel 2) and the consolidation of an existing legally established residential parcel (Parcel 3) with the retained agricultural lands (Parcel 1).
- Relief is required from Section 5.3 (Table 12: Regulations for Agricultural Zones) for reduced minimum lot area and lot frontage for both the consolidated/retained parcel and the severed parcel.
- Planning Staff have reviewed the application and recommend the application be supported as it meets the four tests of a minor variance and the general intent of the Provincial, Regional and Local policies.

RECOMMENDATION:

1. That, the application for Minor Variance, submitted by Simone Deboer (Owner), as outlined in Report COA-08-2026, to permit:
 - a. A reduced lot area for Parcel 2 (severed lot) of 0.4 hectares and reduced lot frontage of 56.15 metres, **BE APPROVED**; and
 - b. A reduced lot area for Parcels 1 and 3 (consolidated/retained lot) of 14.7

hectares and reduced lot frontage of 71.55 metres, **BE APPROVED.**

BACKGROUND:

A Minor Variance Application has been submitted by Simone Deboer (Owner) for the lands municipally known as 1168 Regional Road 27 (Wellandport Road). The purpose of this application is to seek relief from the minimum lot area and minimum lot frontage requirements of the Agriculture (A) Zone to facilitate a related consent application involving the creation of one new residential lot (Parcel 2) and the consolidation of an existing legally established residential parcel with the retained lands (Parcels 1 and 3).

The subject lands are located west of Regional Road 27 (Wellandport Road) and north of Baldwin Road. The subject lands have an area of approximately 14.2 hectares, with approximately 148 metres of frontage on Regional Road 27. The subject lands contain an existing single detached dwelling unit and one accessory building. The subject lands also contain natural heritage features and Niagara Peninsula Conservation Authority regulated areas in the western portion of the property.

As part of the related consent application, the proposed severed parcel (Parcel 2) will have a lot area of approximately 0.4 hectares and approximately 56.15 metres of frontage on Regional Road 27. The retained lands, consisting of Parcels 1 and 3, will maintain the existing single detached dwelling and one accessory building along with the agricultural production (field crop) and will have a final consolidated lot area of approximately 14.17 hectares with approximately 71.55 metres of frontage on Regional Road 27.

Under the Agriculture (A) Zone, a minimum lot area of 40 hectares and a minimum lot frontage of 100 metres are required. As a result, both the proposed severed parcel and the consolidated/retained parcel do not comply. The effect of the application is to recognize the reduced lot area and frontage for both parcels to facilitate the proposed lot reconfiguration.

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

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

The subject lands are designated 'Good General Agriculture' and 'Natural Heritage System' in the Township's Official Plan (OP). The proposal relates to an existing legal lot configuration and is being sought in conjunction with a related consent application intended to reconfigure the subject lands by enlarging Parcel 2 to meet the minimum lot area on private services of 0.4 hectares and consolidating Parcels 1 and 3.

Policy 4.4.2(g) recognizes that legally established non-agricultural uses, buildings, and structures within the Agricultural designation may continue to exist, provided that any changes are addressed through the appropriate planning approval process. In this instance, the application seeks to recognize and formalize lot area and frontage

deficiencies associated with legally established lots as part of a broader lot reconfiguration. The proposed variance does not introduce a new land use but rather facilitates an adjustment to the existing lot pattern.

Further, the OP discourages the creation of new non-farm residential lots in the Good General Agriculture designation and contemplates a minimum lot area of 0.4 hectares for separated residential parcels on private services. The proposed reconfiguration enlarges Parcel 2 to approximately 0.4 hectares, which is consistent with the minimum parcel size required for a separated residential parcel on private services. The consolidation of Parcel 3 with Parcel 1 will help to create a larger agricultural holding and strengthen the agricultural land base. In this regard, the proposal improves the existing lot configuration and better aligns the parcel with the intent of the Official Plan.

Accordingly, Planning Staff are satisfied that the proposed variance maintains the general intent of the Township's Official Plan.

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

The Zoning By-law 2017-70, as amended zones the subject lands as Agricultural (A), Environmental Protection (EP), and Environmental Conservation (EC). The proposed Minor Variance is being assessed primarily in relation to the Agriculture (A) Zone, as the proposal does not alter or introduce development within the existing EP or EC zoned portions of the property.

Parcels 1 and 3 (Consolidated/Retained Lot)

As part of the related consent application, Parcels 1 and 3 are proposed to be consolidated and will contain the existing single detached dwelling and one accessory building and the agricultural production. The combined new consolidated lot will have approximately 71.55 metres of frontage on Regional Road 27 and a lot area of approximately 14.17 hectares. Section 5.3 and Table 12 of the By-law requires a minimum lot frontage of 100 metres and a minimum lot area of 40 hectares in the A Zone.

The general intent of the lot area and lot frontage requirements in the A Zone is to ensure that parcels are of sufficient size and configuration for their intended use and to protect the agricultural land base. In this case, both lots were already legally undersized however with the lot configuration and consolidation, regardless of the small addition, it improves the lot area for the continued agricultural holding.

Parcel 2 (Severed Lot)

As part of the concurrent consent application, Parcel 2 is proposed to have a lot area of approximately 0.4 hectares (1 acre) and approximately 56.15 metres of frontage on Regional Road 27. This also does not comply with the A Zone requirement of a minimum lot area of 40 hectares and a minimum lot frontage of 100 metres.

Parcel 2 being the newly created lot, is intended to replace and relocate the existing legally established deficient lot (Parcel 3) however will increase the lot area to accommodate a residential dwelling with appropriate space for private servicing and with frontage and improved access off a maintained road. While the parcel remains deficient from the required minimum lot area for A zone, the proposed variance captures what already existed.

Planning Staff are of the opinion that the requested variance for Parcel 2 also maintains the general intent of the Zoning By-law.

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

The proposal is desirable as it facilitates a lot reconfiguration that can better accommodate a future single detached dwelling with available land area for the appropriate private servicing on Parcel 2 while increasing the agricultural holdings with the consolidation of Parcels 1 and 3. As such, the proposal represents an appropriate and functional use of the land for the continuation of agricultural production and the long term protection of the natural heritage features that are not being impacted by the proposal. Furthermore, the application will formalize a legally existing condition for both lots with a reduction in lot area and lot frontage.

Is the proposal minor in nature? Yes

The proposed variances are considered minor in nature. While the requested relief relates to both lot area and lot frontage, the application recognizes and builds upon an existing legal lot configuration. The proposal increases the size and frontage of Parcel 2 to better accommodate a future single detached dwelling and appropriate private servicing, while only resulting in a minimal reduction of approximately 0.03 hectares from the consolidated/retained lands. In this regard, the variances do not result in adverse land use impacts and can still maintain the agricultural production while being able to accommodate small agricultural parcels capable for residential uses.

INTER-DEPARTMENTAL & AGENCY COMMENTS:

No inter-departmental or agency comments have been received at the time of writing this report.

PUBLIC COMMENTS:

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

CONCLUSION:

Based on the above analysis, Planning Staff recommend **APPROVAL** of Minor Variance A032026WL, to allow:

- a. A reduced lot area for Parcel 2 (severed lot) of 0.4 hectares and reduced lot frontage

- of 56.15 metres; and
- b. A reduced lot area for Parcels 1 and 3 (consolidated/retained lot) of 14.7 hectares and reduced lot frontage of 71.55 metres.

ATTACHMENTS:

Schedule A – Survey Sketch

Prepared & Submitted by:

**Marcus Ruggiero
Intermediate Planner**

Approved by:

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

SURVEYOR'S SEAL

SKETCH

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SCHEDULE A - COA-09-2026

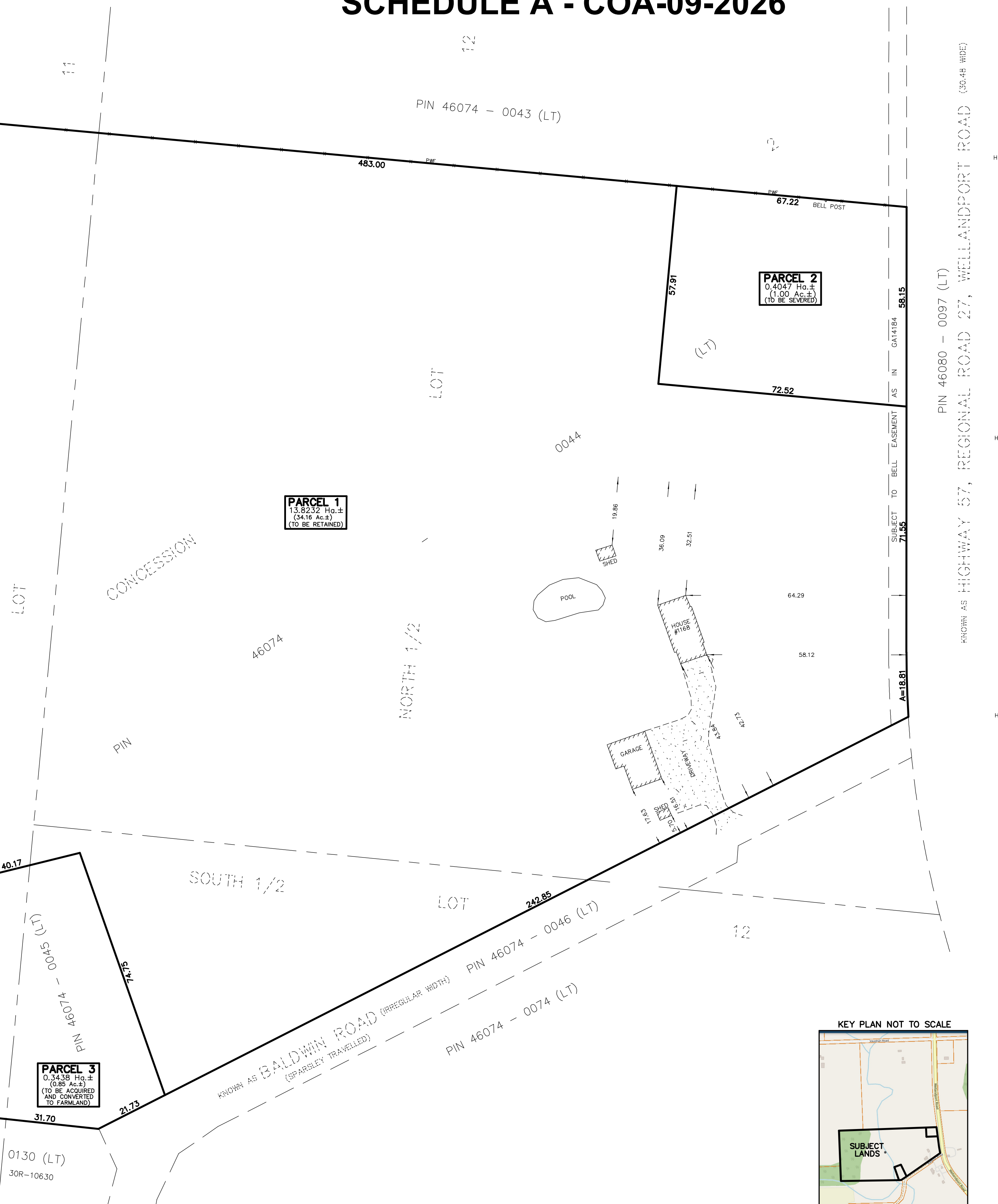
SKETCH FOR PLANNING ACT APPLICATION
1168 REGIONAL ROAD 27
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA



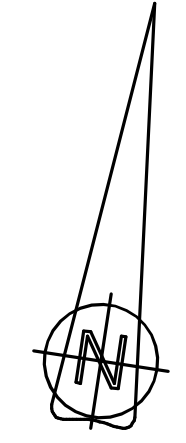
SCALE 1:750

RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS

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PIN 46080 - 0097 (LT)
KNOWN AS HIGHWAY 57, REGIONAL ROAD 27, WELLPORTR ROAD (30.48 WIDE)



PROPERTY DESCRIPTION

PART OF LOT 11, PART OF THE NORTH 1/2 LOT 12,
PART OF THE SOUTH 1/2 LOT 12, CONCESSION 2,
GEOGRAPHIC TOWNSHIP OF GAINSBOROUGH,
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA
ALL OF PIN 46074-0044 (LT); ALL OF PIN 46074-0045 (LT)

CAUTION

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BOUNDARY NOTE

BOUNDARIES HAVE BEEN DERIVED FROM REGISTRY OFFICE RECORDS AND ACTUAL FIELD WORK.

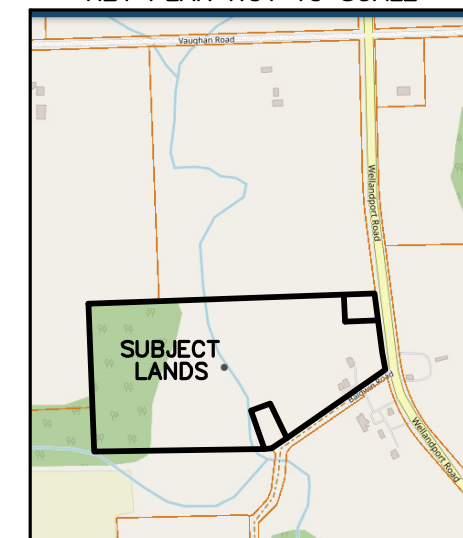
LEGEND

- PIN DENOTES PROPERTY IDENTIFIER NUMBER
- HP DENOTES HYDRO/UTILITY POLE
- OUL DENOTES OVERHEAD HYDRO/UTILITY POLE LINE
- PWF DENOTES POST AND WIRE FENCE
- N=NORTH, S=SOUTH, E=EAST, W=WEST
- DISTANCES AND AREAS ARE APPROXIMATE

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