



H08/2022

**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET**

**HEARING OF THE COMMITTEE OF ADJUSTMENT**

**AGENDA**

**WEDNESDAY SEPTEMBER 21<sup>ST</sup>, 2022 at 4:00 P.M.**

**TOWNSHIP OF WAINFLEET COUNCIL CHAMBERS**

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**1. Call to Order**

**2. Disclosure of Pecuniary Interest and the General Nature Thereof**

**3. Requests for Adjournment**

**4. Adoption of Minutes**

- a) Minutes of the Committee of Adjustment Hearing held August 17<sup>th</sup>, 2022

**5. Applications**

a) B16/2022W – Janie Susan Kitchen (Patrick Maloney – Agent)

The subject property is located on the south side of Abbey Road, west of Daley Ditch Road and is known municipally as 22623 Abbey Road. Application is made for the consent to:

- Create an easement over Parcel 1 (4,073.7m<sup>2</sup>) in favour of Parcel 3 (22625 Gibson Road).

b) A13/2022W – Sandra Oltean

The subject property is located on the south side of Gibson Road, west of Daley Ditch Road and is zoned Agricultural – A2. An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a dwelling:

Section of By-law	By-law Requirement	Application Request
Section 3.0 Definition of a Lot	Which fronts on a street that has been opened, improved, maintained and assumed for public use by the municipality, the Regional Municipality of Niagara	The parcel be recognized as a lot despite not fronting onto a street as defined in Section 3.0

	or the Province of Ontario, unless such street is within a Plan of Subdivision etc.	
Section 6.2.1 Table 6 Single Detached Dwelling as a Principal Use on a Lot, Minimum Lot Frontage	46m	0m

- c) B17/2022W – Homeextent Inc. (Upper Canada Consultants – Agent)  
The subject property is located on the west side of Rathfon Road, between Lakeshore Road and the Gord Harry trail and is known municipally by it's Assessment Roll Number 27140000020901. Application is made for the consent to:
- Sever Parcel 1 (9,402.06 m<sup>2</sup>) for future residential use;
  - Retain Parcel 3 (9.074 ha) for future residential use.
- d) B18/2022W – Homeextent Inc. (Upper Canada Consultants – Agent)  
The subject property is located on the west side of Rathfon Road, between Lakeshore Road and the Gord Harry trail and is known municipally by it's Assessment Roll Number 27140000020901. Application is made for the consent to:
- Sever Parcel 2 (9,382.75 m<sup>2</sup>) for future residential use;
  - Retain Parcel 3 (9.074 ha) for future residential use.
- e) A14/2022W – Homeextent Inc. (Upper Canada Consultants – Agent)  
The subject property is located on the west side of Rathfon Road, between Lakeshore Road and the Gord Harry trail and is identified as Parcel 1. An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a dwelling:

Section of By-law	By-law Requirement	Application Request
Section 6.2.1 Table 6 Single Detached Dwelling as a Principal Use on a Lot, Min. Lot Frontage	46m	35.5m

- f) A15/2022W – Homeextent Inc. (Upper Canada Consultants – Agent)  
The subject property is located on the west side of Rathfon Road, between Lakeshore Road and the Gord Harry trail and is identified as Parcel 2. An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a dwelling:

Section of By-law	By-law Requirement	Application Request
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Section 6.2.1 Table 6 Single Detached Dwelling as a Principal Use on a Lot, Min. Lot Frontage	46m	37.4m
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g) A16/2022W – Homeextent Inc. (Upper Canada Consultants – Agent)

The subject property is located on the west side of Rathfon Road, between Lakeshore Road and the Gord Harry trail and is identified as Parcel 3. An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a dwelling:

Section of By-law	By-law Requirement	Application Request
Section 6.2.1 Table 6 Single Detached Dwelling as a Principal Use on a Lot, Min. Lot Frontage	46m	35.5m

**6. Other Business****7. Adjournment**



H07/2022

**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET  
MINUTES OF THE HEARING OF THE COMMITTEE OF ADJUSTMENT**

**WEDNESDAY AUGUST 17, 2022 at 4:00 P.M.**

**TOWNSHIP OF WAINFLEET COUNCIL CHAMBERS**

**PRESENT:** M. Feduck Chair  
G. Balicki Member  
L. Bjerno Member  
R. Cross Member (Electronic Participation via Zoom)  
S. McMillan Member

**REGRETS:** None.

**STAFF PRESENT:** J. Hagemans Secretary–Treasurer (Electronic Participation via Zoom)  
S. Ivins Planner, Assistant Secretary–Treasurer

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**1. Call to Order**

The hearing was called to order by the Chair at 4:06 p.m.

**2. Disclosure of Pecuniary Interest and the General Nature Thereof**

None.

**3. Requests for Adjournment**

None.

**4. Adoption of Minutes**

- a) Minutes of the Committee of Adjustment Hearing held July 20, 2022

**Motion COA-039-2022**

Moved by Member McMillan

Seconded by Member Balicki

**“THAT** the minutes of the Committee of Adjustment Hearing held on July 20, 2022 be adopted as circulated.”

**CARRIED**

## 5. Applications for Minor Variance

a) A11/2022W – James Strickland

The subject property is located on the south side of Lakeshore Road between Quarry Road and Bessey Road and is known municipally as 10431 Lakeshore Road. The subject property is zoned Residential Lakeshore – RLS.C15-10 with a Hazard Overlay and contains a single detached dwelling. An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of an accessory building (detached garage) and an addition to the dwelling:

Section of By-law	By-law Requirement	Application Request
Section 7.2 Table 10 Maximum Lot Coverage	15%	23.22%
Section 7.2 Table 11 (Exception 10) Maximum Height	7.5m	7.7m
Section 4.21 Table 2 Accessory Building Minimum Front Yard	6m	2.52m
Section 4.21 Table 2 Accessory Building Interior Side Yard	1m	0.61m
Section 4.21 Table 2 Accessory Building Maximum Lot Coverage	2.5%	4.72%

### Representation

James Strickland, applicant, was present at the hearing.

### Correspondence

Correspondence was received from the following agencies and Township departments:

1. Niagara Peninsula Conservation Authority
2. Niagara Region Planning & Development Services
3. Township of Wainfleet Drainage Department
4. Township of Wainfleet Planning Department

There were no public comments received for this application.

### Comments

The Planner/Assistant Secretary – Treasurer provided an overview of the application and a summary of the planning report along with a recommendation.

Henry Thomas of 10429 Lakeshore Road (property immediately east of the subject property) was sworn in to comment on the application. Mr. Thomas stated that he objects to the reduction of the interior side yard and would like the 1 metre requirement upheld. Member McMillan asked Mr. Thomas to explain why he is opposed to the reduction and for clarification as to whether

it is just the interior side yard setback that he is opposed to or all of the variances requested. Mr. Thomas stated that he is opposed to all variances and that the Zoning By-law should be upheld.

James Strickland, applicant, was sworn in to comment on the application. Mr. Strickland noted that the requests are minor in nature and that due to the existing grading of the property, the parking area for the proposed accessory building is lower than Mr. Thomas's accessory building and therefore there is no visual impact with the building being located 0.39m closer to the property line. Mr. Strickland also noted that there is a retaining wall separating the properties and that the proposed accessory building is a small one car garage, smaller than the detached garage Mr. Thomas has. Mr. Strickland also noted that the proposed addition to the dwelling is shorter than the existing dwelling and complies with the interior side yard setback on the western side.

#### Decision

#### **Motion COA-040-2022**

Moved by Member Balicki

Seconded by Member McMillian

**“THAT** the application for Minor Variance A11/2022W made by James Strickland be GRANTED subject to the following conditions:

1. That should deeply buried archaeological remain/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, notify the Archaeology Programs Unit of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-212-8886) and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.

2. That a Works Permit be obtained from the Niagara Peninsula Conservation Authority.”

DEFEATED

Mr. Strickland provided comments that the requests are minor in nature and that he feels that the application should be approved. Mr. Strickland stated

that permission has been granted to others in the area for increased lot coverage and reduced setbacks and that he is asking for the same consideration. Mr. Strickland went on to explain that because he has a lake lot there is an area of the property that is not used in the calculation of lot coverage. Mr. Strickland explained that if a lot on the opposite side of the road had the same lot area and was proposing the same thing, that they wouldn't have needed variances for lot coverage because the entirety of their lot would be used towards the lot coverage calculation.

Member McMillan asked Mr. Strickland if the plans could be revised to reduce the extent of the variances required. Mr. Strickland explained that he has already limited the design to what is presented to the Committee but that he is willing to move the accessory building to conform with the minimum interior side yard setback to address Mr. Thomas's concerns.

The Committee did not wish to reconsider their refusal of the application and discussed reasons for their decision, which included:

- the four tests under the Planning Act have not been met;
- Zoning By-laws are created for a reason and should be followed as best as possible;
- the variance requests are excessive and would lead to an over development of the subject property;
- the area is over developed and there is a cumulative impact should variances of this nature continue to be approved.

a) A12/2022W – Jeffrey Scott Young & Jodi Lynn Young

The subject property is located on the south side of Highway #3, between Sider Road and Case Road, and is known municipally as 43441 Highway #3. The subject property is zoned Agricultural – A2 and has a single detached dwelling and accessory buildings. An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of an addition to the dwelling:

Section of By-law	By-law Requirement	Application Request
Section 6.2.1 Table 6 Maximum Lot Coverage	7%	10%
Section 6.2.1 Table 6 Minimum Interior Side Yard Setback	3m	2.5m

Representation

Jeffrey Scott Young and Jodi Lynn Young, applicants, were present at the hearing.

Correspondence

Correspondence was received from the following agencies, departments and members of the public:

1. Niagara Region Planning & Development Services

2. Township Drainage Department
3. Township Planning Department

### Comments

The Planner/Assistant Secretary – Treasurer provided an overview of the application and a summary of the planning report along with a recommendation.

There were no comments received from the gallery and no further discussion took place.

### Decision

#### **Motion COA-041-2022**

Moved by Member Bjerno

Seconded by Member Balicki

**“THAT** the application for Minor Variance A12/2022W made by Jeffrey Scott Young & Jodi Lynn Young be GRANTED subject to the following conditions:

1. That the applicant provide evidence of ground disturbance in the area of the proposed addition (including any previous disturbances/constructions works, placement of fill or grading works), to the satisfaction of Niagara Region. In lieu of such evidence being provided, the applicant shall submit a Stage 1 Archaeological Assessment as well as any subsequent assessments deemed necessary by the licensed archaeologist and the acknowledgment letter from the Ministry of Heritage, Sport, Tourism and Culture Industries.
2. That should deeply buried archaeological remains/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, notify the Archaeology Programs Unit of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-212-8886) and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

In the event that human remains are encountered during the construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.

CARRIED



## 6. Applications for Consent

### a) B14/2022W – Brenna & Richard Lammers (Kevin Devries – Agent)

The subject property is located on the north side of Highway #3, between Perry Road and Putman Road, and is known municipally as 42838 Highway #3. Application is made for the consent to:

- Sever Part 2 (16.75 ha) to merge with Part 3 (an adjacent vacant farm parcel on Perry Road) for continued agricultural use;
- Retain Part 1 (3.73 ha) for continued residential use.

#### Representation

Kevin Devries, agent, was present at the hearing.

#### Correspondence

Correspondence was received from the following agencies, departments and members of the public:

1. Niagara Peninsula Conservation Authority
2. Niagara Region Planning & Development Services
3. Hydro One
4. Ministry of Transportation of Ontario (MTO)
5. Township Drainage Department
6. Township Planning Department

#### Comments

The Planner/Assistant Secretary – Treasurer provided an overview of the application and a summary of the planning report along with a recommendation.

There were no comments received from the gallery and no further discussion took place.

#### Decision

#### **Motion COA-042-2022**

Moved by Member McMillan

Seconded by Member Bjerno

**“THAT** the application for consent B14/2022W made by Kevin Devries on behalf of Brenna & Richard Lammers be GRANTED subject to the following condition(s):

1. That the applicant provide an undertaking, to the Township's satisfaction, stating that Part 2 will merge in title with Part 3 upon issuance and registration of the certificate of consent.
2. That the Township's Drainage Superintendent be satisfied that the boundary adjustment is appropriately captured for the Big Forks Drain

through a Section 65 Apportionment Agreement. The Section 65 Apportionment Agreement shall be completed by an engineer selected by the Township and costs for such work shall be the responsibility of the applicant.

3. That the Secretary-Treasurer be provided with a registerable legal description of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
4. That a final certification fee, payable to the Treasurer of the Township of Wainfleet, be submitted to the Secretary-Treasurer.
5. That all conditions of consent be fulfilled within a period of two years after notice has been given under Section 53(17) or 53(24), as per Section 53(41) of the Planning Act, R.S.O. 1990.

CARRIED

b) B15/2022W – Loeffen Farms (IBI Group – Agent)

The subject property is located on the east side of Station Road, south of the Gord Harry Trail, and is known municipally as 12017 Station Road.

Application is made for the consent to:

- Sever Part 1 (1.00 ha) as a surplus farm dwelling;
- Retain Part 2 (39.04 ha) for continued agricultural use.

Representation

Ritee Haider of IBI Group, agent, was present at the hearing.

Correspondence

Correspondence was received from the following agencies, departments and members of the public:

1. Niagara Peninsula Conservation Authority
2. Hydro one
3. Township Drainage Department
4. Township Planning Department

Comments

The Planner/Assistant Secretary – Treasurer provided an overview of the application and a summary of the planning report along with a recommendation.

Ritee Haider, agent, spoke on behalf of the application. Ms. Haider stated that she supports with the recommendation outlined in the planning report and has no objections to the proposed conditions.

There were no comments received from the gallery and no further discussion took place.

Decision

**Motion COA-043-2022**

Moved by Member McMillan

Seconded by Member Balicki

**“THAT** the application for consent B15/2022W made by IBI Group on behalf of Loeffen Farms Ltd. be GRANTED subject to the following conditions:

1. That Part 2 be rezoned to prohibit dwellings in perpetuity and to recognize a reduced lot area of 39.04 hectares.
2. That Part 1 be rezoned to address the zoning deficiencies for the existing structures.
3. That the Township Drainage Superintendent be satisfied that the severance is appropriately captured for the Casey Drain through the current Section 78 Drainage Act project or through a Section 65 Apportionment Agreement. The Section 65 Apportionment Agreement shall be completed by an engineer selected by the Township and costs for such work shall be the responsibility of the applicant.
4. That the owner dedicate a road widening to the Regional Municipality of Niagara across the Regional Road 3 (Station Road) frontage of the subject property in order to achieve the 13.1 metre width requirement from the legal centerline of the Regional road allowance. The widening is to be conveyed prior to the finalization of the consent application and to the satisfaction of the Regional Municipality of Niagara. All costs for providing the necessary survey plan and all related documents are the responsibility of the applicant.
5. That the Secretary-Treasurer be provided with a registerable legal description of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
6. That a final certification fee, payable to the Treasurer of the Township of Wainfleet, be submitted to the Secretary-Treasurer.
7. That all conditions of consent be fulfilled within a period of two years after notice has been given under Section 53(17) or 53(24), as per Section 53(41) of the Planning Act, R.S.O. 1990.

CARRIED

**7. Other Business**

Member McMillan asked that for future hearings that only the planning report for each application be printed and provided in the Committee member folders.

## 8. Adjournment

### **Motion COA-044-2022**

Moved by Member Bjerno

Seconded by Member McMillan

**“THAT** the Committee of Adjustment for the Township of Wainfleet be adjourned.”

Committee adjourned at 4:48 p.m.

CARRIED

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M. Feduck, CHAIR

\_\_\_\_\_  
S. Ivins, ASSISTANT SECRETARY-TREASURER






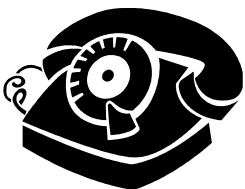


**TOWNSHIP OF  
WAINFLEET**

*"Wainfleet - find your country side!"*

**COMMITTEE OF ADJUSTMENT**

P.O. Box 40, 31940 Highway #3 Wainfleet, ON L0S 1V0  
Tel: 905-899-3463 Fax: 905-899-2340 [www.wainfleet.ca](http://www.wainfleet.ca)

In the matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13 and; notice is hereby given that an application for consent under the file number noted below will be heard by the Committee of Adjustment for the Township of Wainfleet at the date and place shown below.

 <p><b>Notice of Public Hearing</b></p> <p><b>Associated Applications: A13/2022W</b></p>	<b>FILE NUMBER</b>	B16/2022W
	<b>APPLICANT</b>	Patrick Maloney of Sullivan Mahoney LLP (Agent) on behalf of Janie Susan Kitchen (Owner)
	<b>SUBJECT LANDS</b>	22623 Abbey Road Concession 2, Part Lot 26, Wainfleet
	<b>HEARING DATE</b>	Wednesday September 21, 2022 at 4:00 p.m.
	<b>LOCATION</b>	Township of Wainfleet Council Chambers 31940 Highway #3, Wainfleet, Ontario
	<b>PURPOSE OF THE APPLICATION</b> The subject property is located on the south side of Abbey Road, west of Daley Ditch Road and is known municipally as 22623 Abbey Road.  Application is made for the consent to: <ul style="list-style-type: none"><li>create an easement over Parcel 1 (4073.7m<sup>2</sup>) in favour of Parcel 3 (22625 Gibson Road).</li></ul>	
 <p><b>Information</b></p>	<b>PURPOSE OF PUBLIC HEARING</b> This is a public hearing called for the purpose of hearing evidence for, or in opposition to, the above noted application. Anyone wishing to register objections, support or comments concerning this application may present them in writing to the Secretary-Treasurer prior to the hearing and/or at the hearing, or make a verbal presentation at the hearing. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing.	
 <p><b>Have Your Say</b></p>	<b>YOUR INPUT IS ENCOURAGED! WE ARE LISTENING!</b> The Committee would appreciate receiving your written comments regarding this application by <b>September 14, 2022</b> . If the Secretary-Treasurer does not receive your comments by this date, it will be presumed you have no objection to the proposal. Should an extension be required, please contact the Secretary-Treasurer. Unless indicated otherwise, personal information and all comments will become part of the public record and may be publicly released.  The applicant or authorized agent of the applicant must be present at the hearing. Take notice that if you do not attend this hearing, the Committee may proceed in your absence and you will not be entitled to any further notice in the proceedings.	
 <p><b>Contact Us</b></p>	<b>NEED MORE INFORMATION?</b>  TOWNSHIP OF WAINFLEET COMMITTEE OF ADJUSTMENT P.O. BOX 40, 31940 Highway #3 Wainfleet, Ontario, L0S 1V0 905-899-3463, ext. 226 Fax: 905-899-2340 Email: <a href="mailto:eshacklette@wainfleet.ca">eshacklette@wainfleet.ca</a>   John Hagemans Secretary-Treasurer  Dated this 24 <sup>th</sup> day of August, 2022.	
 <p><b>Legal Notice</b></p>	<b>IMPORTANT INFORMATION:</b> If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Secretary-Treasurer at the address indicated above. This will also entitle you to be advised of a Ontario Land Tribunal (OLT) Hearing should an appeal be received. If a person or public body that files an appeal of a decision of the Committee of Adjustment does not make written submissions to the Committee before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.	

SKETCH

THIS IS AN ORIGINAL  
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THE SURVEYOR'S SEAL  
OR PDF CERTIFIED

SKETCH FOR SEVERANCE APPLICATION  
**TOWNSHIP OF WAINFLEET**  
REGIONAL MUNICIPALITY OF NIAGARA

0 50 100 150m  
1:1500

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ONTARIO LAND SURVEYORS  
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PN DENOTES PROPERTY IDENTIFIER NUMBER

PART OF LOT 26, CONCESSION 2  
PART OF ROAD ALLOWANCE BETWEEN LOTS 25 AND 26 (NOT TRAVELLED)  
TOWN OF WAINFLEET  
REGIONAL MUNICIPALITY OF NIAGARA  
PIN 64013-0026(LT)  
PIN 64013-0222(LT)

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BOUNDARY INFORMATION HAS BEEN DERIVED FROM PLAN 59R-8177, PLAN 59R-13805, REGISTRY OFFICE RECORDS AND ACTUAL FIELD WORK.

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

FIELD WORK COMPLETED: JULY 27, 2022

RASCH + HYDE LTD.  
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B DUNNVILLE, ONT, M1A 2K1 905-774-7188 (FAX 905-774-4000)	P.O. Box 560, 74 Jarvis Street FORT ERIE, ONT, L2A 5Y1 905-871-8757 (FAX 905-871-8748)
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HAROLD D. HYDE O.L.S.	
SURVEY : 22-283 SEV	DRWN BY : J.H.






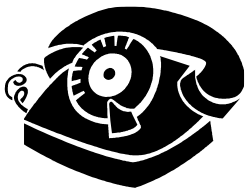

## TOWNSHIP OF WAINFLEET

"Wainfleet - find your country side!"

## COMMITTEE OF ADJUSTMENT

P.O. Box 40, 31940 Highway #3 Wainfleet, ON L0S 1V0  
Tel: 905-899-3463 Fax: 905-899-2340 www.wainfleet.ca

In the matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13 and; notice is hereby given that an application for minor variance under the file number noted below will be heard by the Committee of Adjustment for the Township of Wainfleet at the date and place shown below.

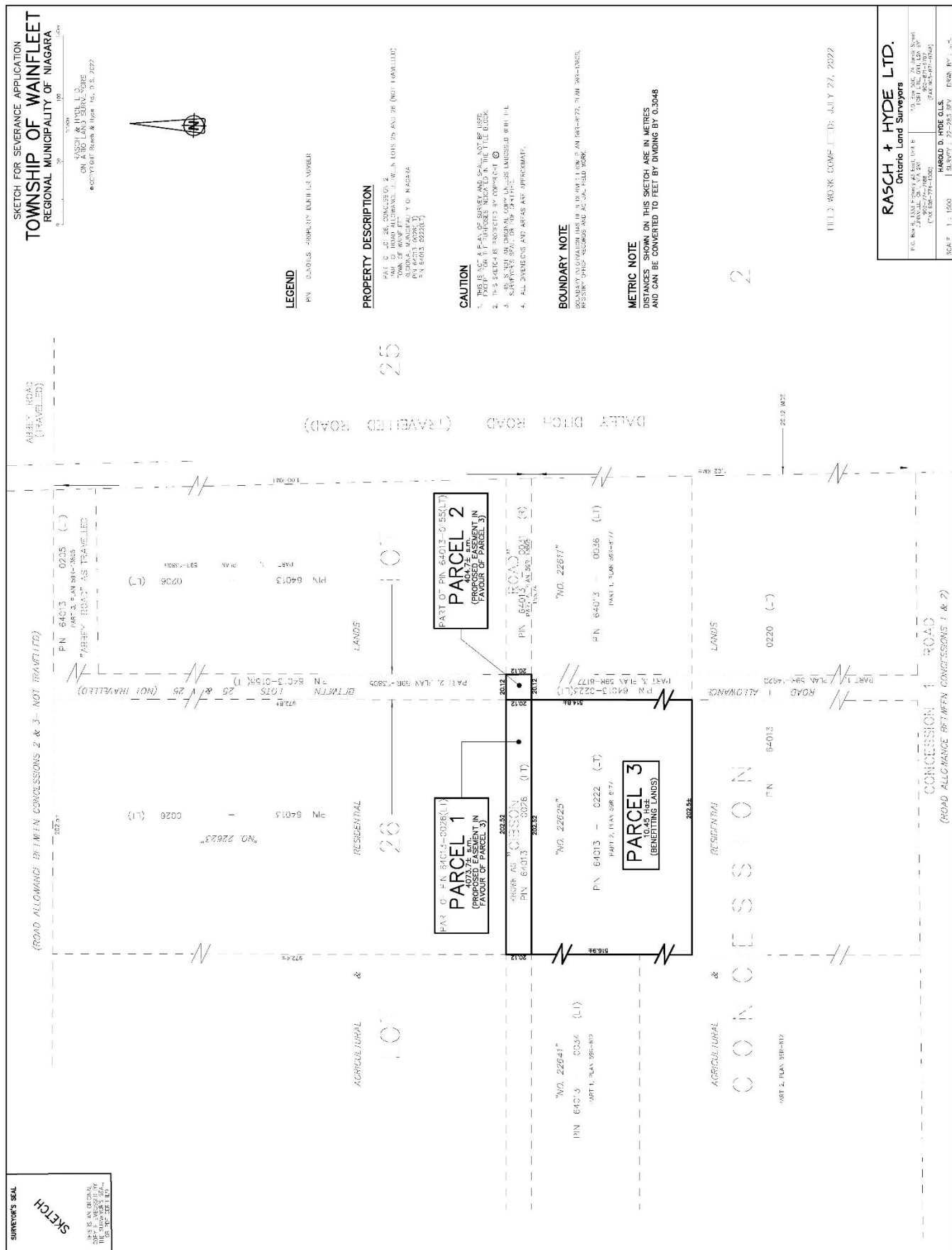
 <b>Notice of Public Hearing</b>  <b>Associated Applications: B16/2022W</b>	<b>FILE NUMBER</b>	A13/2022W	
	<b>APPLICANT</b>	Sandra Jane Oltean (Owner)	
	<b>SUBJECT LANDS</b>	22625 Gibson Road Concession 2, Part Lot 26 RP59R8177 Part Pt 2, Wainfleet	
	<b>HEARING DATE</b>	Wednesday September 21, 2022 at 4:00 p.m.	
	<b>LOCATION</b>	Township of Wainfleet, Council Chambers 31940 Highway #3 PO Box 40, Wainfleet, ON L0S 1V0	
	<b>PURPOSE OF THE APPLICATION</b>	The subject property (Parcel 3) is located on the south side of Gibson Road, west of Daley Ditch Road, and is zoned Agricultural – A2. An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a dwelling:	
	<b>Section of Bylaw</b>	<b>By-law Requirement</b>	<b>Application Request</b>
	Section 3.0 Definition of a Lot	Which fronts on a street that has been opened, improved, maintained and assumed for public use by the municipality, the Regional Municipality of Niagara, or the Province of Ontario, unless such a street is within a Plan of Subdivision etc.	The parcel be recognized as a lot despite not fronting onto a street as defined in Section 3.0
	Section 6.2.1 Table 6 Single Detached Dwelling as a Principal Use on a Lot, Min. Lot Frontage	46m	0m
 <b>Information</b>	<b>PURPOSE OF PUBLIC HEARING</b> This is a public hearing called for the purpose of hearing evidence for, or in opposition to, the above noted application. Anyone wishing to register objections, support or comments concerning this application may present them in writing to the Secretary-Treasurer prior to the hearing and/or at the hearing, or make a verbal presentation at the hearing. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing.		
 <b>Have Your Say</b>	<b>YOUR INPUT IS ENCOURAGED! WE ARE LISTENING!</b> The Committee would appreciate receiving your written comments regarding this application by <b>September 14<sup>th</sup>, 2022</b> . If the Secretary-Treasurer does not receive your comments by this date, it will be presumed you have no objection to the proposal. Should an extension be required, please contact the Secretary-Treasurer. Unless indicated otherwise, personal information and all comments will become part of the public record and may be publicly released.  The applicant or authorized agent of the applicant must be present at the hearing. Take notice that if you do not attend this hearing, the Committee may proceed in your absence and you will not be entitled to any further notice in the proceedings.		
 <b>Contact Us</b>	<b>NEED MORE INFORMATION?</b> TOWNSHIP OF WAINFLEET COMMITTEE OF ADJUSTMENT P.O. BOX 40, 31940 Highway #3 Wainfleet, Ontario, L0S 1V0 905-899-3463, ext. 226 Fax: 905-899-2340 Email: jhagemans@wainfleet.ca  Dated this 24 <sup>th</sup> day of August, 2022.		
	  John Hagemans Secretary-Treasurer		



## Legal Notice

### IMPORTANT INFORMATION:

If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Secretary-Treasurer at the address indicated above. This will also entitle you to be advised of a Ontario Land Tribunal (OLT) Hearing should an appeal be received. If a person or public body that files an appeal of a decision of the Committee of Adjustment does not make written submissions to the Committee before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.










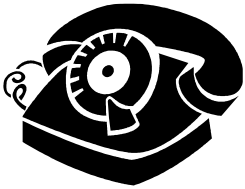


## TOWNSHIP OF WAINFLEET

"Wainfleet - find your country side!"

## COMMITTEE OF ADJUSTMENT

P.O. Box 40, 31940 Highway #3 Wainfleet, ON L0S 1V0  
Tel: 905-899-3463 Fax: 905-899-2340 www.wainfleet.ca

In the matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13 and; notice is hereby given that an application for consent under the file number noted below will be heard by the Committee of Adjustment for the Township of Wainfleet at the date and place shown below.

 <b>Notice of Public Hearing</b>  <b>Concurrent Applications:</b> <b>B18//2022W</b> <b>A14//2022W</b> <b>A15//2022W</b> <b>A16//2022W</b>	<b>FILE NUMBER</b>	B17/2022W
	<b>APPLICANT</b>	Upper Canada Consultants (Agent) on behalf of Homeextent Inc. (Owner)
	<b>SUBJECT LANDS</b>	Vacant Lot Rathfon Road Concession 1, Part Lots 8 & 9, 59R-691 Parts 5 & 6 Wainfleet
	<b>HEARING DATE</b>	Wednesday September 21, 2022 at 4:00 p.m.
	<b>LOCATION</b>	Township of Wainfleet Council Chambers 31940 Highway #3, Wainfleet, Ontario
<b>PURPOSE OF THE APPLICATION</b> The subject property is located on the west side of Rathfon Road, between Lakeshore Road and the Gord Harry Trail and is known municipally by it's Assessment Roll Number 27140000020901.  Application is made for the consent to: <ul style="list-style-type: none"><li>• Sever Parcel 1 (9,402.06m<sup>2</sup>) for future residential use;</li><li>• Retain Parcel 3 (9.074 hectares) for future residential use.</li></ul>		
 <b>Information</b>	<b>PURPOSE OF PUBLIC HEARING</b> This is a public hearing called for the purpose of hearing evidence for, or in opposition to, the above noted application. Anyone wishing to register objections, support or comments concerning this application may present them in writing to the Secretary-Treasurer prior to the hearing and/or at the hearing, or make a verbal presentation at the hearing. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing.	
 <b>Have Your Say</b>	<b>YOUR INPUT IS ENCOURAGED! WE ARE LISTENING!</b> The Committee would appreciate receiving your written comments regarding this application by <b>September 14, 2022</b> . If the Secretary-Treasurer does not receive your comments by this date, it will be presumed you have no objection to the proposal. Should an extension be required, please contact the Secretary-Treasurer. Unless indicated otherwise, personal information and all comments will become part of the public record and may be publicly released.  The applicant or authorized agent of the applicant must be present at the hearing. Take notice that if you do not attend this hearing, the Committee may proceed in your absence and you will not be entitled to any further notice in the proceedings.	
 <b>Contact Us</b>	<b>NEED MORE INFORMATION?</b>  TOWNSHIP OF WAINFLEET COMMITTEE OF ADJUSTMENT P.O. BOX 40, 31940 Highway #3 Wainfleet, Ontario, L0S 1V0 905-899-3463, ext. 226 Fax: 905-899-2340 Email: jhagemans@wainfleet.ca  Dated this 24 <sup>th</sup> day of August, 2022. <div> John Hagemans Secretary-Treasurer</div>	
 <b>Legal Notice</b>	<b>IMPORTANT INFORMATION:</b> If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Secretary-Treasurer at the address indicated above. This will also entitle you to be advised of a Ontario Land Tribunal (OLT) Hearing should an appeal be received. If a person or public body that files an appeal of a decision of the Committee of Adjustment does not make written submissions to the Committee before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.	








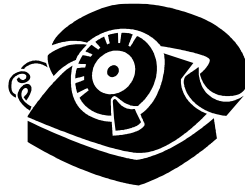


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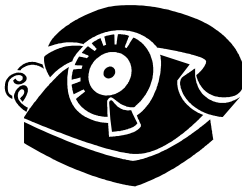

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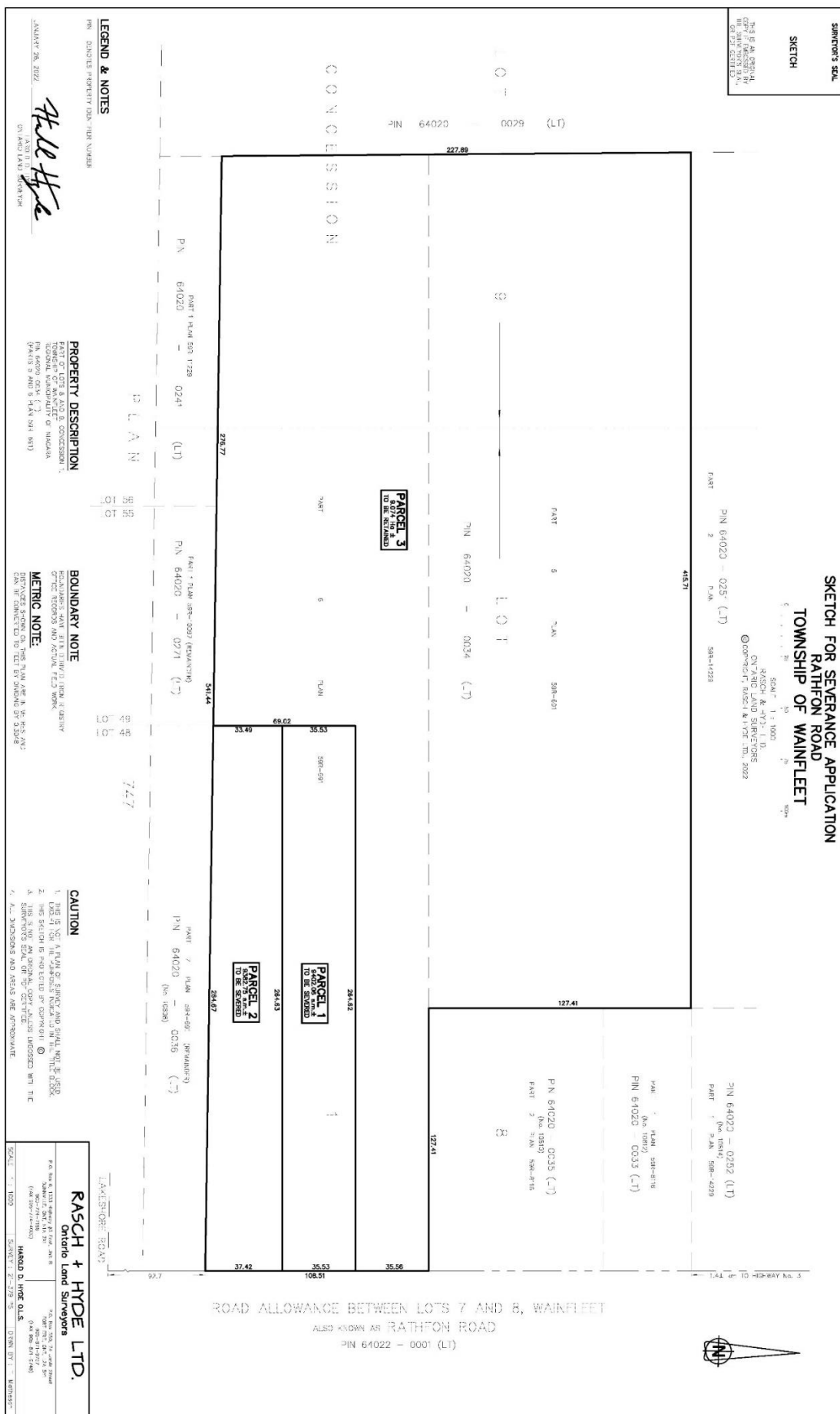
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In the matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13 and; notice is hereby given that an application for minor variance under the file number noted below will be heard by the Committee of Adjustment for the Township of Wainfleet at the date and place shown below.

  <b>Notice of Public Hearing</b>  <b>Associated Applications:</b> B17/2022W B18//2022W A15/2022W A16/2022W	<b>FILE NUMBER</b>	A14/2022W							
	<b>APPLICANT</b>	Upper Canada Consultants (Agent) on behalf of Homeextent Inc. (Owner)							
	<b>SUBJECT LANDS</b>	Vacant Lot Rathfon Road Concession 1, Part Lots 8 & 9, 59R-691 Parts 5 & 6 Wainfleet							
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	<b>LOCATION</b>	Township of Wainfleet, Council Chambers 31940 Highway #3 PO Box 40, Wainfleet, ON L0S 1V0							
	<b>PURPOSE OF THE APPLICATION</b>	The subject property is located on the west side of Rathfon Road, between Lakeshore Road and the Gord Harry Trail and is identified as Parcel 1 on the attached sketch. An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a dwelling:							
	<table><tr><th>Section of Bylaw</th><th>By-law Requirement</th><th>Application Request</th></tr><tr><td>Section 6.2.1 Table 6 Single Detached Dwelling as a Principal Use on a Lot, Min. Lot Frontage</td><td>46m</td><td>35.5m</td></tr></table>	Section of Bylaw	By-law Requirement	Application Request	Section 6.2.1 Table 6 Single Detached Dwelling as a Principal Use on a Lot, Min. Lot Frontage	46m	35.5m		
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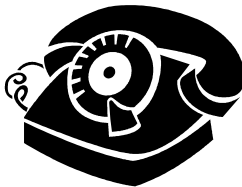

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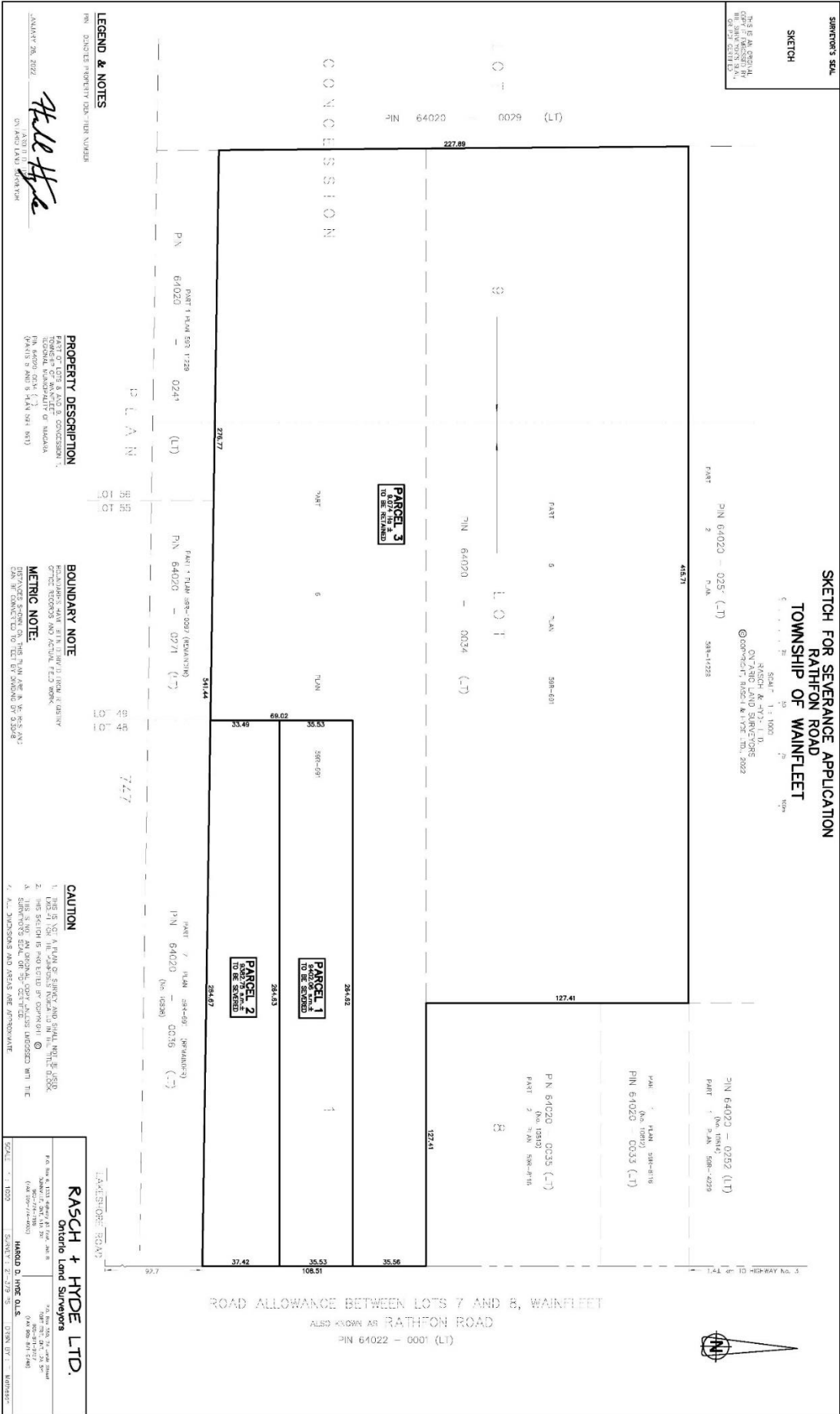
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	<b>LOCATION</b>	Township of Wainfleet, Council Chambers 31940 Highway #3 PO Box 40, Wainfleet, ON L0S 1V0							
	<b>PURPOSE OF THE APPLICATION</b>	The subject property is located on the west side of Rathfon Road, between Lakeshore Road and the Gord Harry Trail and is identified as Parcel 2 on the attached sketch. An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a dwelling:							
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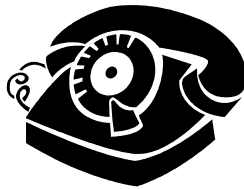

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