



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

July 24, 2024, 7:00p.m.

Present Members:

Peter Forsberg (Chair)

Kim Willis (Sitting member)

Peggy Cook (Sitting member for items A13/2024WL, A14/2024WL, A16/2024WL, B04/2024WL)

Staff: Gerrit Boerema, Manager of Planning

Stephanie Pouliot, Secretary/Treasurer to the Committee of Adjustment

Public: Kristina Haining

Steven Cook

Marianna Felvus

Gojko Kordic

Bill and Cathy Vitucci

John Verdonk

Theresa Flanagan

1. CHAIR

The meeting was called into Order at 7:10 pm.

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

Member Cook declared a pecuniary interest/conflict of interest for 56 Wade Road (A15/2024WL).

Chair Forsberg confirmed that Ms. Cook will not be sitting for that application.

Member Willis and Chair Forsberg had no pecuniary interest/conflict of interest.

3. REQUEST FOR WITHDRAWAL AND/OR ADJOURNMENT

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

4. *Change in order of applications heard. Application number 3 for A15/2024WL moved to the last application being heard. *

a) A13/2024WL - Kordic

Property Address: 3227 Grassie Road

Manager of Planning, Mr. Boerema provided the presentation overview of the application.

Chair Forsberg asked if the owner was present and if he would like to address the committee or make any comments? If so, an oath or an affirmation is required.

The owner, Mr. Kordic, responded that he has nothing more to add.

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

Sitting members had no questions or comments on the application.

Chair Forsberg asked if anyone present in the gallery would like to make comment on the application? (no one from gallery commented).

Chair Forsberg noted that it is time for a vote and requested a motion from the Committee?

Member Willis motioned to approve the application with the 2 conditions as included.

Member Cook seconded. **Carried.** .

Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.

b) A14/2024WL –Blokker

Property Addresses: 2931 South Grimsby Road 19

Manager of Planning, Mr. Boerema provided the presentation overview.

Chair Forsberg asked if the owners are present and if they would like to address the committee or make any comments? If so, an oath or an affirmation is required.

The owner, Mr. Blokker, responded that he has nothing more to add.

Chair Forsberg asked if the sitting members have any questions or comments on the application?

Sitting members had no questions or comments on the application.

Chair Forsberg asked if anyone present in the gallery would like to make comment on the application? (no one from gallery commented).

Chair Forsberg noted that it is time for a vote and requested a motion from the Committee.

Member Cook motioned to approve the application, granting the two requested variances.

Member Willis, seconded. **Carried.** .

Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.

d) **A16/2024WL - Gestion Queylus Inc. (Agent - John Verdonk Construction Inc.)**

Property Addresses: 3651 Sixteen Road

Manager of Planning, Mr. Boerema provided the presentation overview and spoke to the additional regional conditions that staff believe can be addressed through the site plan agreement, including the restoration plan with low cost plantings. The owner and applicant are present, if there are any questions for them.

Chair Forsberg asked for clarification on the restoration plan and if it was for protecting the water feature?

Manager of Planning, Mr. Boerema responded that is correct as there is provincial and regional interest. There would be native trees, shrubs, grass and sunflowers. The plan will agree on mutual spaces that will be naturalized and enhanced. Domaine Queylus appears to have already been doing already.

Chair Forsberg asked whether the owner or agent are present and if they would like to address the committee or make any comments? If so, an oath or an affirmation is required.

The owner, Mrs. Flanagan, responded that they do not have anything to add.

Chair Forsberg asked if the sitting members have any questions or comments on the application?

Member Willis asked Manager of Planning, Mr. Boerema what triggers the request for the plantings? Is this a new requirement the Region will be enforcing for certain variances or properties?

Manager of Planning, Mr. Boerema responded that it is a new requirement from the Niagara Official Plan, approved in 2022. It is triggered as there is a watercourse on the property near

the north side of building. The NOP requires a 30 metre vegetation protection zone (VPZ) to regulated features. The applicants have already done some restoration. It doesn't have to be a complicated plan. The key is the native plantings, showing the proposed restoration area on a plan, and implementing through the site plan agreement.

Member Willis thanked Mr. Boerema and noted she had no more questions.

Member Cook noted that she has no questions on the application.

Chair Forsberg noted that it is time for a vote and requested a motion from the Committee.

Member Willis motioned to approve the application with the one condition included.

Member Cook seconded. **Carried.** .

Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.

e) **B04/2024WL - William and Cathleen Vitucci**

Property Address: 5447 Regional Road 20

Manager of Planning, Mr. Boerema provided the presentation overview and spoke to the regional road widening condition and the agricultural purposes only 'APO' requirement for the remnant farmland. Mr. Boerema went through the 10 required conditions.

Secretary Ms. Pouliot added to clear the septic condition, a site plan showing compliance with the distance separations as outlined in Tables (8.2.1.6.A. and 8.2.1.6.B.) of the Ontario Building Code.

Chair Forsberg asked if the owners are present and if they would like to address the committee or make any comments? If so, an oath or an affirmation is required.

The owner, Mrs. Vitucci took oath and asked for clarification on the road widening condition.

Chair Forsberg asked Manager of Planning, Mr. Boerema to clarify the condition.

Manager of Planning, Mr. Boerema showed page 70 of the agenda on the overhead projectors. Mrs. Vitucci is referring to the proposed widening in front of the house. It continues to the abutting property. Road widening are only able to be taken from lands that are subject to an application. The road widening does go close to the house. We confirmed with the

Region regarding fairness on each side (north and south of the road) and it was confirmed that if there were an application on the south side of Highway 20, they would also require the road widening from them.

The owner, Mrs. Vitucci asked whether this will be captured through the rezoning application which is included as a condition of consent?

Manager of Planning, Mr. Boerema responded that's correct, the deficient front yard setback will be addressed through the rezoning application which is already required.

Chair Forsberg asked if the sitting members have any questions or comments on the application?

Sitting members had no questions or comments on the application.

Chair Forsberg noted that it is time for a vote and requested a motion from the Committee.

Member Cook motioned to approve the application with the 10 conditions as included.

Member Willis, seconded. **Carried.** .

Secretary Ms. Pouliot noted the last day for filing an appeal for Consent is 20 days from the date of mailing being tomorrow, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.

c) A15/2024WL –Haining & Cook (Agent – Rodney Friesen)

Property Addresses: 56 Wade Road

Member Ms. Cook stepped away and did not sit for the application.

Chair Forsberg stated he would like to note that only two members of the committee are sitting. He mentioned if they both vote in favor, there is no problem but if they are not unified, he would advise the Town that this application be deferred to the next committee hearing.

Manager of Planning, Mr. Boerema confirmed that a tie vote is a defeated vote.

Manager of Planning, Mr. Boerema provided the presentation overview. Spoke to the parking requirements, one parking space per accessory unit. As the Planning Act is a higher document, we cannot require more than what is noted in the act. Mr. Boerema also spoke to recent changes to the Planning Act regarding municipal services and three units now being allowed on lots connected to municipal services.

Chair Forsberg asked if the owners or agent are present and if they would like to address the committee or make any comments? If so, an oath or an affirmation is required.

The owner, Mr. Cook, responded that they have nothing more to add.

Chair Forsberg asked the Committee members if they have any questions on the application?

Member Willis, noted that she has a question for the owner, so an oath or an affirmation will be required.

The owner, Mr. Cook took oath.

Member Willis to Mr. Cook, was this meant to be a garage initially than to convert to an accessory dwelling unit?

Owner Mr. Cook responded that's correct, the initial purpose was for storage, as we are adding the second unit in the basement and will need the storage space. Mr. Cook mentioned that he foresees down the road converting the garage to an accessory dwelling unit if things change in the future.

Chair Forsberg motioned to approve the application with the one condition as included.

Member Willis seconded. **Carried.** .

Secretary Ms. Pouliot noted the last day for filing an appeal for Minor Variance is 20 days from the decision date, being 20 days from today, and that through recent changes to the *Planning Act*, there are limitations on who can appeal a decision.

5. MINUTES FOR APPROVAL

Secretary Ms. Pouliot noted that it is time for a motion for the March 27th set of minutes.

- a. [March 27, 2024](#)

Member Willis motioned to approve.

Member Cook seconded. **Carried.** .

Secretary Ms. Pouliot noted that it is time for a motion for the April 24th set of minutes.

- b. [April 24, 2024](#)

Member Cook motioned to approve.

Member Forsberg seconded. **Carried.** .

Secretary Ms. Pouliot noted that it is time for a motion for the May 29th set of minutes.

c. [May 29, 2024](#)

Member Willis motioned to approve.

Member Cook seconded. **Carried.** .

6. NEW BUSINESS

There was no new business at this time.

7. ADJOURNMENT

That, this Committee does now adjourn at the hour of **8:16 pm.**

Member Cook, motioned to adjourn.

PETER FORSBERG,
CHAIR

STEPHANIE POULIOT,
SECRETARY-TREASURER