

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

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