

**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**