



**COMMITTEE OF ADJUSTMENT HEARING
AGENDA**

**Wednesday, July 22, 2026
5:00 P.M.**

COUNCIL CHAMBERS, CIVIC SQUARE

Hearing livestreamed on City website <https://www.welland.ca/Council/LiveStream.asp>

1. CALL TO ORDER

2. LAND ACKNOWLEDGEMENT

3. ADDITIONS TO AGENDA

4. CONFLICTS OF INTEREST

5. ADOPTION OF MINUTES

For Hearing held June 24, 2026

6. REQUESTS FOR DEFERRALS / WITHDRAWALS OF APPLICATIONS

**7. FILE NO. PLCON202600146 AND PLMV202600150 KIERS HARRY AND KIERS
JEFFERY HAROLD MICHAEL**

754 Cope Road

AND

FILE NO. PLMV202600147 KIERS DIANE

760 Cope Road

8. NEXT HEARING DATE

August 19, 2026

9. OTHER ITEMS

10. ADJOURNMENT

Item 5 on Agenda

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ADOPTION OF MINUTES

- June 24, 2026 Hearing



**COMMITTEE OF ADJUSTMENT
MINUTES OF PUBLIC HEARING - IN-PERSON, COUNCIL CHAMBERS**

June 24, 2026, 5:35 PM

Members Present: Diane Zakraysek-Bourque, Chair
Kristen McNutt, Member
Wayne Ursacki, Member

Staff Present: Christine Rossetto, Secretary-Treasurer

Others Present: PLMV202600098 – A. Vash, K. Vash

1. **CALL TO ORDER** – The Chair called the Hearing to order. The Secretary-Treasurer explained the format of the Hearing and the rights of appeal for appealing a Decision to the Ontario Land Tribunal.
2. **LAND ACKNOWLEDGEMENT** – The Chair recited the Land Acknowledgment.
3. **AGENDA ADDITIONS** – The Secretary-Treasurer advised of comments from the Engineering Division that were not included in the agenda.
4. **CONFLICTS OF INTEREST** – Nil.
5. **ADOPTION OF MINUTES** – Moved by Ursacki that the Minutes of the Hearing held May 27, 2026 be adopted as circulated.

CARRIED

6. **REQUESTS FOR DEFERRALS OR WITHDRAWALS OF APPLICATIONS** – Nil

7. MINOR VARIANCE FILE NO. PLMV202600098

Owner: Alexander Vash and Julia Randall

Location: 49 Donna Marie Drive

Correspondence and Discussion

- Cathy Book – June 7, 2026
- Emilia and Arek Jajus – June 9, 2026
- Toni and Raymond Nieuwold – June 12, 2026
- Engineering Division – June 12, 2026
- Traffic Division – June 17, 2026
- Building Division – June 18, 2026
- Planning Division – June 24, 2026

Alex Vash, owner, stated the requested variances.

The Chair asked if owner received comments from Traffic Division about moving the fence back and if he had any comments.

Alex Vash said he wants to keep the original design, and is open to suggestion of cutting the corner, not moving fence back 2 metres.

Kyle Vash, representing the owner, said that the owner would like to keep the fence design as presented in the variance application if possible.

The Chair asked about the comments regarding the northwest corner.

Kyle Vash said that the sightline would also be compromised if other vehicles were parked there such as an SUV or RV which are taller than the fence.

The Chair noted no one from the public in attendance.

The Chair asked the Committee members if they had considered the oral and written comments received and the members, including the Chair, concurred.

Decision PLMV202600098 – **APPROVES** and for the following reasons:

Pursuant to Section 45(8.1)(b) of The Planning Act, as amended, the Committee of Adjustment took into consideration all written and oral presentations made to it before rendering a Decision.

1. There are no objections from the neighbouring property on the proposed design and the application is minor in nature as the requested variances are not anticipated to adversely impact neighbouring properties or the public.
2. The application is desirable to utilize a small area of the lot and the requested variances will permit more efficient use of the subject property by providing more private amenity space.
3. The application is compliant with the general intent and purpose of the Fence By-law and the Zoning By-law as the proposed use is permitted in the RL1 Zone and all provisions of Zoning By-law are expected to be satisfied.
4. The application is compliant with the general intent and purpose of the Official Plan as the proposed changes are consistent with the Low Density Residential Designation.

Decision Signed Electronically: "Diane Zakraysek-Bourque"
"Kristen McNutt"
"Wayne Ursacki"

CARRIED

8. NEXT HEARING DATE – July 22, 2026

9. OTHER ITEMS – Nil.

10. ADJOURNMENT – Hearing closed at 5:50pm.

Chair

Secretary-Treasurer

Item 7 on Agenda

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FILE NO. PLCON202600146 AND PLMV202600150

Owner: KIERS HARRY AND KIERS JEFFERY HAROLD MICHAEL

Location: 754 Cope Road

AND

FILE NO. PLMV202600147

Owner: KIERS DIANE

Location: 760 Cope Road

Comments Received:

Traffic Division

Niagara Peninsula Conservation Authority (NPCA)

Engineering Division

Rick Rempel

Building Division

Planning Division

Christine Rossetto

From: Mark Slade
Sent: June 25, 2026 3:55 PM
To: Christine Rossetto
Cc: Ali Khan
Subject: RE: Consent & Minor Variance Notices - due July 16

Hi Christine, the Welland City Standards uses the OPSD as a guide. It indicates that a residential property maximum width for an entrance is 7.3 metres. I would suggest the 10.84 metres be adjusted to 7.3 metres as mentioned.



Mark Slade
Traffic and Parking Technician
Infrastructure Services
60 East Main Street, Welland, Ontario

 Phone: (905) 735-1700 x2212
 welland.ca
 engagewelland.ca



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From: Christine Rossetto <christine.rossetto@welland.ca>
Sent: June 25, 2026 11:34 AM
To: Ali Khan <ali.khan@welland.ca>; Dave Steven <dave.steven@welland.ca>; James Cronshaw <james.cronshaw@welland.ca>; Kelly Walsh <kelly.walsh@welland.ca>; Matt Richardson <matt.richardson@welland.ca>; Ray Chamberlain <ray.chamberlain@welland.ca>; Sam Valeo <sam.valeo@welland.ca>; Samantha McCauley <samantha.mccauley@welland.ca>; Taylor Meadows <taylor.meadows@welland.ca>
Cc: Chris Mork <chris.mork@welland.ca>; Mark Slade <mark.slade@welland.ca>; Mateo Mussari <mateo.mussari@welland.ca>; Matthew Balenovich <matthew.balenovich@welland.ca>; Michael Greenlee <michael.greenlee@welland.ca>; Paige Fournier <paige.fournier@welland.ca>; Sahar Alliyani <sahar.alliyani@welland.ca>; Tanya Korolow <tanya.korolow@welland.ca>; Tyler Galloway <tyler.galloway@welland.ca>
Subject: Consent & Minor Variance Notices - due July 16

Christine Rossetto

From: Paige Pearson <ppearson@npca.ca>
Sent: July 7, 2026 9:26 AM
To: Christine Rossetto
Subject: RE: Consent & Minor Variance Notices - 754 and 760 Cope Rd - due July 16
Attachments: 754 and 760 Cope Road, Welland - NPCA Map.pdf

Welland Security Warning: This is an external email. Please do not click links or open attachments unless you are sure they are safe!

Hi Christine,

Please extend the below comments for the Minor Variance, PLMV202600150, and Consent Application, PLCON202600146, to the Committee of Adjustment for the July 22, 2026 hearing.

754 and 760 Cope Road:

- Based on the current NPCA mapping, the subject property, 754 Cope Road (or Part 2) contains and Non-Provincially Significant Wetland (non-PSW), McKenney Road Wetland Complex, and the associated 30-meter wetland buffer area within the northeast corner.
- Please see the attached map for the applicants and COAs reference.
- The identified Parts 1 and 3 do not contain and are not impacted by NPCA regulated features.
- Therefore, the NPCA can offer no objection to the Minor Variance and Consent Application.
- Should any future proposed works occur within the identified NPCA regulated area (north of Part 2), the NPCA would require prior review and approval and Permits to be issued prior to the start of works. The subject lands, Part 1 and 3, will not require any prior NPCA approval or Permits should works be proposed.

Thank you,



Paige Pearson (She/Her)
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6

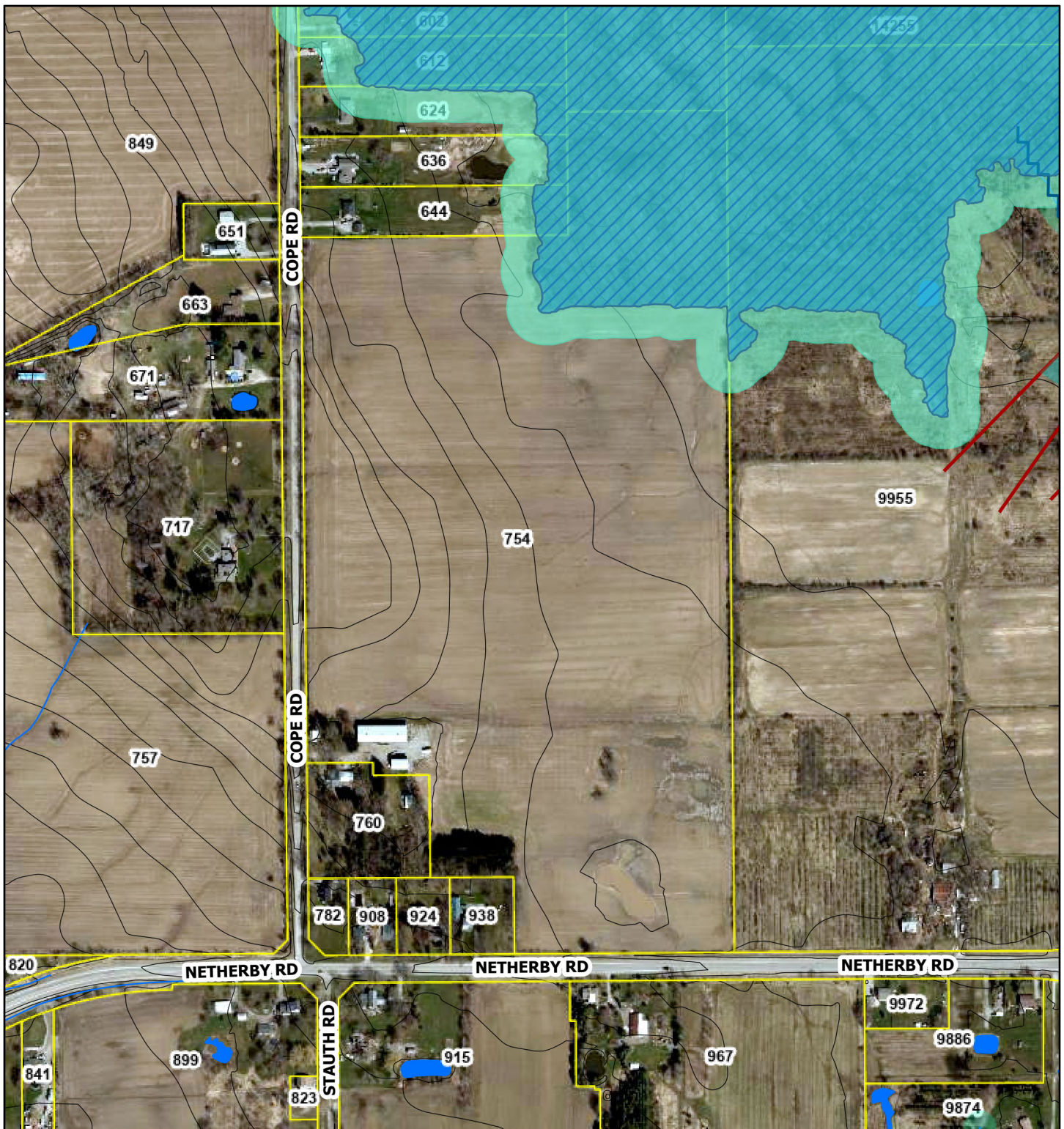
(O) 905.788.3135 Ext 205
www.npca.ca
ppearson@npca.ca

Stay informed on the proposed changes to Ontario's Conservation Authorities and what this means for NPCA and the communities we serve. Visit [Get Involved NPCA](#) for the latest updates. ***There are no changes to service delivery at this time — we remain your conservation authority.***

For more information on Permits and Planning please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

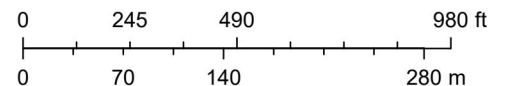
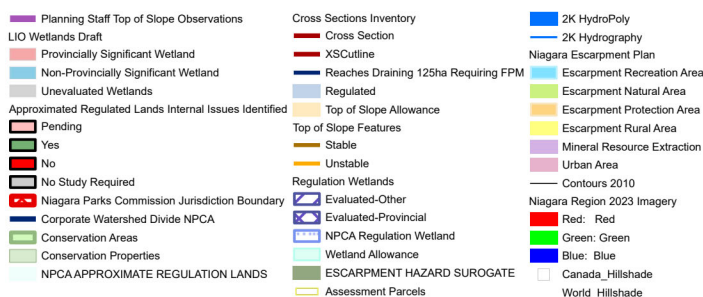
For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

754 and 760 Cope Road, Welland - NPCA Map



7/7/2026, 9:18:50 AM

1:7,201



<https://www.ontario.ca/page/open-government-licence-ontario>, <https://camaps.maps.arcgis.com/sharing/rest/content/items/cd29aca041b24c9a8b922213bd8616cb/data>, NPCA, <https://camaps.maps.arcgis.com/sharing/rest/content/items/13ee140c38e74fd5a3fc78debc33f11b/data>, Sources: NRCan, Esri Canada,

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Chris Mork
Engineering Technologist – Development

CC: Samantha McCauley
Manager of Development Engineering

DATE: July 10, 2026

SUBJECT: File PLCON202600146
754 Cope Road

Engineering has completed a review of the consent application PLCON202600146 for consent to partial discharge of mortgage or charge and to convey approximately 1,916 square metres of land containing a wood framed building, shown as Part 1 on the sketch attached to the application, which is to merge with the abutting lands to the south (Part 3) for continued residential use associated with the dwelling and wood clad garage at 760 Cope Road.

Part 2, being approximately 26.6 hectares of land, is to be retained for continued agricultural use of the existing dwelling and metal clad building known municipally as 754 Cope Road.

The effect of this lot addition consent application is to adjust a lot boundary between two properties by severing Part 1 from 754 Cope Road and adding it to 760 Cope Road (Part 3). No new lot is being created.

The subject land is also subject to concurrent Minor Variance Files Nos. PLMV202600150 and PLMV202600147.

Engineering has the following conditions:

1. That a plan showing the extents of the existing services, should they exist, relative to the proposed lot line be provided to the Manager of Development Engineering for approval. The plan must show that the services do not cross the proposed lot line and must be prepared by an OLS or Professional Engineer registered to practice in Ontario. The Applicant is responsible for the removal and/or relocation of the services if they are in breach of this requirement.

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Chris Mork
Engineering Technologist – Development

CC: Samantha McCauley
Manager of Development Engineering

DATE: July 10, 2026

SUBJECT: File PLMV202600150
754 Cope Road

Engineering has completed a review of the minor variance application PLMV202600150 for relief from City of Welland Zoning By-Law 2017-117 with respect to the following:

Table 13.3.1 - A1 Zone - Agriculture/Agriculture Related Uses - Column 2 - To permit a minimum lot area of 26.6 hectares instead of the required 40 hectares for a proposed retained lot (Part 2 on sketch).

Table 13.3.1 - A1 Zone - Agriculture/Agriculture Related Uses - Column 5 - To permit a minimum interior south side yard setback of 10.5 metres instead of the required 15 metres for the existing Metal Clad Building on a proposed retained lot (Part 2 on sketch).

The subject land is also subject to concurrent Consent File No. PLCON202600146.

EXPLANATORY NOTE: Relief is requested to permit an undersized retained lot with reduced lot area, and to permit a reduced side yard setback for the existing Metal Clad Building on the proposed retained lot.

Engineering has no comments.

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Chris Mork
Engineering Technologist – Development

CC: Samantha McCauley
Manager of Development Engineering

DATE: July 10, 2026

SUBJECT: File PLMV202600147
760 Cope Road

Engineering has completed a review of the minor variance application PLMV202600147 for relief from City of Welland Zoning By-Law 2017-117 with respect to the following:

Section 6.9.1 b) - To permit a maximum driveway width of 10.2 metres instead of the maximum 6 metres for a proposed enlarged lot (Parts 1 and 3 on sketch).

The subject land is also subject to concurrent Consent File No. PLCON202600146.

EXPLANATORY NOTE: Relief is requested to permit an increase in the maximum driveway width for the existing single detached dwelling on a proposed lot yet to be enlarged via a concurrent lot addition consent application.

Engineering has no comments.

Christine Rossetto

From: Rick Rempel <rickrempe13@gmail.com>
Sent: July 13, 2026 9:30 AM
To: cofa
Subject: Minor Variance

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Good morning Christine: Re: file # PLCON202600146, PLMV202600150 and PLMV202600147 as I southern adjoining neighbour I Have no objection to the first two applications but have some concerns regarding the third; is the increased driveway width to be applied to the existing driveway or is this for a new driveway that has yet to be built? I'm also concerned as to the need for such an increase; this is an ongoing agricultural operation and large machinery apparently navigates the current driveway, is there a future use of the property planned that we are unaware of? Thank you for your time and consideration,
Rick Rempel

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Christine Rossetto

From: Matthew Balenovich
Sent: July 16, 2026 3:59 PM
To: Christine Rossetto
Subject: RE: Consent & Minor Variance Notices - due July 16
Attachments: MEMORANDUM 754 Cope Rd.docx

Hi Christine,

Please see below and attached:

PLCON202600146: See attached for conditions.
PLMV202600147: No comment or condition.
PLMV202600150: No comment or condition.

Let me know if you have any questions.

Thank you,



CITY OF
Welland

Matthew Balenovich

Plan Examiner

Building Division

60 East Main Street, Welland, Ontario L3B 3X4



Phone: 905-735-1700 x2317



welland.ca



engagewelland.ca



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From: Christine Rossetto <christine.rossetto@welland.ca>

Sent: June 25, 2026 11:34 AM

To: Ali Khan <ali.khan@welland.ca>; Dave Steven <dave.steven@welland.ca>; James Cronshaw <james.cronshaw@welland.ca>; Kelly Walsh <kelly.walsh@welland.ca>; Matt Richardson <matt.richardson@welland.ca>; Ray Chamberlain <ray.chamberlain@welland.ca>; Sam Valeo <sam.valeo@welland.ca>; Samantha McCauley <samantha.mccauley@welland.ca>; Taylor Meadows <taylor.meadows@welland.ca>

Cc: Chris Mork <chris.mork@welland.ca>; Mark Slade <mark.slade@welland.ca>; Mateo Mussari

MEMORANDUM

Planning and Development Services Building Division

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

FROM: Matthew Balenovich (Plans Examiner)

DATE: July 22, 2026

SUBJECT: File No. PLCON202600146
754 Cope Road

Based on the information provided please see the comments below from the building division.

1. Treatment unit and distribution piping for the septic system must meet minimum clearances to property lines (see 8.2.1.6 of the OBC). **A condition must be created to require the applicant to provide a revised site plan showing the location of the septic tank and distribution piping of the septic bed. The site plan must include the setbacks of the tank and distribution piping to the proposed property lines in order to show compliance with 8.2.1.6. If compliance is not shown, a building permit and all required inspections to the satisfaction of the Chief Building Official will be required to comply with the OBC.**
2. Major Occupancy and spatial separation requirements. **A condition must be created to require the applicant to specify the specific use of the buildings identified as “wood framed building” and “metal clad building” to identify their major occupancy classification. Please also provide elevation drawings of the elevations adjacent to the proposed property lines. The elevation drawings must show the area of exposing building face and aggregate area of all unprotected openings.**

MEMORANDUM

Planning and Development Services Planning Division

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

AUTHOR: Paige Fournier 
Planning Technician II

**APPROVING
SUPERVISOR:** Taylor Meadows, CPT, BURPI, RPP, MCIP
Manager of Development Planning 

DATE: July 14th, 2025

SUBJECT: Consent Application No. PLCON202600146
Minor Variance Application No. PLMV202600150
Harry Kiers & Michael Harold Jeffrey Kiers
754 Cope Road
Pt. Gore Lot 10 Pt. Lot 10 Con 7 Crowland
Welland, Ontario

Minor Variance Application No. PLMV202600147
Diane Kiers
760 Cope Road
Pt. Gore Lot 10 Con 7 Crowland RP 59R2842 Part 1
Welland, Ontario

Planning staff has reviewed the above noted Consent and Minor Variance applications and offer the following comments for the Committee of Adjustment hearing on Wednesday July 22nd, 2026.

PURPOSE

CONSENT FILE PLCON202600146

Application is made for consent to partial discharge of mortgage or charge and to convey approximately 1,916 square metres of land containing a wood framed building, shown as Part 1 on the sketch attached to the application, which is to merge with the abutting lands to the south (Part 3) for continued residential use associated with the dwelling and wood clad garage at 760 Cope Road. Part 2, being approximately 26.6 hectares of land, is to be retained for continued agricultural use of the existing dwelling and metal clad building known municipally as 754 Cope Road.

The subject land is also subject to a concurrent Minor Variance File Nos. PLMV202600150 and PLMV2026000147.

MINOR VARIANCE FILE PLMV202600150

The Applicant is requesting relief from the provisions of the Zoning By-law 2017-117, as amended, under Section 45 of the Planning Act, with respect to the following:

Table 13.3.1 - A1 Zone - Agriculture/Agriculture Related Uses - Column 2 - To permit a minimum lot area of 26.6 hectares instead of the required 40 hectares for a proposed retained lot (Part 2 on sketch).

Table 13.3.1 - A1 Zone - Agriculture/Agriculture Related Uses - Column 5 - To permit a minimum interior (southern) side yard setback of 10.5 metres instead of the required 15 metres for the existing Metal Clad Building on a proposed retained lot (Part 2 on sketch).

The subject land is also subject to concurrent Consent File No. PLCON202600146

MINOR VARIANCE FILE PLMV202600147

The Applicant is requesting relief from the provisions of the Zoning By-law 2017-117, as amended, under Section 45 of the Planning Act, with respect to the following:

Section 6.9.1 b) - To permit a maximum driveway width of 10.2 metres instead of the maximum 6 metres for a proposed enlarged lot (Parts 1 and 3 on sketch).

The subject land is also subject to concurrent Consent File No. PLCON202600146

PLANNING DIVISION COMMENTS

The Applicant is proposing to adjust the lot boundary between two (2) properties by severing Part 1 from Part 2 (on 754 Cope Road) and adding it to Part 3 (on 760 Cope Road), to be merged into the same ownership. No new lot creation and no additional development is anticipated as the result of the proposed applications. The intention of the application is to provide access to the single-detached dwelling at 760 Cope Road, which currently has no driveway and is being accessed by 754 Cope Road. The requested minor variances are to address deficiencies in lot area and driveway width that will be affected by the proposed location for the new lot line.

The subject lands are designated Agricultural and Core Natural Heritage in City's Official Plan and zoned Agricultural – A1 with Environmental Conservation – EC Overlay in Zoning By-law 2017-117, as amended. The Core Natural Heritage designation and the Environmental Conservation – EC Overlay are located only on the northeast corner of 754 Cope Road.

The subject lands are located to the northeast of the intersection of Cope Road and Netherby Road. The east lot line of 754 Cope Road is the municipal boundary between the City of

Welland and the City of Niagara Falls. To the south of Netherby Road is the municipal boundary between the City of Welland and the City of Port Colborne. 754 Cope Road currently contains a single-detached dwelling, an agricultural building, and a detached garage/storage building. The single-detached dwelling and agricultural building on Part 2 are intended to remain on 754 Cope Road for continued use, while the detached garage/storage building on Part 1 will be added to 760 Cope Road. The surrounding land consists of agricultural uses, woodlands, and single-detached dwellings.

CONSENT ANALYSIS

Policy Review

Provincial Planning Statement (PPS), 2024

The PPS provides overarching policies for land use planning across Ontario, and planning decisions shall be consistent with the policies contained therein. The subject properties are designated as being within prime agricultural area. Such lands shall be protected for agricultural uses by minimizing fragmentation and limiting lot creation, except for in specific circumstances (Policy 4.3).

The proposal is for a lot adjustment for legal or technical reasons which does not result in the creation of a new lot, as permitted under Policy 4.3.3.2. No new uses, development, or lots are proposed in association with this application for consent.

Based on the review of the policies, Staff are satisfied that the proposed lot severance is consistent with the Provincial Planning Statement.

Niagara Official Plan

The Niagara Official Plan guides long-term growth and land use across the region, aligning development with environmental, economic, and community goals. It protects prime agricultural lands by restricting urban sprawl, directing growth to existing settlement areas, and preserving farmland for long-term agricultural use.

The property is designated within the prime agricultural area, which has limits on lot creation except for specific circumstances. Consent for lot adjustment for legal or technical reasons is a permitted criteria under Policy 4.1.6.1(d). Therefore, the application is consistent with the intent and objectives of the Niagara Official Plan.

Staff are satisfied that the proposed consent is consistent with the direction set out in the NOP.

City of Welland Official Plan

The City of Welland Official Plan designates the property Agricultural and Core Natural Heritage. Section 5 of the Official Plan addresses Agricultural and Rural Area Land Use Policies, outlining land use designations and planning objectives for lands outside the Urban

Boundary to support the character and vitality of the rural community. It also includes policies to manage growth and protect prime agricultural lands from urbanization.

While the City of Welland Official Plan generally prohibits the creation of new lots within agricultural areas, it does allow severances and lot additions for legal or technical reasons. As the proposal involves only a modification to existing lot boundaries and does not create a new lot, it is consistent with and supported by Section 5.1.3.1.A (ii) of the Official Plan, which permits minor boundary adjustments which do not result in the creation of a new lot.

In addition to the above policies, Section 7.9.2 of the City's Official Plan contains policies related to the evaluation of consents. Applications are evaluated on the following minimum criteria:

i. Consistency with the Policies of this Official Plan;	The proposed consent application is consistent with the City's Official Plan. The use of the properties are permitted in Section 5, and the proposed consent is permitted in Section 5.1.3.1.A
ii. Consistency with a Secondary Plan (where appropriate), or guidelines, as well as compliance with the Zoning By-law;	The property does not fall within a Secondary Plan area. The width of the existing driveway and the area of Part 2 do not comply with Zoning By-law 2017-117 and would require a variances, which are being applied for concurrently.
iii. A Plan of Subdivision is not required;	A plan of subdivision is required for the creation of three (3) or more new lots as per Section 7.9.1 of the Official Plan. No new lots are being created. Therefore, a plan of subdivision is not required for the proposed lot severance.
iv. The size and shape of the lots;	The lots appear to be similar in nature and compatible with the lot fabric in the adjacent area.
v. The road access of the lots;	Both lots have frontage on a municipally maintained roadway, being Cope Road, year round.
vi. The impact of the consent on the ability of adjacent lots to be developed;	The adjacent lots are agricultural and are therefore not intended to be developed. Nevertheless, consent is not expected to affect the development of any adjacent lots.

vii. The impact of the consent on the natural environment; and,	Environmental features that are present on the subject lands will not be affected by the lot line adjustment.
viii. Adequacy of municipal services and utilities.	The property is not intended to be developed further, and the existing private services are adequate.

Based on the above policies related to the evaluation of consent lots, the severances of the lands will meet the minimum criteria for such applications.

MINOR VARIANCE ANALYSIS

The property is zoned Agricultural (A1) under the City of Welland Zoning By-law 2017-117, as amended. This zoning permits agricultural and related uses, as well as single-detached dwellings. The northeast end of the property contains an Environmental Conservation (EC) overlay. The proposal generally complies with the applicable zoning provisions with the exception of a deficient lot area and a deficiency in the required 15m setback for the agricultural (metal clad) building on Part 2 as shown on the attached sketch. The application also seeks to increase the maximum driveway width permitted for the enlarged lot, shown as Part 3 and Part 1 on the attached sketch.

The proposal seeks to provide a lot area of 26.6 hectares; whereas, 40 hectares is required. City staff consider this variance (PLMV202600150) to be supportable as Part 2 is already deficient in lot area as it exists, at approximately 26.8 Hectares. The proposed reduction is minor and will not substantially impact the existing agricultural operation, as Part 1 (so be severed) mainly consists of hardscaped area and a wood framed building.

The proposal also seeks to permit an interior side yard setback of 10.5 metres for an existing structure; whereas, a minimum of 15 metres is required for an agricultural-related use. City staff consider this variance (PLMV202600150) to be supportable as the metal-clad building already exists (as shown on the attached sketch), and the location of the new property line is not anticipated to hinder the use of either property. The metal clad building is accessible from Part 2.

The proposal also seeks to permit a maximum driveway width of 10.2 metres; whereas, a maximum of 6 metres is required in association with a single-detached dwelling. The boundary adjustment will result in the driveway access on Part 1 being taken from 754 Cope Road and added to 760 Cope Road. City staff consider this variance (PLMV202600147) to be supportable and minor considering that the request is not to widen the driveway, rather it is to maintain the existing driveway.

RECOMMENDATION

CONSENT FILE PLCON202600146

The Planning Division recommends **approval** of Consent Application PLCON202600146 with the following conditions:

1. Pursuant to Section 50(12) of The Planning Act, R.S.O. 1990, as amended, it is hereby stipulated that Section 50(3) or (5), as the case may be, shall apply to any subsequent Conveyance of, or other transaction involving the identical subject parcel of land. Therefore, once the subject parcel of land (Part 1) has been Conveyed to the Owner of the parcel abutting to the south (Part 3), the subject parcel and the said abutting parcel shall merge in Title and become one parcel of land.
2. That any portion of the driveway that intersects the proposed new lot line shall be removed and set back a minimum of 0.6 metres from the side of the lot line.
3. That the Owner obtain approval for all necessary Minor Variances.
4. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy and a digital copy of the Deposited Reference Plan, if applicable, for use in the issuance of the Certificate of Consent.
5. Confirmation of payment of outstanding taxes to the satisfaction of the City of Welland Finance Division.
6. That all Conditions of Consent be fulfilled within two years of giving Notice of Decision.

MINOR VARIANCE FILE PLMV202600150

The Planning Division recommends **approval** of Minor Variance Application PLMV202600150. The application satisfies the four tests a minor variance must meet for the following reasons:

1. **The application is minor in nature** as the requested variance is still considered to be sufficient for the functionality of the property.
2. **The application is desirable for the appropriate development of the land** as the proposed adjustment aligns with the existing neighbourhood and maintains existing agricultural uses.

3. **The application maintains the intent and purpose of the Zoning By-law** as the proposal is anticipated to satisfy all other requirements of the By-Law and is expected to support permitted uses as outlined in the By-law.
4. **The application maintains the intent and purpose of the Official Plan** as the proposed lot addition is consistent with the Official Plan's policies for the protection of agricultural areas.

MINOR VARIANCE FILE PLMV202600147

The Planning Division recommends **approval** of Minor Variance Application PLMV202600147. The application satisfies the four tests a minor variance must meet for the following reasons:

1. **The application is minor in nature** as the requested variance is still considered to be sufficient for the functionality of the property.
2. **The application is desirable for the appropriate development of the land** as the proposed boundary adjustment will provide access to an existing single-detached dwelling that currently has no access.
3. **The application maintains the intent and purpose of the Zoning By-law** as the proposal is anticipated to satisfy all other requirements of the By-Law and is expected to support permitted uses as outlined in the By-law.
4. **The application maintains the intent and purpose of the Official Plan** as the proposed lot addition is consistent with the Official Plan's policies for the protection of agricultural areas.

Please provide this Division with a copy of the decisions and the minutes of the meeting.

PF:pf