



**COMMITTEE OF ADJUSTMENT HEARING
AGENDA**

**Wednesday, May 28, 2025
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 April 30, 2025
6. **REQUESTS FOR DEFERRALS / WITHDRAWALS OF APPLICATIONS**
File No. A04-2025 – 414 River Road – Withdrawal Request from Authorized Agent
7. **FILE NO. A06-2025** MUTUAL INCOME ESTATES INC. – Deferred at April 30, 2025 Hearing
30 Rice Road
8. **FILE NOS. A08-2025, A09-2025, A10-2025 and A11-2025** 1848052 ONTARIO INC. and KACHALKINA – Deferred at April 30, 2025 Hearing
66, 68, 70 and 72 First Street
9. **FILE NO. A12-2025** 261 POWER SELF STORAGE LIMITED
261 Power Drive
10. **FILE NOS. B001-2025WELL and A13-2025** BOLDUC
8 North Crescent Drive
11. **FILE NO. A14-2025** RANSKY



**COMMITTEE OF ADJUSTMENT HEARING
AGENDA**

**Wednesday, May 28, 2025
5:00 P.M.**

COUNCIL CHAMBERS, CIVIC SQUARE

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

135 Dunkirk Road

12. **FILE NO. A15-2025** HENLEY HEIGHTS CONSTRUCTION INC.

9 Gadsby Avenue

13. **NEXT HEARING DATE**

June 26, 2025

14. **OTHER ITEMS**

OACA Conference 2025 Summary

15. **ADJOURNMENT**



**COMMITTEE OF ADJUSTMENT
MINUTES OF PUBLIC HEARING - IN-PERSON**

April 30, 2025, 5:00 PM

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

Staff Present: Christine Rossetto, Secretary-Treasurer

Others Present: A05-2025 – P. Mammoliti
A06-2025 – V. Galperin
A07-2025 – N. Albano, C. Venditti
A08-2025, A09-2025, A10-2025, A11-2025 – G. Bentolila

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** – Nil.
4. **CONFLICTS OF INTEREST** – Nil.
5. **ADOPTION OF MINUTES** – Moved by Ursacki that the Minutes of the Hearing held April 2, 2025 be adopted as circulated.

CARRIED

6. REQUESTS FOR DEFERRALS OR WITHDRAWALS OF APPLICATIONS –

File No. A06-2025 – Deferral request from Planning Division.

The Chair read aloud the deferral request from the Planning Division. Vincent Galperin, agent, said he was aware and agreed with the deferral.

All members were in favour that the file be deferred for 1 month to the May 28, 2025 Hearing.

CARRIED

File Nos. A08-2025, A09-2025, A10-2025 and A11-2025 – Deferral request from Planning Division.

The Chair read aloud the deferral request from the Planning Division. Gad Bentolila, agent, said he was aware and agreed with the deferral.

All members were in favour that the files be deferred for 1 month to the May 28, 2025 Hearing.

CARRIED

7. MINOR VARIANCE FILE NO. A05-2025

Owner: Estate of Crystal Mammoliti

Location: 98 Montgomery Road

New Correspondence and Discussion

- Mississaugas of the Credit First Nation – April 10, 2025
- F. and R. Janes email – April 17, 2025
- Engineering Division memo – April 17, 2025
- K. Backler and A. Backler letter – April 20, 2025
- N. McLeod letter – April 23, 2025
- Planning Division memo – April 17, 2025

Pasquale Mammoliti, executor/trustee, said proposed 2 storey garage with a 2-bedroom apartment and bottom of the garage is for his own use.

The Chair said there is a sea container on the property, which was not shown on the sketch, and questioned if the sketch should be updated and if the container should be removed. Pasquale Mammoliti said the container had been there for a year and asked if it can remain until construction of the garage is completed. The Secretary-Treasurer said that the sea container is not permitted per the Zoning By-law and City By-law Enforcement staff act on a complaint basis.

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

Decision A05-2025 – **APPROVES** 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. The application is compliant with the general intent and purpose of the Official Plan the proposed uses of the building (garage and accessory dwelling unit) are consistent with the Official Plan designation.
2. The application is compliant with the general intent and purpose of the Zoning By-law as all other provisions of Zoning By-law 2017-117, as amended, are expected to be satisfied.
3. The application is desirable for the appropriate development of the site as the requested variances will permit more efficient use of the land to provide more housing opportunities.
4. The application is minor in nature as the requested variance will not negatively impact neighboring properties, the public, and is keeping with the intent of the zone.

Condition

1. That the existing sea container be removed from the property after construction of the detached garage.

Decision Signed Electronically:

“Diane Zakraysek-Bourque”
“Mamdouh Abdelmaksoud”
“Kristen McNutt”
“Wayne Ursacki”

CARRIED

8. MINOR VARIANCE FILE NO. A07-2025

Owner: Nick Albano
Location: 43 Hellems Avenue

Correspondence and Discussion

- Engineering Division memo – April 17, 2025
- Planning Division memo – April 30, 2025
- Building Division email – April 28, 2025

Chris Venditti, agent, said 4 apartments proposed, difficult to get good commercial tenants in the downtown and easier to convert to residential.

The Chair asked how long the property has been without commercial tenants and Nick Albano, owner, said it has been vacant for 10 years.

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

Decision A07-2025 – **APPROVES** 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. The application is compliant with the general intent and purpose of the Official Plan as the proposed conversion welcomes intensification to the Downtown providing variation of dwelling unit sizes that is easily accessible by public transit.
2. The application is compliant with the general intent and purpose of the Zoning By-law as the proposed use is permitted in the DMC Zone and the provisions of Zoning By-law 2017-117, as amended are generally expected to be satisfied.
3. The application is desirable for the appropriate development of the site as the requested variances will permit more efficient use of the land to provide more housing opportunities.
4. The application is minor in nature as the requested variances will not negatively impact neighboring properties, the public, and is keeping with the intent of the zone.

Decision Signed Electronically:

“Diane Zakraysek-Bourque”
“Mamdouh Abdelmaksoud”
“Kristen McNutt”
“Wayne Ursacki”

CARRIED

9. NEXT HEARING DATE – May 28, 2025

10. OTHER ITEMS –

OACA Conference – the Secretary-Treasurer said that she and the Committee Chair will attend.

11. ADJOURNMENT – Hearing closed at 5:53 pm.

Item 6 on Agenda

FILE NO. A04-2025

Owner: Southridge Community Church

Location: 414 River Road



May 2nd, 2025

Christine Rossetto

Planning Assistant

Planning Division

60 East Main Street, Welland

Ontario L3B 3X4

Re: Minor Variance Application. File No. A04-2025 – 414 River Road

Dear Christine,

I would like to formally withdraw the minor variance application number A04-2025 at 414 River Road, Welland.

Sincerely,

A handwritten signature in black ink that reads "Kyle Rutter". The signature is written in a cursive style with a large, sweeping "K" and a long, horizontal flourish at the end.

AXE Living

Kyle Rutter, C.Tech., rcji

kyle@axeliving.com

M. (905) 736-4949



Item 7 on Agenda

FILE NO. A06-2025

Owner: Mutual Income Estates Inc.

Location: 30 Rice Road

Comments Received: Mississaugas of the Credit First Nation

Engineering Division

Planning Division



April 10, 2025

Project Name: 30 Rice Road, Welland
DOCA Project Number: 2023-1263
Proponent: Mutual Income Estates Inc.
Project Location: 30 Rice Road, Welland

Dear Christine Rossetto,

This letter is to confirm receipt of the project-related correspondence sent by the City of Welland, on April 9, 2025, regarding 30 Rice Road, Welland.

The Mississaugas of the Credit First Nation (MCFN) are the Treaty Holders of the land on which the project will take place – specifically, the Between the Lakes Treaty No. 3, of 1792. The MCFN holds Indigenous and Treaty Rights specific to the project location and its environs, which may be adversely impacted by it. The Department of Consultation and Accommodation (DOCA) is designated by the MCFN to handle consultation matters on its behalf.

The DOCA consultation team has filed the project-related correspondence identified above. Upon our review, we have determined that **the project should be proceeded by, at minimum, a Stage 1 archaeological assessment** to determine the location's archaeological potential. DOCA must be notified of, invited to participate in, and provided the opportunity to review this archaeological assessment, as well as any environmental assessments. At its discretion, DOCA may request capacity funding from the proponent for its consultation and engagement activities relating to the project.

DOCA expects to be notified of any and all future project updates and/or changes.

If you have any questions for the DOCA consultation team, please feel free to contact us.

Thank you,

Abby (LaForme) Lee
Consultation Coordinator
Department of Consultation and Accommodation
Phone: 905-768-4260
Email: abby.laforme@mncfn.ca



Mississaugas of the Credit First Nation
2789 Mississauga Road, Hagersville, Ontario N0A 1H0



Phone: (905) 768-1133
Fax: (905) 768-1225



CC

Megan DeVries, Manager of Consultations, megan.devries@mncfn.ca



Mississaugas of the Credit First Nation
2789 Mississauga Road, Hagersville, Ontario N0A 1H0



Phone: (905) 768-1133
Fax: (905) 768-1225



MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Mateo Mussari
Engineering Technician – Development

CC: Kelly Walsh
Manager of Development Engineering

DATE: May 20, 2025

SUBJECT: File A06-2025 – Revised Notice
30 Rice Road

Engineering has completed a review of the minor variance application A06-2025 – Revised Notice for relief from City of Welland Zoning By-Law 2017-117 with respect to the following:

Section 5.39 – Snow Storage Areas – To eliminate the required snow storage area of 2 percent of parking areas, loading spaces, private streets and driveways for the proposed commercial use on the proposed lot.

Table 6.4.2 – Required Commercial Parking Spaces – To permit a reduction in the number of required parking spaces from 38 (1 space per 30 square metres of gross floor area) to 32 spaces (1 space per 35 square metres of gross floor area) for the proposed commercial buildings on the proposed lot.

Section 6.6 a) – Loading Spaces – To permit 0 off-street loading spaces instead of the 1 required loading space for Building C on the site plan.

Section 6.6 b) – Loading Spaces – To allow the loading space provided for Building D on the site plan to not abut the building whereas such loading space shall abut the building.



Infrastructure Services

Office of the City Engineer

Phone: 905-735-1700 | Fax: 905-735-7184

Email: eng@welland.ca | www.welland.ca

Section 6.17 a) – Table 6.17.1 – Landscape Buffer of a Parking Lot – Column 3 – Not Abutting a Street – To eliminate the required 1.5 metre landscape buffer between the parking lot and the south lot line.

Engineering has no comments.

MEMORANDUM

**Planning and Development Services
Planning Division**

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

AUTHOR: Sahar Alliyani SA
Planning Technician II

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

DATE: May 26th, 2025

SUBJECT: Minor Variance Application No. A06/2025
Mutual Income Estates Inc
30 Rice Road
Pt Blk A, Plan 640, Parts 1 to 4, Plan 59R-18250 (Part of PIN 64081-0056 LT)
Welland, Ontario

Planning Staff have reviewed Minor Variance Application No. A06/2025 and offer the following comments for your hearing on Wednesday, May 28th, 2025.

PURPOSE

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

- 1) Section 5.39 - Snow Storage Areas - To eliminate the required snow storage area of 2 percent of parking areas, loading spaces, private streets and driveways for the proposed Commercial use on the proposed lot.
- 2) Table 6.4.2 - Required Commercial Parking Spaces - To permit a reduction in the number of required parking spaces from 38 spaces (1 space per 30 square metres of gross floor area) to 32 spaces (1 space per 35 square metres of gross floor area) for the proposed commercial buildings on the proposed lot.
- 3) Section 6.6 a) - Loading Spaces - To permit 0 off-street loading spaces instead of the 1 required loading space for Building C on the site plan.
- 4) Section 6.6 c) - Loading Spaces - To allow the loading space provided for Building D on the site plan to not abut the building whereas such loading space shall abut the building.

- 5) Section 6.17 a) - Table 6.17.1 - Landscape Buffer of a Parking Lot - Column 3 - Not Abutting a Street – To eliminate the required 1.5 metre landscape buffer between the perimeter of the parking lot and the proposed south lot line

PLANNING DIVISION COMMENTS

The applicant intends to construct two commercial buildings on a proposed lot (referred to as Site A on the overall site plan). The subject lands cover approximately 13,988 m² and are currently under review through the site plan control process. This lot is related to a development that has been severed, though it remains under the same ownership. The development represents an expansion of the existing commercial area with the addition of two (2) proposed structures. Minor variances are being requested to accommodate relief for snow storage, a reduction in required parking spaces, the absence of a loading space for Building 'C' on the submitted sketch, and to allow the designated loading space for Building D to not be located directly adjacent to it. Additionally, to permit a zero-metre landscaping buffer along the south side of the parking area, whereas 1.5 metres is required.

SITE CONTEXT

The subject property, municipally known as 30 Rice Road is situated on the northeast side of the intersection of Rice Road and Thorold Road; however, the proposed lot fronts solely onto Rice Road. It is located within a predominantly commercial and institutional area, with some residential uses adjacent to the property. The site is currently occupied by a commercial plaza that includes a mix of restaurants, personal service establishments, and retail uses.

DESIGNATION AND ZONE

The City of Welland Official Plan designates the subject property as a Community Commercial Node and zoned Community Commercial Node – CC1 under Zoning By-law 2017-117, as amended, which permits a range of commercial uses, including drive-through establishments and restaurants. The existing uses and buildings are permitted under both the current land use designation and Zone.

The proposed commercial development will require minor variances to permit a reduction of snow storage area to 0%; whereas 2% is required, a reduced number of required parking stalls of 32; whereas, 38 is required, a reduction of a required loading space to 0; whereas, 1 is required adjacent to Building 'C' and for the proposed loading space to be located away from the proposed Building 'D'; whereas, loading spaces are to be located directly adjacent to principle structures.

ANALYSIS

Section 5.39 of Zoning By-law 2017-177 requires that two (2) percent of the total area of parking lots, loading spaces, private streets, and driveways be allocated for snow storage for Commercial, with four or more parking spaces. The applicant is seeking relief from this

requirement, as the proposal represents an extension of an existing commercial development. Snow storage is already provided elsewhere on the site and will serve the entire property. A blanket easement for this purpose will be secured through the site plan agreement process. City staff consider the request to be minor in nature, given these circumstances.

The proposed development requires 38 parking spaces, as outlined in Table 6.4.2 of the Zoning By-law 2017-117, as amended. The applicant is requesting a reduction of 6 stalls to provide a total of 32 spaces. City staff consider this request to be minor, as the overall site provides more than 180 parking spaces, well over twice the required amount for the entire development.

The applicant is seeking relief from the requirement in Section 6.6(a) to provide one off-street loading space for Building C, proposing instead to provide none. This request is considered minor, as loading activities can be scheduled outside of peak business hours, allowing available parking spaces to accommodate loading needs given the ample space on site.

It is also noted that a loading space is located adjacent to Building C, although it is situated outside the boundary of the proposed parcel. However, since the entire property is under the same ownership, a blanket easement is intended to be established through the site plan approval process to maintain access and functionality.

Relief is also being requested to permit the loading space for Building D to be located away from the building, whereas Section 6.6(c) of the Zoning By-law requires it to be directly abutting the building. The separation between the loading space and the building is considered minor and, if properly managed, is not expected to significantly impact the functionality of the site.

The final relief requested is to permit a zero-metre landscaping buffer along the south side of the parking area, whereas Table 6.17.1 of the Zoning By-law requires a minimum buffer of 1.5 metres. This variance is considered minor, as the removal of the buffer will not negatively impact site functionality. Instead, it will improve connectivity between the commercial sites, thereby enhancing public movement and overall accessibility.

Based on the above analysis, staff consider all the requested variances to be minor in nature and, as such, have no objections to their approval.

RECOMMENDATION

MINOR VARIANCE FILE A06-2025

The Planning Division recommends **approval** of Minor Variance Application A06/2025 for the following reasons:

1. **The application is consistent with the general intent and purpose of the Official Plan** as the proposed development is permitted and its use is supported within the plan

2. **The application is consistent with the general intent and purpose of the Zoning By-law** as the proposed development is permitted use and considered to meet all other zoning requirements.
3. **The application is desirable for the appropriate development of the site** as the application supports the appropriate development of the site, as it represents an expansion of the existing commercial use and is not anticipated to negatively impact the surrounding neighbourhood.
4. **The application is minor in nature** as the proposed development complies with all other provisions of the by-law and does not impact the overall functionality of the site. Furthermore, alternative solutions are available elsewhere on the property to support the proposed use.

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

SA;sa

Item 8 on Agenda

FILE NOS. A08-2025, A09-2025, A10-2025 and A11-2025

Owners: 1848052 Ontario Inc. and Evgenia Kachalkina

Location: 66, 68, 70 and 72 First Street

Comments Received: Building Division

Engineering Division

Planning Division

MEMORANDUM

Planning and Development Services Building Division

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

FROM: Matthew Balenovich (Plans Examiner)

DATE: April 30, 2025

SUBJECT: File Nos A08-2025, A09-2025, A10-2025, A11-2025”
“66, 68, 70, and 72 First Street”

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

1. Compliance with spatial separation requirements of the Ontario Building Code (see 9.10.15) to be demonstrated (preferably by a qualified designer knowledgeable in this area and calculations – OBC 9.10.15.) for the existing building. **A condition should be created to require the applicant to provide a drawing of the rear elevations, along with calculations of the amount of glazed openings, to determine compliance with 9.10.15.4 of the OBC for maximum allowed glazed openings. If the area of allowable openings is exceeded, a building permit under section 8 of the BCA, along with all required inspections completed to the satisfaction of the Chief Building Official, will be required.**

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Mateo Mussari
Engineering Technician – Development

CC: Kelly Walsh
Manager of Development Engineering

DATE: May 20, 2025

SUBJECT: File A08-2025 – Revised Notice
66 First Street

Engineering has completed a review of the minor variance application A08-2025- Revised Notice for relief from City of Welland Zoning By-Law 2017-117 with respect to the following:

Section 5.10.2 – To permit an existing unenclosed balcony to encroach a maximum of 1.3m within a proposed reduced rear yard instead of the maximum 1 metre for an existing townhouse dwelling unit on a proposed lot being Part 1, 59R17272 and as shown on the site plan.

INSH Zone and Table 7.3.1 – RL2 Zone – Street Townhouse with Garage Facing Front Lot Line – Column 7 – To permit a minimum rear yard of 3.6 metres instead of the minimum 6 metres for an existing townhouse dwelling unit on a proposed lot shown as Part 1 on attached sketch (being Part 1, Plan 59R17272).

Engineering has no comments.

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Mateo Mussari
Engineering Technician – Development

CC: Kelly Walsh
Manager of Development Engineering

DATE: May 20, 2025

SUBJECT: File A09-2025 – Revised Notice
68 First Street

Engineering has completed a review of the minor variance application A09-2025-Revised Notice for relief from City of Welland Zoning By-Law 2017-117 with respect to the following:

Section 5.10.2 – To permit an existing unenclosed balcony to encroach a maximum of 1.3 metres within a proposed reduced rear yard instead of the maximum 1 metre for an existing townhouse dwelling unit on a proposed lot being Part 4, 59R17272 and as shown on the site plan.

INSH Zone and Table 7.3.1 – RL2 Zone – Street Townhouse with Garage Facing Front Lot Line – Column 7 – To permit a minimum rear yard of 3.6 metres instead of the minimum 6 metres for an existing townhouse dwelling unit on a proposed lot shown as Part 3 on attached sketch (being Part 4, Plan 59R17272).

INSH Zone and Table 7.3.1 – RL2 Zone – Street Townhouse with Garage Facing Front Lot Line – Column 9 – To permit a maximum lot coverage of 64% instead of the maximum 50% for an

existing townhouse dwelling unit on a proposed lot shown as Part 3 on attached sketch (being Part 4, Plan 59R17272).

INSH Zone and Table 7.3.1 – RL2 Zone – Street Townhouse with Garage Facing Front Lot Line – Column 10 – To permit a minimum landscaped area of 18% instead of the minimum 20% for a proposed lot as shown as Part 3 on the sketch (being Part 4, Plan 59R17272).

Engineering has no comments.

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Mateo Mussari
Engineering Technician – Development

CC: Kelly Walsh
Manager of Development Engineering

DATE: May 20, 2025

SUBJECT: File A10-2025 - Revised Notice
70 First Street

Engineering has completed a review of the minor variance application A10-2025 – Revised Notice for relief from City of Welland Zoning By-Law 2017-117 with respect to the following:

Section 5.10.2 – To permit an existing unenclosed balcony to encroach a maximum of 1.3 metres within a proposed reduced rear yard instead of a maximum 1 metre for an existing townhouse dwelling unit on a proposed lot being Part 7, 59R17272 and as shown on the site plan.

INSH Zone and Table 7.3.1 – RL2 Zone – Street Townhouse with Garage Facing Front Lot Line – Column 7 – To permit a minimum rear yard of 3.6 metres instead of the minimum 6 metres for an existing townhouse dwelling unit on a proposed lot shown as Part 5 on attached sketch (being Part 7, Plan 59R17272).

INSH Zone and Table 7.3.1 – RL2 Zone – Street Townhouse with Garage Facing Front Lot Line – Column 9 – To permit a maximum lot coverage of 64% instead of the maximum 50% for an

existing townhouse dwelling unit on a proposed lot shown as Part 5 on attached sketch (being Part 7, Plan 59R17272).

INSH Zone and Table 7.3.1 – RL2 Zone – Street Townhouse with Garage Facing Front Lot Line – Column 10 – To permit a minimum landscaped area of 18% instead of the minimum 20% for a proposed lot shown as Part 5 on the sketch (being Part 7, Plan 59R17272).

Engineering has no comments.

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Mateo Mussari
Engineering Technician – Development

CC: Kelly Walsh
Manager of Development Engineering

DATE: May 20, 2025

SUBJECT: File A11-2025 – Revised Notice
72 First Street

Engineering has completed a review of the minor variance application A11-2025 – Revised Notice for relief from City of Welland Zoning By-Law 2017-117 with respect to the following:

Section 5.10.2 – To permit an existing unenclosed balcony to encroach a maximum of 1.3 metres within a proposed reduced rear yard instead of the maximum 1 metre for an existing townhouse dwelling unit on a proposed lot being Part 10, 59R17272 and as shown on the site plan.

INSH Zone and Table 7.3.1 – RL2 Zone – Street Townhouse with Garage Facing Front Lot Line – Column 7 – To permit a minimum rear yard of 3.6 metres instead of the minimum 6 metres for an existing townhouse dwelling unit on a proposed lot shown as Part 7 on attached sketch (being Part 10, Plan 59R17272).

Engineering has no comments.

MEMORANDUM

Planning and Development Services Planning Division

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

AUTHOR: Paige Fournier
Planning Technician II 

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

DATE: May 22nd, 2025

SUBJECT: Minor Variance Application No. A08-2025, A09-2025, A10-2025 &
A11-2025
66, 68, 70, & 72 First Street
PT BLK A, PL 574, BEING PARTS 3 AND 4 ON PLAN 59R-18153,
PARTS 2, 3, 5, 6, 8, 9, 11 AND 12 ON PLAN 59R-17272; S/T & T/W
RO 478060, R0478089 AND R0681536
Welland, Ontario

Planning Staff have reviewed Minor Variance Application No. A08-2025, A09-2025, A10-2025 & A11-2025 and offer the following comments for your hearing on Wednesday, May 28th, 2025.

PURPOSE

In reference to Application No. A08-2025, A09-2025, A10-2025 & A11-2025, the Applicant is requesting relief from the provisions of Zoning By-law 2017-117, as amended, under Section 45 of the Planning Act, with respect to the following:

- 1) Table 7.3.1 – Rear Yard Setback – To permit a minimum rear yard of 3.6 metres instead of the minimum 6 metres for an existing townhouse dwelling with garage facing front lot line (On Parts 1, 4, 7 & 10 of Plan 59R-17272).
- 2) Section 5.10.2 – Awnings and Balconies – To permit an unenclosed balcony to encroach in a reduced required rear yard a maximum of 1.3 metres instead of the maximum 1 metre (On Parts 1, 4, 7 & 10 of Plan 59R-17272).

In reference to Application No. A09-2025 & A10-2025, the Applicant is requesting relief from the provisions of Zoning By-law 2017-117, as amended, under Section 45 of the Planning Act, with respect to the following:

- 3) Section 7.3.1 – Lot Coverage – To permit a maximum lot coverage of 64% instead of the maximum 50% for an existing townhouse dwelling with garage facing front lot line. (On Parts 4 & 7 of Plan 59R-17272)

66, 68, 70, & 72 First Street

PT BLK A, PL 574, being parts 3 & 4 on Plan 59R-18153, parts 2, 3, 5, 6, 8, 9, 11 & 12 on Plan 59R-17272; S/T & T/W RO 478060, R0478089 and R0681536

- 4) Section 7.3.1 – Lot Coverage – To permit a minimum landscaped area of 18% instead of the minimum 20% for an existing townhouse dwelling with garage facing front lot line. (On Parts 4 & 7 of Plan 59R-17272).

PLANNING DIVISION COMMENTS

The Applicant is requesting relief from the provisions of Table 7.3.1 of Zoning By-law 2017-117, as amended to address reduced rear yard setbacks and an increased lot coverage. The proposed variances have been submitted in anticipation of an adjustment to the existing lot fabric. A decreased rear yard setback as a result of severing the rear portion of the lands municipally known as 66, 68, 70 and 72 First Street is to be satisfied by the submitted application for minor variance. In addition, the property referenced as Part 4 and 7 of Plan 59R-17272 is seeking to provide an increased lot coverage by achieving the submitted application for minor variance.

The lands are currently developed with townhouse dwellings. A future request to subdivide the lands is expected to be forthcoming should the submitted application(s) for minor variance be successful.

SITE CONTEXT

The subject properties are known municipally as 66, 68, 70, and 72 First Street, located on the north side of First Street, east of Plymouth Road and west of King Street. The immediate land uses are predominantly residential with a mix of single detached, semi-detached, and townhouse dwellings. The area is also well-serviced with a variety of commercial, institutional, and community uses. Transit options are located in close proximity with the properties and several amenities are within walking distance.

DESIGNATION AND ZONE

The subject property is within the Delineated Built-Up Area of the City of Welland as identified in the Niagara Official Plan (NOP). The parcel is designated Health and Wellness Cluster in the City's Official Plan (OP), which permits housing opportunities. The lands are zoned Health and Wellness – INSH in Zoning By-law 2017-117, as amended, which permits street townhouses. The proposal is consistent with the City's Official Plan and Zoning By-law 2017-117, as amended.

66, 68, 70, & 72 First Street

PT BLK A, PL 574, being parts 3 & 4 on Plan 59R-18153, parts 2, 3, 5, 6, 8, 9, 11 & 12 on Plan 59R-17272; S/T & T/W RO 478060, R0478089 and R0681536

ANALYSIS

The Applicant is requesting relief from Table 7.3.1 to permit a rear yard setback of 3.6 metres; whereas a minimum of 6 metres is permitted. The reduced setback across 66, 68, 70, and 72 First Street is requested in order to facilitate the future creation of a new lot from rear yards, of which the southern property line will be along the edge of an existing registered laneway. The applicant is requesting this variance to address the creation of a new lot that will preserve the laneway, as it benefits the adjacent properties. Across all four units, the applicant is also requesting relief from Section 5.10.2 to permit an unenclosed balcony to encroach into a required rear yard a maximum of 1.3 metres; whereas 1 metre is permitted.

A reduced rear yard and an increase in the encroachment permitted for the balconies are not expected to cause adverse impacts to the adjacent properties. The appropriate side and front yard setbacks are expected to be maintained on all other sides of townhouse and will therefore limit the impact on neighbouring properties.

For only the two centre townhouses (68 and 70 First Street), the applicant is also requesting relief from Section 7.3.1 to permit a maximum lot coverage of 64%; whereas a maximum of 50% is permitted. In addition, the applicant is also requesting relief from Section 7.3.1 to permit a minimum landscaped area of 18%; whereas a minimum 20% is permitted for the two central townhouse units.

The increased lot coverage and reduced landscaped area are requested to facilitate the severance of the rear yards in such a way that it will be functional for the proposed development while maintaining the existing townhouse. It is noted that overall regulations for buildings in the INSH zone permit a minimum of 15% landscaped area are not subject to a maximum lot coverage (Table 11.3.1). Thus, the requested variances meet the expectations for the form and function of the INSH zone.

Upon review of the submitted variances, it appears that the proposal will be compatible with the surrounding neighbourhood. The existing dwellings are sufficiently set back on all other sides that the reduction in rear yard and balcony encroachment is unlikely to significantly impact neighbouring properties. Furthermore, the proposed increased lot coverage and reduced landscaped area do exceed the general regulations for the INSH Zone. Based on the above analysis, Staff would consider the application as meeting the four tests of a minor variance as set out in the Planning Act and have no objection to the submitted variances.

66, 68, 70, & 72 First Street

PT BLK A, PL 574, being parts 3 & 4 on Plan 59R-18153, parts 2, 3, 5, 6, 8, 9, 11 & 12 on Plan 59R-17272; S/T & T/W RO 478060, R0478089 and R0681536

RECOMMENDATION

MINOR VARIANCE FILES A08-2025, A09-2025, A10-2025 & A11-2025

The Planning Division recommends approval of Minor Variance Applications A08-2025, A09-2025, A10-2025 & A11-2025 for the following reasons:

1. **The application is compliant with the general intent and purpose of the Official Plan** as residential use is consistent with the Official Plan designation.
2. **The application is compliant with the general intent and purpose of the Zoning By-law** as all other provisions of Zoning By-law 2017-117, as amended, are expected to be satisfied.
3. **The application is desirable for the appropriate development of the site** as the requested variances will permit more efficient use of the land to provide more housing opportunities.
4. **The application is minor in nature** as the requested variance will not negatively impact neighboring properties, the public, and is keeping with the intent of the zone.

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

PF:pf

Item 9 on Agenda

FILE NO. A12-2025

Owner: 261 Power Self Storage Limited

Location: 261 Power Drive

Comments Received: Engineering Division

Building Division

Planning Division

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Mateo Mussari
Engineering Technician – Development

CC: Kelly Walsh
Manager of Development Engineering

DATE: May 20, 2025

SUBJECT: File A12-2025
261 Power Drive

Engineering has completed a review of the minor variance application A12-2025 for relief from City of Welland Sign By-Law 2015-21 with respect to the following:

Section 7.3.2 – To permit a maximum ground sign height of 9.76 metres instead of the maximum 7.5 metres.

Section 7.3.3 – To permit a maximum ground sign area of 12.33 square metres instead of the maximum 10 square metres.

Engineering has no comments.

Christine Rossetto

From: Matthew Balenovich
Sent: May 26, 2025 11:31 AM
To: Christine Rossetto
Subject: RE: Consent & Minor Variance Notices - Due May 22
Attachments:

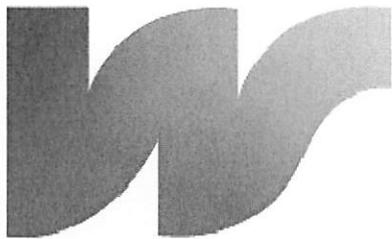
Hi Christine,

Please see below and attached:

A12-2025 (261 Power Dr): No condition recommendations. However, a sign permit will be required from the Building Division.

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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MEMORANDUM

Planning and Development Services Planning Division

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

AUTHOR: Tyler Galloway 
Planning Technician II

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

DATE: May 28th, 2025

SUBJECT: Minor Variance Application No. A12/2025
Jason Noseworthy
261 Power Drive
Lot 12, Plan 59M-391
Welland, Ontario

Planning Staff have reviewed Minor Variance Application No. A12/2025 and offer the following comments for your hearing on Wednesday, May 28th, 2025.

PURPOSE

The Applicant is requesting relief from the provisions of the City of Welland Sign By-law 2005-21, as amended, under Section 45 of the Planning Act, with respect to the following:

- 1) Section 7.3.2 – To permit a maximum ground sign height of 9.76 metres instead of the maximum 7.5 metres for lots with more than 20 metres of frontage.
- 2) Section 7.3.3 – To permit a maximum ground sign area of 12.33 square metres instead of the maximum 10 square metres for lots with more than 60 metres of frontage.

PLANNING DIVISION COMMENTS

The Applicant is requesting relief to permit a proposed sign with a height of 9.76 metres and an area of 12.33 square metres. A minor variance is required to address the height and area of the proposed ground sign.

SITE CONTEXT

The subject property is known municipally as 261 Power Drive located west of Highway 406 and south of the Welland River.

The ground sign is proposed on the southeast corner of the property. The surrounding land uses are predominantly vacant industrial land, with open space to the east and an existing hotel to the south. The subject lands are being developed with several storage buildings which are currently under construction.

DESIGNATION AND ZONE

The parcel is designated Gateway Economic Centre in the City's Official Plan. The parcel is zoned GEC-13 – Gateway Economic Centre in Zoning By-law 2017-117, as amended. The proposed ground sign is permissible in the applicable designation and zone.

ANALYSIS

The Applicant is requesting relief from Section 7.3.2 and 7.3.3 of Sign By-law 2005-21 which outline that a ground sign shall not exceed 7.5 metres in height for lots with more than 20 metres of frontage, and shall not exceed 10 square metres in sign area for lots with more than 60 metres of frontage. The submitted minor variance is requesting to permit the proposed ground sign to exceed the permitted provisions to have a height of 9.76 metres and an area of 12.33 square metres in order to provide adequate visibility from nearby roadways, attract customers, and improve wayfinding.

Upon review of the submitted variances, Staff have determined that the proposal is able to be established while maintaining compatibility with the surrounding area. The proposed sign is not anticipated to have a negative impact on the surrounding environment.

The Committee should refer to comments from the Building Division and Parking & By-laws Division.

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

TG:tg

Item 10 on Agenda

FILE NOS. B001-2025WELL and A13-2025

Owner: Paul Romeo Bolduc

Location: 8 North Crescent Drive

Comments Received: Engineering Division

Enbridge

Planning Division

Building Division

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Mateo Mussari
Engineering Technician – Development

CC: Kelly Walsh
Manager of Development Engineering

DATE: May 20, 2025

SUBJECT: File B001-2025WELL
8 North Crescent Drive

Engineering has completed a review of the consent application B001-2025WELL for consent to partial discharge of mortgage or charge and to convey 715.07 square metres of vacant land, shown as Part 1 on the sketch attached to the application, for future residential use. Part 2, being 1,230.93 square metres of land, will be retained for continued residential use of the existing dwelling known as 8 North Crescent Drive.

The effect of this consent application is to create 1 new lot for a future dwelling.

The subject land is also subject to concurrent Minor Variance File No. A13-2025.

Engineering has the following conditions:

1. That a plan showing the location of the existing and proposed services relative to the proposed lot line be provided to the Manager of Development Engineering for approval. The plan must show that no services 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 any services in breach of this requirement.

Engineering has the following comments for information purposes:

1. A proposed lot grading plan will be required as part of a complete Building Permit application for any structure proposed on the severed parcel. The grading plan is to demonstrate that stormwater runoff does not negatively affect adjacent properties, and is to include a swale adjacent to the north and south lot lines, both contained entirely on the severed parcel.

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Mateo Mussari
Engineering Technician – Development

CC: Kelly Walsh
Manager of Development Engineering

DATE: May 20, 2025

SUBJECT: File A13-2025
8 North Crescent Drive

Engineering has completed a review of the minor variance application A13-2025 for relief from City of Welland Zoning By-Law 2017-117 with respect to the following:

Table 7.3.1 – RL1 Zone – Column 3 – To permit a minimum lot frontage of 10.7 metres instead of the required 12 metres for a proposed severed lot (Part 1 on sketch).

Engineering has no comments.

Christine Rossetto

From: Municipal Planning <MunicipalPlanning@enbridge.com>
Sent: May 22, 2025 3:11 PM
To: Christine Rossetto
Subject: RE: Consent Notice - B001-2025, Welland - Due May 22

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

Thank you for your circulation.

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

It is the responsibility of the applicant to verify the existing gas servicing does not encroach on more than one property when subdividing or severing an existing land parcel. Any service relocation required due to a severance would be at the cost of the property owner. For any encroachments, please contact ONTLands@enbridge.com.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Willie Cornelio CET (he/him)

Sr Analyst, Municipal Planning
Engineering

ENBRIDGE

TEL: 416-495-6411

500 Consumers Rd, North York, ON M2J1P8

enbridge.com

Safety. Integrity. Respect. Inclusion.

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

Sent: Thursday, May 8, 2025 11:50 AM

To: Bell <rowcentre@bell.ca>; Derek Black <derek.black@cogeco.com>; handel.davids@cogeco.com; keisha.smith@cogeco.com; Municipal Planning <MunicipalPlanning@enbridge.com>;

Newdevelopment@rci.rogers.com; TCenergy@mhbcplan.com <TCenergy@mhbcplan.com>; Welland Hydro Customer Service <csr@wellandhydro.com>

Subject: [External] Consent Notice - B001-2025, Welland - Due May 22

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: May 22nd, 2025

SUBJECT: Consent Application No. B001-2025WELL
Minor Variance Application No. A13-2025
8 North Crescent Drive, Plan 62, Lot 51, NP 821
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 May 28, 2025.

PURPOSE

CONSENT FILE B001-2025

Application is made for consent to partial discharge of mortgage or charge and to convey 715.07 square metres of vacant land shown as Part 1 on the sketch attached to the application, for future residential use. Part 2, being 1,230.93 square metres of land, is to be retained for the continued use of an existing single-detached dwelling.

The subject land is also subject to concurrent Minor Variance File No. A13-2025.

MINOR VARIANCE FILE A13-2025

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 7.3.1 - RL1 Zone - Column 3 - To permit a minimum lot frontage of 10.7 metres instead of the required 12 metres for a proposed severed lot (Part 1 on sketch).

The subject land is also subject to a concurrent Consent File No. B001-2025WELL.

PLANNING DIVISION COMMENTS

The Applicant is proposing to sever the property municipally known as 8 North Crescent Drive, to create two (2) total parcels (Part 1 and 2 on the submitted sketch). Part 1 is anticipated to be used for future residential development. Part 2 is to be retained for the continued use of an existing single-detached dwelling.

The subject property is located on North Crescent Drive in the neighbourhood south of Forks Road, east of the Welland Recreational Waterway and west of the Welland Canal. The property backs onto a former rail corridor that intersects with Forks Road. The property is developed with an existing single-detached dwelling. The surrounding area consists primarily of low-density residential uses located to the northeast and southwest. There are several nearby areas used for open space, including immediately east of the subject property. A place of worship and recreational trails are less than one kilometre from the subject property.

Policy Review

Provincial Planning Statement (PPS), 2024

The PPS provides overarching policies for land use planning across Ontario, emphasizing the efficient use of land and resources, particularly within settlement areas.

The property's location within a designated settlement area aligns with Section 2.3.1 of the PPS, which promotes intensification, redevelopment, and a mix of land uses in areas where municipal infrastructure is available. Severing the land allows for efficient use of the site to accommodate additional housing, which supports the PPS goals for settlement areas.

The PPS encourages the optimization of land resources, particularly in urban settings where infrastructure already exists. The proposed severance for the purpose of residential development maximizes the use of the site without requiring additional municipal services or infrastructure, thus aligning with PPS objectives for efficiency of resources, land use, and cost-effectiveness.

Niagara Official Plan

The Niagara Official Plan (NOP) provides a framework for land use planning, focusing on sustainable and efficient urban development. The property is designated within the urban area, where a mix of residential, commercial, and industrial uses is permitted. This designation supports severance for residential purposes, provided municipal services are available, which is the case for this property.

Within the Built-Up Area, the NOP encourages infill and redevelopment to promote sustainable growth. The proposal aligns with the Plan's goal of accommodating growth within existing urban boundaries.

The Urban Area designation allows a full range of uses, including residential development. By creating new residential lots, the submitted applications are considered to be consistent with the Plan's intent to provide diverse housing options and efficient land use.

City of Welland Official Plan

The City of Welland Official Plan designates the property as Low-Density Residential which permits single-detached, semi-detached, two-unit dwellings, triplexes, and townhouses. The designation is intended to provide a mix of residential housing adding to the diversity and vibrancy of a neighbourhood. The proposal is consistent with the policies in the Low-Density Residential designation.

The Official Plan includes policies that promote infill and intensification within residential areas. Section 4.2.3.6 specifically encourages infill development within the City's Built-Up Area. The proposal aligns with the criteria outlined in this section as follows:

i. Land Use and neighbourhood character compatibility	The proposed lots will be developed with residential uses in accordance with the provisions of Zoning By-law 2017-117, as amended. The proposed development is consistent with the existing character of the neighbourhood. The development appears to be compatible with the established area.
ii. Lot Pattern and configuration	The proposed lots are considered to be sufficient and adequately maintain appropriate size to accommodate proposed permitted uses.
iii. Accessibility	The lots will have frontage on a public road, which meets minimum standards.
iv. Parking	The minimum parking requirements of Zoning By-law 2017-117, as amended will be required to be met.
v. The potential for additional traffic and traffic maneuverability	The proposed severance will have a minimal increase in traffic and will not impact traffic maneuverability.
vi. The potential for transit ridership	The property is approximately 800 meters from Regional Bus Route #25 that runs between Downtown Welland and Port Colborne, and has the potential to increase ridership.

vii. Natural and built heritage conservation/protection	The property contains a non-provincially significant wetland. Proposed development is not anticipated to adversely impact this feature as future development will be required to adhere to setback requirements that provide an adequate buffer.
viii. The available capacity of municipal infrastructure; and	Municipal infrastructure is available and there is capacity to support the proposed development.
ix. Residential intensification targets identified in this plan	The proposed severance will assist the municipality in achieving its goals of new residential development within the built-up area and meeting the minimum density for the low-density designation.

In addition to the above policy The City's Official Plan (Section 7.9.2) 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 proposal is situated within the Built-Up Area as designated by the City's Official Plan and aligns with the policies promoting infill and intensification in these areas.
ii. Consistency with a Secondary Plan (where appropriate), or guidelines, as well as compliance with the Zoning By-law;	The property is not within a Secondary Plan area and will comply with all zoning requirements, pending approval of the requested minor variance which is filed concurrently with the consent application.
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. Therefore, a plan of subdivision is not required for the proposed lot severance.
iv. The size and shape of the lots;	The size and shape of the lots in the neighborhood vary in size and the proposed configuration will be compatible with adjacent properties.
v. The road access of the lots;	The lots have frontage on a municipally maintained roadway, all year long.

vi. The impact of the consent on the ability of adjacent lots to be developed;	The proposed lots will not prohibit the development of any adjacent lots within this neighborhood.
vii. The impact of the consent on the natural environment; and,	The property contains a non-provincially significant wetland. Proposed development is not anticipated to adversely impact this feature as future development will be required to adhere to setback requirements that provide an adequate buffer.
viii. Adequacy of municipal services and utilities.	Municipal infrastructure is available and there is capacity to support the proposed development.

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

MINOR VARIANCE ANALYSIS

The property is zoned Residential Low Density 1 (RL1) under the City of Welland Zoning By-law 2017-117, as amended. This zoning designation permits single-detached dwellings, semi-detached dwellings, two-unit dwellings, and accessory dwelling units. The proposal generally complies with the applicable zoning provisions with the exception of the lot frontage for Part 1. The proposal seeks to provide a lot frontage of 10.7 metres; whereas, 12 metres is required. City staff consider this variance as supportable given that the 10.7 - metre frontage is adequate to accommodate future development of the subject lands. The proposed lot is sufficiently sized to construct a dwelling with appropriate setbacks, parking, landscaping, and amenity area to meet the leisure needs of future occupants. The lots will be expected to meet all other requirements of the 2017-117 Zoning By-law, as amended, and is not anticipated to require any additional variances. Additionally, the reduced frontage is considered to meet the four tests as set out in the Planning Act.

The proposal is consistent with the policy direction of the provincial and municipal planning documents which encourage infill and intensification. Based on the above analysis, Staff recommend approval of the application for consent and minor variance.

RECOMMENDATION

CONSENT FILE B001-2025WELL

The Planning Division recommends **approval** of Consents Applications B001-2025WELL with the following Conditions:

1. 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.
2. Confirmation of payment of outstanding taxes to the satisfaction of the City of Welland Finance Division.
3. That the Owner obtain approval for all necessary Minor Variances
4. The Owner(s) prepare to the City of Welland \$712.31 plus HST for one tree planting.
5. That all Conditions of Consent be fulfilled within two years of giving Notice of Decision.

MINOR VARIANCE FILE A13-2025

The Planning Division recommends **approval** of Minor Variance Application A13-2025, the application satisfies the four tests a minor variance must meet:

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 proposal lots are compatible and align with the existing neighbourhood.
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 severed and retained lots are consistent with the Official Plan's policies for infill development and intensification within urban areas.

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

PF:pf

MEMORANDUM

Planning and Development Services Building Division

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

FROM: Matthew Balenovich (Plans Examiner)

DATE: May 28th, 2025

SUBJECT: File No. "B001-2025"
"8 North Crescent Drive"

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

1. Existing water and sanitary servicing cannot cross newly created property lines (see 7.1.5.4 of the OBC). **A condition should be created to require the applicant to provide a revised site plan showing the location of the water and sanitary services to the existing dwelling. If the services cross the proposed property lines, a building permit and all required inspections will be required to comply with the OBC.**
2. Compliance with spatial separation requirements of the Ontario Building Code (see 9.10.15) to be demonstrated (preferably by a qualified designer knowledgeable in this area and calculations – OBC 9.10.15.) for the existing building. **A condition should be created to require the applicant to provide a drawing of the right elevation adjacent to the proposed property showing the area of the existing glazed openings and exposing building face. If the area of allowable openings is exceeded, a building permit and all required inspections under section 8 of the BCA will be required to comply with the OBC.**

Item 11 on Agenda

FILE NO. A14-2025

Owner: Jessy Ransky

Location: 135 Dunkirk Road

Comments Received: Engineering Division

Planning Division

Building Division

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Mateo Mussari
Engineering Technician – Development

CC: Kelly Walsh
Manager of Development Engineering

DATE: May 20, 2025

SUBJECT: File A14-2025
135 Dunkirk Road

Engineering has completed a review of the minor variance application A14-2025 for relief from City of Welland Zoning By-Law 2017-117 with respect to the following:

Section 5.3.3 – To permit a maximum accessory building height of 6.9 metres instead of the maximum 6 metres for a proposed 2 storey accessory building being approximately 55.7 square metres in size.

Section 5.3.4 a) – To permit a maximum total accessory building lot coverage of 16 percent instead of the maximum 10 percent for a proposed accessory building.

Engineering has no comments.

MEMORANDUM

**Planning and Development Services
Planning Division**

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

AUTHOR: Sahar Alliyani SA
Planning Technician II

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

DATE: May 23rd, 2025

SUBJECT: Minor Variance Application No. A14/2025
Jessy Ransky
135 Dunkirk Road
Lot 146, Plan 612
Welland, Ontario

Planning Staff have reviewed Minor Variance Application No. A06/2025 and offer the following comments for your hearing on Wednesday, May 28th, 2025.

PURPOSE

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

- Section 5.3.3 - To permit a maximum accessory building height of 6.9 metres instead of the maximum 6 metres for a proposed 2 storey accessory building being approximately 55.7 square metres in size.
- Section 5.3.4 a) - To permit a maximum total accessory building lot coverage of 16 percent instead of the maximum 10 percent for a proposed accessory building.

PLANNING DIVISION COMMENTS

The applicant proposes to build a two-storey detached garage. The property is currently developed with a single detached dwelling, an existing shed and storage tent, both of which expected to be removed. To proceed with the proposed development, minor variances are being requested: one to increase the maximum permitted height to 6.9 metres; whereas, 6 metres is permitted, and another to raise the allowable lot coverage to 16 percent, whereas, 10 percent is permitted.

SITE CONTEXT

The subject property is municipally known as 135 Dunkirk Road. The parcel is located on the west side of Dunkirk Road, near its intersection with Ajax Avenue, and close to the Canadian National Railway lands. It lies within a primarily low-density residential neighborhood. The property is currently occupied by a single detached dwelling and several accessory structures, which the applicant intends to remove in order to construct a two-storey detached garage.

DESIGNATION AND ZONE

The property is designated as Low Density Residential under the City of Welland Official Plan, allowing for a variety of residential uses and their accessory functions. As per Zoning By-law 2017-117, as amended the lands are zoned Residential Low Density 1 – RL1, which permits various housing types including single-detached dwellings, semi-detached dwellings, two-unit dwellings and accessory uses related to the main dwelling. Accessory structures are permitted in the existing designation and zone. The applicant proposes to demolish the existing shed and storage tent on the site and construct a two-storey detached garage in their place.

ANALYSIS

To facilitate the construction of the proposed accessory structure, the applicant is seeking the following variances: to increase the maximum permitted height to 6.9 metres; whereas, 6 metres is permitted, and another to raise the allowable lot coverage to 16 percent; whereas, 10 percent is permitted.

Section 5.3.4 a) of Zoning By-law 2017-117, as amended permits accessory structures to occupy up to 10 percent of the total lot area. The applicant is requesting an increase to 16 percent, which is considered supportable, as the proposed structure adheres to all setback requirements from property lines and adjacent properties. Furthermore, the combined lot coverage of both the primary dwelling and the accessory structure is around 35% which remains within the maximum permitted by the zoning by-law.

As per Section 5.3.3 of Zoning by-law 2017-117, as amended the maximum allowable height for accessory buildings is 6 metres. The proposed two-storey garage anticipates a height of 6.9 metres and a footprint of approximately 55.7 square metres. The proposal is considered supportable as all required setbacks are maintained, the additional height is not expected to have a negative impact on neighboring properties.

The proposal complies with all other provisions of the zoning by-law, including requirements for setbacks, amenity space, and total lot coverage. As such, the proposed detached garage

is not expected to negatively affect adjacent properties or alter the character of the surrounding neighborhood.

It is staff's opinion that the variance requested can be considered minor in nature and appropriate for the site.

RECOMMENDATION

MINOR VARIANCE FILE A14-2025

The Planning Division recommends **approval** of Minor Variance Application A14/2025 for the following reasons:

1. **The application is consistent with the general intent and purpose of the Official Plan** as the proposed two storey detached garage is permitted as an accessory residential uses are permitted within the Low-Density Residential designation.
2. **The application is consistent with the general intent and purpose of the Zoning By-law** as accessory buildings and structures are permitted in the RL1 Zone and the requested increases can be considered minor and will meet all other zoning requirements.
3. **The application is desirable for the appropriate development of the site** as the proposed two storey detached garage will be located in approximately the same location as the existing structures, will maintain amenity area, and will provide appropriate setbacks to neighbouring properties.
4. **The application is minor in nature** as the proposed variances represent minor increases to existing provisions.

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

SA;sa

Christine Rossetto

From: Matthew Balenovich
Sent: May 26, 2025 11:31 AM
To: Christine Rossetto
Subject: RE: Consent & Minor Variance Notices - Due May 22
Attachments:

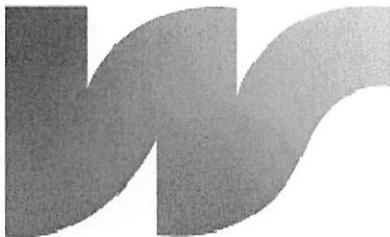
Hi Christine,

Please see below and attached:

A14-2025 (135 Dunkirk Rd): No condition recommendations. A building permit will be required for the proposed garage.

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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Item 12 on Agenda

FILE NO. A15-2025

Owner: Henley Heights Construction Inc.

Location: 9 Gadsby Avenue

Comments Received: Kristine and Greg Dark

Daniel Ventresca

Engineering Division

Planning Division

Building Division

Christine Rossetto

From: Kris Dark [REDACTED]
Sent: May 12, 2025 7:31 PM
To: cofa
Subject: Response to Minor Variance for 9 Gadsby Ave

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

I am writing in response to the application for a minor variance at 9 Gadsby Ave here in Welland. The application is to reduce required parking space from 1 to 0 for this address. My husband and I are strongly apposed to this and do not agree with it at all. We already have issues some days with too many cars parked along this street. In summer time it is just an annoyance but in winter time it means that the section of Gadsby Avenue between Thorold Road and Margaret Street will not get plowed. Our driveway is on this section of the street and find the lack of plowing a difficult issue. The plows rarely go down this one block part of Gadsby Ave as it is but when there are cars parked on the street the plows refuse to do any snow removal at all because they either do not fit or the risk of hitting cars is too high. If the address in question has no parking other then the street, the snow removal issue will just become worse.

Sincerely,
Kristine and Greg Dark

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Christine Rossetto

From: Daniel Ventresca [REDACTED]
Sent: May 14, 2025 11:06 AM
To: cofa
Subject: Written Comments re: A15-2025 - HH Construction - 9 Gadsby Avenue, Welland

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Good Morning Madam Secretary-Treasurer,

My name is Daniel and I am a resident of Gadsby Avenue, located nearby the property in question

I strongly oppose this application to permit a reduction in the required tandem parking space from 1 to 0. I also strongly oppose construction on this vacant lot, but I do understand that that is not part of this discussion. I put to this committee to answer the following questions:

- 1) Where does the City expect the occupant to park their vehicle?
- 2) If the answer to the above is street parking, what if multiple occupants each have their own vehicle?
- 3) Has the City considered the effect of a more crowded street as it relates to:
 - a) Snow Removal
 - i) How does the City expect the street to be properly cleared if there are multiple vehicles parked on the road.
 - b) Street Sweeping/Cleaning
 - ii) How does the city expect the street to be properly cleaned if there are multiple vehicles parked on the road.
 - c) Garbage Collection
 - iii) How does the City expect garbage collection to happen efficiently if more vehicles are parked in front of garbage/recycling bins in front of existing homes?
- 4) Gadsby Avenue recently underwent a very long, painstaking, and probably very expensive street/sidewalk renovation. Why is the City agreeable to hiding this beautiful work with increased street parking? Why does the City intend to destroy this beautiful street with large construction vehicles that will undoubtedly tear up the asphalt and cause excess dirt/dust? Will the City foot the bill for duct cleaning services for nearby residents?
- 5) Will residents in this surrounding area receive a property tax decrease for the inconvenience of dealing with the construction vehicles, extra street parking, and interruption of city services such as snow removal and street cleaning? Will the revenue that the City is receiving from projects like this one be

shared with its residents who have to deal with the construction noise and the mess? Or will the City simply continue to raise property taxes?

As a lifelong and proud resident of this City, I urge you to explore other locations to build homes. This lot is awkwardly shaped; the home will be extremely close to the road and will have virtually no rear yard. Why not plant a few trees on this lot instead and reward the residents of Gadsby Avenue with mother nature. I would happily foot the bill for that.

There are so many other areas to build in this City, I don't understand why the City is hellbent on building in an already developed area by cramming more homes into a nice, quiet neighbourhood. This decision will only hurt this neighbourhood and anger its residents.

Consider the intersection of Woodlawn and Niagara.

- The amount of homes being built south of that intersection is not sustainable.
- There is no way to widen the lanes, or add a turning lane because of the cemetery. This is due to poor planning and needs to be addressed by stopping the bleeding, and capping new homes in the area south of this intersection (unless the City intends to remove the cemetery...good luck)
- Why is the City building homes in this area when there are tons of vacant lands to the North and East?

Thank you
Daniel

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MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Mateo Mussari
Engineering Technician – Development

CC: Kelly Walsh
Manager of Development Engineering

DATE: May 20, 2025

SUBJECT: File A15-2025
9 Gadsby Avenue

Engineering has completed a review of the minor variance application A15-2025 for relief from City of Welland Zoning By-Law 2017-117 with respect to the following:

Table 6.4.1 – Required Parking Spaces – Accessory Dwelling – To permit a reduction in the required tandem parking space from 1 to 0, for a proposed accessory dwelling unit in a proposed single dwelling.

Engineering has no comments.

MEMORANDUM

Planning and Development Services Planning Division

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

AUTHOR: Tyler Galloway 
Planning Technician II

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

DATE: May 28th, 2025

SUBJECT: Minor Variance Application No. A15/2025
Henley Heights Construction Inc.
9 Gadsby Avenue
Part Lot 1, Plan 576, Being Parts 2 & 4, 59R-17837 S/T RO461718
Welland, Ontario

Planning Staff have reviewed Minor Variance Application No. A15/2025 and offer the following comments for your hearing on Wednesday, May 28th, 2025.

PURPOSE

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

- 1) Table 6.4.1, Required Number of Parking Spaces (ADU) – To permit a reduction of required parking spaces to 0 for an ADU instead of 1 additional tandem parking space.

PLANNING DIVISION COMMENTS

The Applicant is requesting to reduce the number of required parking stalls from one (1) to zero (0) for an accessory dwelling unit. The property is anticipated to provide the required parking for the proposed (principle) single-detached dwelling unit.

The subject property is known municipally as 9 Gadsby Avenue. It is located on the west side of Gadsby Avenue, southwest of the intersection of Thorold Road and Gadsby Avenue. The surrounding land uses are predominantly residential. A single detached dwelling is proposed to be constructed on the subject lands.

The parcel is designated Low Density Residential in the City's Official Plan. The parcel is zoned RL2 – Residential Low Density 2 in Zoning By-law 2017-117, as amended. The proposed dwelling is permissible in the applicable designation and zone. Due to the site layout, a reduction of the required parking stall for the proposed accessory dwelling unit is required.

ANALYSIS

The applicant is requesting relief from Table 6.4.1 of Zoning By-law 2017-117, as amended which requires one parking stall for an accessory dwelling unit. It is noted that the proposed reduction is mitigated by several factors. Parking is permitted on Gadsby Avenue, subject to the provisions of By-law 89-2000. Transit options are available within close proximity to the subject lands (Routes #503 and #509) which provide residents with access to amenities and services. Several commercial opportunities also exist in the area that are within walking distance from the subject lands.

Based on the above analysis, Staff would consider the application as meeting the four tests of a minor variance as set out in the Planning Act and have no objection to the submitted variances.

RECOMMENDATION

MINOR VARIANCE FILE A15/2025

The Planning Division recommends **approval** of Minor Variance Application A15-2025 for the following reasons:

1. **The application is compliant with the general intent and purpose of the Official Plan** as the proposed uses are consistent with the Official Plan designation.
2. **The application is compliant with the general intent and purpose of the Zoning By-law** as the existing dwelling and one (1) accessory dwelling unit is a permitted use of the RL2 zone.
3. **The application is desirable for the appropriate development of the site** as the existing accessory dwelling unit meets all other zoning provisions, is a compatible use, and the lot is sufficient in size to accommodate it. The existing building footprint is not increasing.
4. **The application is minor in nature** as there are a number additional transportation choices available for future residents and there are several amenities.

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

TG:tg

Christine Rossetto

From: Matthew Balenovich
Sent: May 26, 2025 11:31 AM
To: Christine Rossetto
Subject: RE: Consent & Minor Variance Notices - Due May 22
Attachments: MEMORANDUM-66, 68, 70, 72 First St (A08-A11-2025).docx; MEMORANDUM 8 North Crescent Dr (B001-2025).docx; PreconcommentsMarch21_2024building.docx

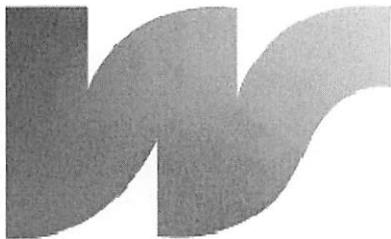
Hi Christine,

Please see below and attached:

A15-2025 (9 Gadsby Avenue): No condition recommendations. However, a building permit will be required from the Building Division for the proposed accessory dwelling unit.

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

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