



**COMMITTEE OF ADJUSTMENT HEARING
AGENDA**

**Thursday, November 13, 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 October 15, 2025
6. **REQUESTS FOR DEFERRALS / WITHDRAWALS OF APPLICATIONS**
7. **FILE NOS. PLCON202500005, PLMV202500008 and PLMV20200006** FREEMAN
158 and 162 Aqueduct Street
8. **FILE NO. PLCON202500015** BECKER and BENNETT
485 Biggar Road
9. **NEXT HEARING DATE**
December 10, 2025
10. **OTHER ITEMS**
11. **ADJOURNMENT**



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

October 15, 2025, 5:00 PM

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

Staff Present: Christine Rossetto, Secretary-Treasurer

Others Present: PLCON202500002, PLMV202500003, PLMV202500004 - R. Direnzo

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 said Planning Division comments received for the subject applications at 142 McArthur Avenue.
4. **CONFLICTS OF INTEREST** – Nil.
5. **ADOPTION OF MINUTES** – Moved by Ursacki that the Minutes of the Hearing held September 17, 2025 be adopted as circulated.

CARRIED

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

**7. CONSENT FILE NO. PLCON202500002
MINOR VARIANCE FILE NOS. PLMV202500003 and PLMV202500004**

Owner: Rose DiRenzo

Location: 142 McArthur Avenue

Correspondence and Discussion

- TransCanada Pipelines Limited email – September 24, 2025
- G. A. Findlay email – September 30, 2025
- Engineering Division emails – September 30, 2025
- Enbridge email – October 2, 2025
- Parks, Forestry and Cemeteries Division email – October 9, 2025
- Building Division email – October 9, 2025
- Planning Division memo – October 15, 2025

Rose DiRenzo, owner, said propose a new lot for a new home.

Member Ursacki questioned requirement of a road occupancy permit to construct a new driveway on Part 2, City Divisions that would advise the Committee of such requirement and noted that Part 1 currently has access. The Secretary-Treasurer confirmed that road occupancy permit is required for a new driveway and Committee may apply a condition. Member Ursacki noted Parks Division comments related to the boulevard tree and whether a condition is required. Member Ursacki confirmed with the owner that she is aware of all requested conditions.

Chair Zakraysek questioned if rear shed will be improved and the owner said it is wired and insulated, and it will eventually be sided. The Chair noted that Engineering Division did not request a servicing condition, and the Secretary-Treasurer read aloud an Engineering email advising that the water and sanitary services were shown on the sketch. The Chair noted the special separation condition from the Building Division. All members discussed possible conditions of approval related to the existing shed and location of services.

The Chair noted her concern with the location of the existing fire hydrant and the Secretary-Treasurer read aloud the Transportation Division's email noting that the driveway must be 1 metre from the existing hydrant. The owner said that the proposed plan is draft and the driveway location can be flipped.

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

Decision PLCON202500002 - GRANTED with 8 conditions:

1. That final approval be received from the Committee of Adjustment for the City of Welland for any necessary Minor Variances.
2. That the accessory structure located on Part 1, which was omitted from the drawing, be demolished.
3. That the existing driveway on Part 1 and 2 of the submitted sketch establish a minimum 0.6 metre setback.
4. That the applicant obtain a building permit, with all required inspections to the satisfaction of the Chief Building Official, for compliance with spatial separation provisions of the OBC (9.10.15) as the limiting distance has been reduced to 1 m on the north elevation. The building permit and all required inspections to the satisfaction of the Chief Building Official must show compliance with maximum glazed openings and construction of exposing building face meeting 9.10.15 of the OBC.
5. The Owner provide to the City of Welland \$712.31 plus HST for one tree planting.
6. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the Deposited Reference Plan, if applicable, for use in the issuance of the Certificate of Consent.
7. Confirmation of payment of outstanding taxes to the satisfaction of the City of Welland Finance Division.
8. That all Conditions of Consent be fulfilled within 2 years of giving Notice of Decision.

Reasons:

Pursuant to Section 53(18)(a) 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. Both the retained and severed lots will generally comply with the intent of the Provincial Planning Statement and the City's Official Plan.
2. This Decision is rendered having regard to the provisions of Subsection 51(24) of The Planning Act, R.S.O. 1990, as amended.

Decision PLMV202500003 – **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. The application is minor in nature as the requested variances are not expected to negatively affect the surrounding area. Sufficient access and servicing will continue to be maintained.
2. The application is desirable for the appropriate development of the lands as the proposed residential uses are compatible with the surrounding context. The proposal is considered to maintain neighbourhood character.
3. The application maintains the intent and purpose of the Zoning By-law as the property is intended to comply with and maintain all other Zoning By-law Provisions and requirements. The proposed use is permitted within the current Zone.
4. The application maintains the intent and purpose of the Official Plan as the proposed residential use aligns with the goals and policies of the municipal and regional Official Plan. The property will continue to fulfill the intended function of the Low-Density designation, while optimizing land use and promoting intensification in a built-up area.

Decision PLMV202500004 – **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. The application is minor in nature as the requested variances are not expected to negatively affect the surrounding area. Sufficient access and servicing will continue to be maintained.
2. The application is desirable for the appropriate development of the lands as the proposed residential uses are compatible with the surrounding context. The proposal is considered to maintain neighbourhood character.
3. The application maintains the intent and purpose of the Zoning By-law as the property is intended to comply with and maintain all other Zoning By-law Provisions and requirements. The proposed use is permitted within the current Zone.
4. The application maintains the intent and purpose of the Official Plan as the proposed residential use aligns with the goals and policies of the municipal and regional Official Plan. The property will continue to fulfill the intended function of the Low-Density designation, while optimizing land use and promoting intensification in a built-up area.

All Decisions Signed Electronically: “Diane Zakraysek-Bourque”
“Kristen McNutt”
“Wayne Ursacki”

CARRIED

8. NEXT HEARING DATE – Thursday, November 13, 2025

9. OTHER ITEMS –

2026 Schedule of Public Hearings – All members voted in favour of the schedule.

CARRIED

Resignation of Mamdouh Abdelmaksoud – The Secretary-Treasurer advised of this resignation and noted that there are now 2 vacancies on the Committee of Adjustment.

10. ADJOURNMENT – Hearing closed at 5:40 pm.

Item 7 on Agenda

FILE NOS. PLCON202500005, PLMV202500008 and PLMV202500006

Owner: Robert Freeman

Location: 158 and 162 Aqueduct St

Comments Received: Mississaugas of the Credit First Nation

Bell

Enbridge

Engineering Division

Building Division

Planning Division

Christine Rossetto

From: Abby Lee <Abby.LaForme@mncfn.ca>
Sent: October 22, 2025 11:08 AM
To: Christine Rossetto
Subject: RE: Consent and Minor Variance Notices, Welland - Due November 6

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

Good Morning Christine,

MCFN DOCA has no comments or concerns at this time.

Thank you and have a great week!

Abby (LaForme) Lee (she/her)
Consultation Coordinator,
Department of Consultation & Accommodation



Mississaugas of the Credit First Nation
Mailing: 2789 Mississauga Road, Hagersville, ON, N0A1H0
Physical: 4065 Hwy. #6, Hagersville, ON, N0A1H0
Web: www.mncfn.ca
Facebook: Mississaugas of the Credit First Nation
Ph: 905-768-4260 Ext: 1602

I choose to work flexibly and am sending this message now because it works for me. Feel free to read, act on or respond at a time that works for you.

Disclaimer

The Mississaugas of the Credit First Nation (MCFN) asserts the right to maintain stewardship on our ancestral homelands which includes the right to protect the lands and waters that sustain and support the life and health of all. Historically, and without our consent, MCFN homelands have been industrialized to the point where cumulative effects have already surpassed the point of a questionable future for coming generations. In this era of reconciliation, building a renewed relationship with First Nation peoples based on recognition of rights, respect and partnership, MCFN fully expect legal obligations with the body of the politic to adhere to National interests and engage MCFN in all future development taking place within our ancestral lands.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the Mississaugas of the Credit First Nation.

From: Christine Rossetto <christine.rossetto@welland.ca>
Sent: Tuesday, October 21, 2025 4:16 PM
To: Abby Lee <Abby.LaForme@mncfn.ca>; consultations@metisnation.org; Directorofwh@fenfc.org; dlaforme@sixnations.ca; executivedirector@nrnc.ca; jocko@sixnationsns.com; lonnybomberry@sixnations.ca; Mark

Christine Rossetto

From: Lee, Laurie-Ann <laurie-ann.lee@bell.ca>
Sent: October 23, 2025 9:27 AM
To: Christine Rossetto
Cc: circulations
Subject: 9905-25-47 - Consent Application PLCON202500005 - 158 Aqueduct Street

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

Morning Christine,

Bell Canada has no easement requirements with respect to the proposed closure and sale of the subject property.

If you have any questions, please do not hesitate to contact me.

Thank you,
Laurie-Ann Lee



LaurieAnn Lee
Associate, External Liason
Right of Way Control Centre

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

Christine Rossetto

From: Municipal Planning <MunicipalPlanning@enbridge.com>
Sent: October 28, 2025 2:34 PM
To: Christine Rossetto
Subject: RE: Consent Notices, Welland - Due November 9

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 consent file **PLCON202500015**, be advised there is an existing easement of Enbridge's 12" diameter XHP(extra high pressure) steel Vital Main pipeline passing on the land along Darby Road . 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: Tuesday, October 21, 2025 4:14 PM
To: Bell Canada <circulations@bell.ca>; Derek Black <derek.black@cogeco.com>; Municipal Planning <MunicipalPlanning@enbridge.com>; Newdevelopment@rci.rogers.com; TCenergy@mhbcplan.com; Welland Hydro Customer Service <csr@wellandhydro.com>
Subject: [External] Consent Notices, Welland - Due November 9

CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate? DO NOT click links or open attachments unless you are 100% sure that the email is safe.

This email was sent from christine.rossetto@welland.ca.

Please see attached 2 consent notices for review. Any comments **due November 6.**

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Tolga Aydin
Supervisor of Development Engineering

CC: Taylor Meadows
Manager of Development Planning

DATE: October 23, 2025

SUBJECT: File PLCON202500005
158 and 162 Aqueduct Street

Engineering has completed a review of the consent application PLCON202500005 for consent to partial discharge of mortgage or charge and to convey approximately 70.74 square meters of land containing a single dwelling and a shed (to be removed), shown as Part 1 on the sketch attached to this application, for continued residential use of the dwelling known as 162 Aqueduct Street. Part 2, being approximately 112.87 square meters of land, will be retained for continued residential use of the single dwelling known as 158 Aqueduct Street.

The effect of this consent application is to create 1 new lot for an existing single dwelling.

The subject land is also subject to concurrent Minor Variance File Nos. PLMV202500008 and PLMV202500006.

Engineering has the following condition:

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 licenced to practice in the province of Ontario. The Applicant is responsible for the removal and/or relocation of any services in breach of this requirement.

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Tolga Aydin
Supervisor of Development Engineering

CC: Taylor Meadows
Manager of Development Planning

DATE: October 23, 2025

SUBJECT: PLMV202500008
162 Aqueduct Street

Engineering has completed a review of the minor variance application PLMV202500008 for relief from City of Welland Zoning By-Law 2017-117, as amended with respect to the following:

Section 7.3.1 – RL2 Zone – Single Detached – Column 7 – To permit a minimum rear yard of 5 meters instead of the required 6 meters for an existing dwelling on a proposed retained lot (Part 1 on sketch)

The subject land is also subject to concurrent Consent File No. PLCON202500005.

Engineering has no comments.

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Tolga Aydin
Supervisor of Development Engineering

CC: Taylor Meadows
Manager of Development Planning

DATE: October 23, 2025

SUBJECT: PLMV202500006
158 Aqueduct Street

Engineering has completed a review of the minor variance application PLMV202500006 for relief from City of Welland Zoning By-Law 2017-117, as amended with respect to the following:

Section 6.9.1 b) – To permit a maximum driveway width of 9.42 meters near the front lot line and 26.09 meters near the existing dwelling and attached garage, instead of the maximum driveway width of 6 meters.

Section 7.3.1 – RL2 Zone – Single Detached – Column 7 – To permit a minimum rear yard of 0.93 meters instead of the required 6 meters for an existing dwelling on a proposed retained lot (Part 2 on sketch)

The subject land is also subject to concurrent Consent File No. PLCON202500005.

Engineering has no comments.

Christine Rossetto

From: Matthew Balenovich
Sent: November 7, 2025 11:19 AM
To: Christine Rossetto
Subject: RE: Corrected Minor Variance Notice - 162 Aqueduct St - Due November 6
Attachments: MEMORANDUM 158 and 162 Aqueduct St (PLCON202500005).docx

Hi Christine,

Please see below and attached for comments from the Building Division on these files:

158/162 Aqueduct St

PLCON202500005: Please see attached memorandum.

PLMV202500008: No comments. Please see attached memorandum.

PLMV202500006: No comments. Please see attached memorandum.

PLCON202500015: No comments.

Let me know if you require anything else.

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: October 22, 2025 12:11 PM

To: Adam Eckhart <adam.eckhart@welland.ca>; Ali Khan <ali.khan@welland.ca>; Dave Steven <dave.steven@welland.ca>; James Cronshaw <james.cronshaw@welland.ca>; Kelly Walsh <kelly.walsh@welland.ca>;

MEMORANDUM

Planning and Development Services Building Division

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

FROM: Matthew Balenovich (Plans Examiner)

DATE: November 13, 2025

SUBJECT: File No. "PLCON202500005"
"158 and 162 Aqueduct Street"

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 7.1.2.4 of the OBC). **A condition must be created to require the applicant to provide a revised site plan showing the location of the water and sanitary services to the existing dwellings. If the services cross the proposed property lines, a building permit and all required inspections to the satisfaction of the Chief Building Official 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 buildings. **A condition must be created to require the applicant to provide drawings of the elevations of both buildings adjacent to the proposed property lines 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 to the satisfaction of the Chief Building Official will be required to comply with the OBC.**

MEMORANDUM

Planning and Development Services Planning Division

TO: Christine Rossetto
Secretary-Treasurer, Committee of Adjustment

AUTHOR: Sahar Alliyah 
Planning Technician II

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

DATE: November 11th, 2025

SUBJECT: Consent Application Nos. PLCON202500005
Minor Variance Application Nos. PLMV202500006 & PLMV202500008
Robert Edward Freeman
158 & 162 Aqueduct Street
Welland, Ontario

Planning staff have reviewed the above noted Consent and Minor Variance applications and offer the following comments for the Committee of Adjustment hearing on Thursday, November 13th, 2025.

PURPOSE

CONSENT FILE PLCON202500005

Application is made for consent to partial discharge of mortgage or charge and to convey approximately 278.85 square metres of land containing a single dwelling and a shed (to be removed), shown as Part 1 on the sketch attached to the application, for continued residential use of the dwelling known as 162 Aqueduct Street. Part 2, being approximately 802.40 square metres of land, will be retained for continued residential use of the single dwelling known as 158 Aqueduct Street. This consent is to create 1 new lot for an existing single dwelling.

The subject land is also subject to Minor Variance File No(s). PLMV202500008 and PLMV202500006.

MINOR VARIANCE PLMV202500006

The Applicant is requesting relief from the provisions of the Zoning By-law 2017-117, as amended by By-law 2024-99, under Section 45 of the Planning Act, with respect to the following:

- Table 7.3.1 – RL2 Zone - Single-Detached - Column 7 - To permit a minimum rear yard of 0.93 metres instead of the required 6 metres for an existing dwelling on a proposed retained lot (Part 2 on sketch).
- Section 6.9.1 b) - To permit a maximum driveway width of 9.42 metres near the front lot line and 26.09 metres near the existing dwelling and attached garage, instead of the maximum driveway width of 6 metres. (Part 2 on sketch).

The subject land shown as Part 2 on the sketch is also subject to Consent File No. PLCON202500005

MINOR VARIANCE PLMV202500008

The Applicant is requesting relief from the provisions of the Zoning By-law 2017-117, as amended by By-law 2024-99, under Section 45 of the Planning Act, with respect to the following:

- Table 7.3.1 – RL2 Zone - Single-Detached - Column 7 - To permit a minimum rear yard of 5 metres instead of the required 6 metres for an existing dwelling on a proposed severed lot (Part 1 on sketch).

The subject land shown as Part 1 on the sketch is also subject to Consent File No. PLCON202500005

PLANNING DIVISION COMMENTS

CONSENT ANALYSIS

The Applicant is proposing to sever the property municipally known as 158 & 162 Aqueduct Street. Part 1 (severed) and Part 2 (retained) will continue to be used for residential purposes.

The subject property is located on the east side of Aqueduct Street, north of Pine Street and Smith Street. Ross Public School is located to the west and Notre Dame College School is to the east.

The surrounding land use is predominantly low density residential and developed with single-detached and semi-detached dwellings. To the north boundary of the subject lands is Notre Dame Catholic High School on institutional zone.

Planning Policy Review

Provincial Planning Statement (PPS), 2024

Provincial Planning Statement (PPS), 2024, directs growth and development to occur within existing settlement areas that are already serviced by infrastructure and public facilities. Policies 2.3.1.1 and 2.3.1.2 emphasize efficient land use, optimization of existing services. The PPS further encourages intensification and redevelopment within built-up areas to support complete communities (2.3.1.3). The proposal aligns with these objectives as the dwellings are already existed and utilizing existing infrastructure. Therefore, the consent supports the efficient and sustainable growth principles of the PPS 2024 since the subject lands are within an existing “settlement area” according to the PPS.

The proposal is considered to be consistent with the PPS.

The Niagara Official Plan 2022

The subject land is located within the delineated built-up area as defined by the Niagara Official Plan (NOP). The NOP directs growth to be organized primarily in the serviced urban and built-up areas (Section 2.2). The property is able to access existing infrastructure and will support intensification within the urban boundary. The proposal is considered to be an efficient use of land supply and meet the objectives of the NOP as outlined in Section 2.2.2.1. The development is also in alignment with Section 2.3 of the NOP by contributing to housing diversity and sustainable urban development.

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 (duplex) dwellings, triplexes and townhouses. This 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 contains policies related to infill and intensification within residential areas. Section 4.2.3.6 of the Official Plan encourages infill development throughout the City’s Built-Up Area. The proposal also addresses the criteria contained with this Section as follows:

i. Land Use and neighbourhood character compatibility	The proposed lot is already developed with existing single detached dwelling. The proposal is compatible with the character of the neighbourhood.
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ii. Lot Pattern and configuration	The proposed lot configuration is consistent with the neighbourhood's established pattern of varied lot sizes.
iii. Accessibility	The lot have sufficient frontage on a public road.
iv. Parking	The minimum parking requirements will be met for both the severed and retained lots.
v. The potential for additional traffic and traffic maneuverability	Both lots contain existing residential dwellings; therefore, the consent will result in minimal traffic increase and no adverse impact on traffic flow or maneuverability.
vi. The potential for transit ridership	The property is approximately 140 meters from Transit Route #509
vii. Natural and built heritage conservation/protection	There are no natural or built heritage features on the subject lands.
viii. The available capacity of municipal infrastructure; and	Municipal infrastructure is available, and subject to Engineering comments and conditions.
ix. Residential intensification targets identified in this plan	The proposed severance will assist the municipality in achieving its goal of 75% of new residential development within the Built-up area and meeting the minimum density of the low-density designation for this area.

The consent aligns with neighbourhood character, efficiently utilizes serviced urban land, and conforms to the PPS, NOP, and City Official Plan.

Section 7.9.2 of the Official Plan contains the minimum criteria for which consents are evaluated. They are as follows:

i. Consistency with the Policies of this Official Plan	The proposal is located within the Built-Up Area of the City's Official Plan and aligns with the relevant policies supporting infill development 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. Minor variance applications have been filed concurrently with the consent application to address the provisions of the Zoning By-law that are not met. All other provisions will be satisfied.

iii.	A plan of Subdivision is not required	A plan of subdivision is not required, as the proposal involves the creation of one (1) new lot, the retention of the other lot. As outlined in Section 7.9.1 of the official plan, a subdivision is only required when three (3) or more new lots are proposed.
iv.	The size and shape of the lots	The lots in the neighborhood vary in size and the proposed configuration will be compatible with neighboring properties.
v.	The road access of the lots	The proposed lots have frontage on a municipal roadway maintained all year.
vi.	The impact of the consent on the ability of adjacent lots to be developed	The proposed lots will not hinder the development potential of adjacent lots within the neighbourhood.
vii.	The impact of the consent on the natural environment	There are no natural or built heritage features on the subject lands and therefore, there is no impact.
viii.	Adequacy of municipal services and utilities	Municipal infrastructure is accessible in the surrounding area and subject to Engineering comments or conditions

Based on the above policies related to the evaluation of consent lots, the creation of one (1) new lot will meet the minimum criteria.

MINOR VARIANCE ANALYSIS

The subject property is zoned Residential Low Density (RL2) under Zoning By-law 2017-117, as amended, which permits single-detached dwellings. The proposed severance generally conforms to the applicable zoning standards, with few minor variances required due to existing site conditions as follow:

PLMV202500006-158 Aqueduct Street- (Part 2 on sketch)

To permit a minimum rear yard of 0.93 metres instead of the required 6 metres as in Table 7.3.1 – RL2 Zone - Single-Detached - Column 7, for an existing dwelling on a proposed retained lot.

The rear yard setback reduction from 6.0 metres to 0.93 metres is requested. This reduction arises because the existing structure, previously used as an accessory dwelling, will become the principal dwelling following the severance. As this setback condition already exists and no physical changes are proposed, staff consider it acceptable.

A second variance for Part 2 seeks to permit an existing driveway width of 9.42 metres near the front lot line and 26.09 metres adjacent to the dwelling, exceeding the 6-metre maximum

as in Section 6.9.1 b) . This reflects an existing, long-standing condition that would typically be regarded as legal non-conforming if the use of if the structure's use had not transitioned from an accessory dwelling to a principal dwelling. Given the lot's generous size and its ability to maintain the required landscaped area, the intent of the zoning provision to balance hard and soft surfaces is still achieved, and the variance is deemed minor and appropriate.

Staff conducted a site visit and observed that the vinyl shed, and metal gazebo located on Part 2 appear to have been relocated since the submission of the application. Conditions of approval will be included in the consent to allow staff to verify and confirm compliance with the Zoning By-law.

Additionally, a temporary tent was noted on the property, which will also require conditional approval to ensure compliance with the Zoning By-law.

PLMV202500008-162 Aqueduct Street- (Part 1 on sketch)

For Part 1, request to permit a minimum rear yard of 5 metres instead of the required 6 metres as in table 7.3.1RL2 Zon for an existing dwelling on a proposed severed lot. The proposed rear yard setback reduction from 6.0 metres to 5.0 metres for the existing dwelling is also considered minor. The yard remains functional and capable of providing adequate space for amenities, landscaping, and drainage.

Overall, the requested variances for Parts 1 and 2 reflect existing site conditions, have minimal negative impact on adjacent properties, and uphold the intent and purpose of both Zoning By-law 2017-117, as amended and the Official Plan. Accordingly, staff recommend approval of the consent and associated minor variances.

RECOMMENDATION

CONSENT FILE PLCON202500005

The Planning Division recommends **approval** of Consent Application PLCON202500005 with the following Conditions:

1. That the Owner obtain approval of all necessary Minor Variances.
2. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy and digital copy of the Deposited Reference Plan, if applicable, for use in issuance of the Certificate of Consent.
3. Confirmation of payment of outstanding taxes to the satisfaction of the City of Welland Finance Division.
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 (2) years of giving Notice of the Decision.

6. Wood shed on Part 1 on the sketch to be removed
7. The vinyl shed and metal gazebo located on Part 2 is to be relocated to the new position indicated on the provided sketch.
8. The temporary tent structure to comply with the zoning bylaw or to be removed.
9. The hatched portions of asphalt driveway shown on Part 2 in the sketch are to be removed and replaced with landscaped areas.

MINOR VARIANCE FILE PLMV202500006

The Planning Division recommends **approval** of Minor Variance Application PLMV202500006 for the following reasons:

1. **The application is minor in nature** as the requested variances are existing conditions that has been for years. Sufficient landscape area will continue to be maintained.
2. **The application is desirable for the appropriate development of the lands** as the existing residential uses are compatible with the surrounding context and permitted uses.
3. **The application maintains the intent and purpose of the Zoning By-law** as the property continues to comply with all other applicable provisions and requirements, and the existing residential use is permitted within the current zoning designation
4. **The application maintains the intent and purpose of the Official Plan** as the existing residential use aligns with the Plan's policies for Low-Density development and continues to support the intended residential function of the designation.

MINOR VARIANCE FILE PLMV202500008

The Planning Division recommends **approval** of Minor Variance Application PLMV202500006 for the following reasons:

1. **The application is minor in nature** as the requested one-metre reduction in the rear yard is not anticipated to adversely impact the surrounding area, and adequate space for landscaping and amenities will be maintained.
2. **The application is desirable for the appropriate development of the lands** as the existing residential uses are compatible with the surrounding context and maintains neighbourhood character.

3. **The application maintains the intent and purpose of the Zoning By-law** as the property is intended to comply with and maintain all other Zoning By-law Provisions and requirements. The proposed use is permitted within the current Zone.
4. **The application maintains the intent and purpose of the Official Plan** as the existing residential use aligns with the goals and policies of the Official Plan. The property will continue to fulfill the intended function of the Low-Density designation.

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

SA:sa

Item 8 on Agenda

FILE NO. PLCON202500015

Owners: Allan Becker and David Bennett

Location: 485 Biggar Road

Comments Received: Mississaugas of the Credit First Nation

Engineering Division

Enbridge

Niagara Peninsula Conservation Authority

Building Division

Planning Division

Christine Rossetto

From: Abby Lee <Abby.LaForme@mncfn.ca>
Sent: October 22, 2025 11:08 AM
To: Christine Rossetto
Subject: RE: Consent and Minor Variance Notices, Welland - Due November 6

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

Good Morning Christine,

MCFN DOCA has no comments or concerns at this time.

Thank you and have a great week!

Abby (LaForme) Lee (she/her)
Consultation Coordinator,
Department of Consultation & Accommodation



Mississaugas of the Credit First Nation
Mailing: 2789 Mississauga Road, Hagersville, ON, N0A1H0
Physical: 4065 Hwy. #6, Hagersville, ON, N0A1H0
Web: www.mncfn.ca
Facebook: Mississaugas of the Credit First Nation
Ph: 905-768-4260 Ext: 1602

I choose to work flexibly and am sending this message now because it works for me. Feel free to read, act on or respond at a time that works for you.

Disclaimer

The Mississaugas of the Credit First Nation (MCFN) asserts the right to maintain stewardship on our ancestral homelands which includes the right to protect the lands and waters that sustain and support the life and health of all. Historically, and without our consent, MCFN homelands have been industrialized to the point where cumulative effects have already surpassed the point of a questionable future for coming generations. In this era of reconciliation, building a renewed relationship with First Nation peoples based on recognition of rights, respect and partnership, MCFN fully expect legal obligations with the body of the politic to adhere to National interests and engage MCFN in all future development taking place within our ancestral lands.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the Mississaugas of the Credit First Nation.

From: Christine Rossetto <christine.rossetto@welland.ca>
Sent: Tuesday, October 21, 2025 4:16 PM
To: Abby Lee <Abby.LaForme@mncfn.ca>; consultations@metisnation.org; Directorofwh@fenfc.org; dlaforme@sixnations.ca; executivedirector@nrnc.ca; jocko@sixnationsns.com; lonnybomberry@sixnations.ca; Mark

MEMORANDUM

TO: Christine Rossetto
Secretary – Treasurer

FROM: Tolga Aydin
Supervisor of Development Engineering

CC: Taylor Meadows
Manager of Development Planning

DATE: October 23, 2025

SUBJECT: File PLCON202500015
485 Biggar Road

Engineering has completed a review of the consent application PLCON202500015 for consent to lease approximately 255 square meters of land containing an existing telecommunications tower, shown as Part 1 on the draft reference plan attached to the application, for continued use of the telecommunications tower. Part 2, being approximately 27,986.5 square meters of land will be retained for continued rural residential use of the existing dwelling and shed known as 485 Biggar Road.

The effect of this consent application is to extend the existing lease over Part 1 for continued use of the telecommunications tower.

Engineering has no comments or conditions.

Christine Rossetto

From: Municipal Planning <MunicipalPlanning@enbridge.com>
Sent: October 28, 2025 2:34 PM
To: Christine Rossetto
Subject: RE: Consent Notices, Welland - Due November 9

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 consent file **PLCON202500015**, be advised there is an existing easement of Enbridge's 12" diameter XHP(extra high pressure) steel Vital Main pipeline passing on the land along Darby Road . 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: Tuesday, October 21, 2025 4:14 PM
To: Bell Canada <circulations@bell.ca>; Derek Black <derek.black@cogeco.com>; Municipal Planning <MunicipalPlanning@enbridge.com>; Newdevelopment@rci.rogers.com; TCenergy@mhbcplan.com; Welland Hydro Customer Service <csr@wellandhydro.com>
Subject: [External] Consent Notices, Welland - Due November 9

CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate? DO NOT click links or open attachments unless you are 100% sure that the email is safe.

This email was sent from christine.rossetto@welland.ca.

Please see attached 2 consent notices for review. Any comments **due November 6.**

October 31, 2025

VIA EMAIL ONLY

Committee of Adjustment
City of Welland
60 East Main Street
Welland, ON L3B 3X4

Attention: Christine Rossetto, Secretary-Treasurer, City of Welland Committee of Adjustment

Subject: Application for Consent, PLCON202500015
Becker Allan and Bennett David
485 Biggar Road, Welland
ARN 271904000102700

To the Committee of Adjustment,

Further to your request for comments for the Consent for the above noted property, the Niagara Peninsula Conservation Authority (NPCA) can offer the following.

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under Ontario Regulation 41/24 of the Conservation Authorities Act. The NPCA Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority (NPCA policies) provides direction for managing NPCA regulated features.

The NPCA has reviewed the current NPCA mapping of **ARN 271904000123200** and notes that the subject property contains the following NPCA regulated areas:

- Provincially Significant Wetland (PSW) - Upper Grassie Brook Wetland Complex
 - All wetlands have an associated 30-meter buffer area (referred to as the wetland allowance) applied
- Areas of potential unevaluated wetlands
- Watercourse
 - All watercourses have an associated 15-meter buffer area applied from the watercourse top of bank
- An unmapped floodplain associated with the identified watercourse

Based on the Consent Application, the intent of the application is to permit continued use and lease extension for the identified 255 m² area referred to as, Part 1, with the current use of the telecommunications tower.

As there are no current development activities being proposed and, the telecommunications tower is under the jurisdiction of the Federal Government, the NPCA offers no objection to the extension of the lease as outlined within the Consent Application.

As noted above, the subject property does contain NPCA regulated features. Should there be any future works on the subject property, the NPCA would require prior review of all proposed development. Depending on the scope, nature, and location of future works, an NPCA Permit and the completion of studies (i.e., flood study / floodplain mapping) maybe of a requirement prior to the start of works.



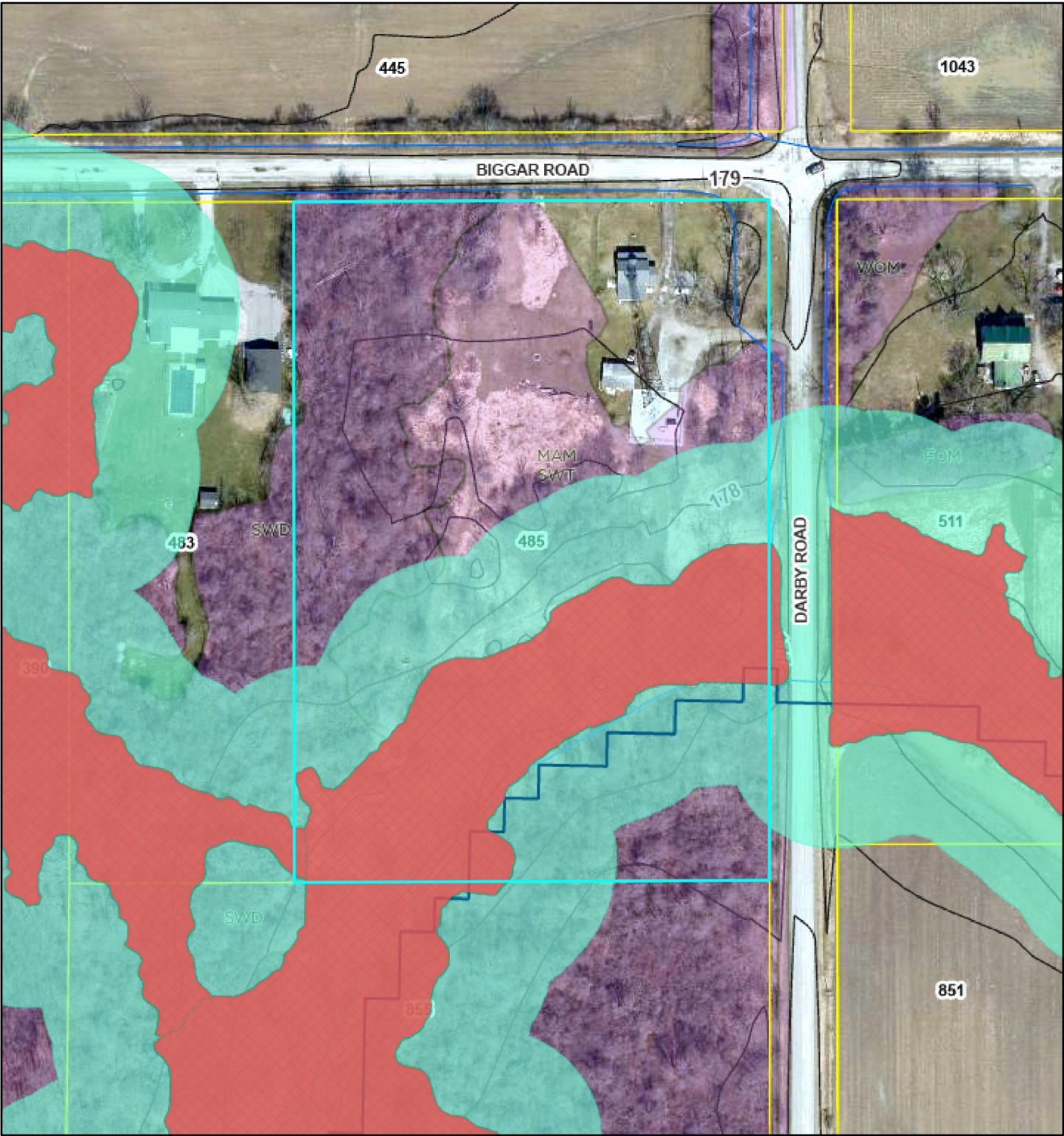
3350 Merrittville Hwy. Unit 9
Thorold Ontario L2V 4Y6
905.788.3135 | info@npca.ca | npca.ca

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter.

Yours truly,

Paige Pearson
Watershed Planner
(905) 788-3135, ext. 205
ppearson@npca.ca

485 Biggar Road, Welland - NPCA Map



10/31/2025, 3:28:15 PM

SWOOP 2020 NPCA

Red: Band_1

Green: Band_2

Blue: Band_3

LIO - Wetland DRAFT

Evaluated-Provincial

Roads

NPCA APPROXIMATE REGULATION LANDS

SHORELINES Enhance Local Feature Type Shoreline

Waterbody - Seasonal

Wetland Allowance

Regulation Wetlands

Evaluated-Provincial

Reaches Draining 125ha Requiring FPM

NPCA, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Christine Rossetto

From: Matthew Balenovich
Sent: November 7, 2025 11:19 AM
To: Christine Rossetto
Subject: RE: Corrected Minor Variance Notice - 162 Aqueduct St - Due November 6
Attachments: MEMORANDUM 158 and 162 Aqueduct St (PLCON202500005).docx

Hi Christine,

Please see below and attached for comments from the Building Division on these files:

158/162 Aqueduct St

PLCON202500005: Please see attached memorandum.

PLMV202500008: No comments. Please see attached memorandum.

PLMV202500006: No comments. Please see attached memorandum.

PLCON202500015: No comments.

Let me know if you require anything else.

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: October 22, 2025 12:11 PM

To: Adam Eckhart <adam.eckhart@welland.ca>; Ali Khan <ali.khan@welland.ca>; Dave Steven <dave.steven@welland.ca>; James Cronshaw <james.cronshaw@welland.ca>; Kelly Walsh <kelly.walsh@welland.ca>;

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: November 11th, 2025

SUBJECT: Consent Application No. PLCON202500015
Becker Allan and Bennett David
485 Biggar Road
PT LOT 15 CON 1 CROWLAND
Welland, Ontario

Planning Staff have reviewed Consent for Lease Application No. PLCON202500015 and offer the following comments for your hearing on Thursday, November 13th, 2025.

PURPOSE

The Applicant is requesting consent to extend an existing lease of approximately 225 square metres of land containing an existing telecommunications tower and shown as Part 1 on the sketch attached to the application. Part 2, being 27,986.5 square metres of land and containing an existing residential dwelling and accessory shed, is to be retained for continued residential use. No new development is proposed as part of this application.

PLANNING DIVISION COMMENTS

The Applicant is seeking this Consent for Lease Application to extend an existing lease over Part 1 for the continued use of the telecommunications tower on the subject property.

SITE CONTEXT

The subject property, known municipally as 485 Biggar Road, is located southwest of the intersection of Biggar Road and Darby Road. The surrounding properties include a mix of agricultural and low-density residential uses and contain a number of agricultural operations and single-detached dwellings.

DESIGNATION AND ZONE

The property parcel is designated Agricultural and Core Natural Heritage in the City's Official Plan and zoned Rural Residential – RR with an Environmental Protection Overlay – EP and Environmental Conservation Overlay – EC in Zoning By-law 2017-117, as amended. The existing

telecommunications tower is not situated within the portions of the lands designated Core Natural Heritage, nor is it within the lands zoned EP or EC.

ANALYSIS

Planning Staff acknowledge that the approval of telecommunications towers are under the exclusive jurisdiction of the Government of Canada through Innovation, Science, and Economic Development Canada (ISED) and in accordance with ISED guidelines CPC-2-0-03. The use of a telecommunications tower is not subject to local planning regulations, including Zoning By-law 2017-117, as amended, and the Official Plan.

Concurrence was provided by the City of Welland on April 8, 2022 for the construction of the telecommunications tower. The concurrence letter acknowledged that approval of the proposed tower was under the exclusive jurisdiction of the Government of Canada through ISED and that Steward Logistics sufficiently responded to the comments received as part of the public circulation.

Planning Staff offer no objection to the proposed lease extension for the existing telecommunications tower on 485 Biggar Road.

RECOMMENDATION

CONSENT FOR LEASE FILE PLCON202500015

Based on the above analysis, the Planning Division recommends **approval** of Consent for Lease Application PLCON202500015 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 any outstanding taxes to the satisfaction of the City of Welland Finance Division.
3. That all Conditions of Consent be fulfilled within two years of giving Notice of the Decision.

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

TG:tg