



**COMMITTEE OF ADJUSTMENT HEARING  
AGENDA**

**Wednesday, August 19, 2026  
5:00 P.M.**

**COUNCIL CHAMBERS, CIVIC SQUARE**

Hearing livestreamed on City website <https://www.welland.ca/city-hall/mayor-and-council/council-livestream/>

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1. **CALL TO ORDER**
  2. **LAND ACKNOWLEDGEMENT**
  3. **ADDITIONS TO AGENDA**
  4. **CONFLICTS OF INTEREST**
  5. **ADOPTION OF MINUTES**  
For Hearing held July 22, 2026
  6. **REQUESTS FOR DEFERRALS / WITHDRAWALS OF APPLICATIONS**
  7. **FILE NO. PLMV202600149** RESIDENCE RICHELIEU WELLAND INCORPORATED  
649 Tanguay Avenue
  8. **FILE NO. PLMV202600163** DIVISION AND CROSS WELLAND DEVELOPMENT INC.  
95 Division Street
  9. **FILE NO. PLMV202600168** IDRAKOTH LTD  
205 Lancaster Drive
  10. **NEXT HEARING DATE**  
September 16, 2026
  11. **OTHER ITEMS**
  12. **ADJOURNMENT**

**Item 5 on Agenda**

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**ADOPTION OF MINUTES**

- July 22, 2026 Hearing



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

**July 22, 2026, 5:00 PM**

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

**Staff Present:** Christine Rossetto, Secretary-Treasurer

**Others Present:** PLCON202600146, PLMV202600147, PLMV202600150 – J. Tomaino

1. **CALL TO ORDER** – The Chair called the Hearing to order. The Secretary-Treasurer explained the format of the Hearing and the rights of appeal for appealing a Decision to the Ontario Land Tribunal.
2. **LAND ACKNOWLEDGEMENT** – The Chair recited the Land Acknowledgment.
3. **AGENDA ADDITIONS** – The Secretary-Treasurer advised of updated comments from the Building Division that were not included in the agenda.
4. **CONFLICTS OF INTEREST** – Nil.
5. **ADOPTION OF MINUTES** – Moved by McNutt that the Minutes of the Hearing held June 24, 2026 be adopted as circulated.

**CARRIED**

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

**7. CONSENT FILE NO. PLCON202600146**

**MINOR VARIANCE FILE NO. PLMV202600150**

Owner: Harry Kiers and Michael Harold Jeffrey Kiers

Location: 754 Cope Road

AND

**MINOR VARIANCE FILE NO. PLMV202600147**

Owner: Diane Kiers

Location: 760 Cope Road

Correspondence and Discussion

- Traffic Division email – June 25, 2026
- Niagara Peninsula Conservation Authority (NPCA) email – July 7, 2026
- Engineering Division memos – July 10, 2026
- R. Rempel email – July 13, 2026
- Building Division email and memo – July 16, 2026 and July 22, 2026
- Planning Division – July 14, 2026

Joe Tomaino, Agent, said this is a boundary lot adjustment, owner in the process of selling 760 Cope Road, property does not have a driveway, taking Part 1 of sketch and adding it to Part 3 of sketch to provide a driveway. He said 1 variance is to recognize the existing driveway and other variance is to recognize reduced lot area for Part 2.

The Chair asked if any new comments were received and the Secretary-Treasurer said that revised comments from Building Division were only with respect to wording of condition 2.

The Chair asked for use of large metal clad building on Part 2, if livestock stored in it, how the metal clad building will be accessed once the driveway becomes part of the other dwelling if application is approved, and if they intend to use the existing driveway on Part 1 for access.

The Agent said building is part of agricultural operation with only farm equipment stored inside, property is used for cash crops, no livestock, there is field access to the barn just north of the existing gravel driveway that is now part of 760 Cope Road and there is a culvert that provides access. He said they will not use the existing driveway as property is to be sold,

The Chair asked for use of the wood frame building and Agent said it is an accessory storage structure storage for the existing house and it has no livestock.

The Chair questioned why a wider driveway is requested and the Agent said want to recognize the existing driveway and not to widen it. He said variance requested because existing driveway is larger than permitted and noted it will be made narrower as removing the gravel to 0.6 metres from the property line for zoning compliance.

The Chair noted Traffic Division's suggestion to reduce driveway width to 7.3 metres and the Agent said the existing driveway meets the requirements at the road access.

The Chair asked if the driveway could be widened to 10.84 metres if approved. The Secretary-Treasurer said Traffic comments relate to the driveway entrance on the City's road allowance at the property line with maximum entrance width being 7.3 metres. She said their comments do not apply to the property as the Zoning By-law sets the driveway width for the lot. She said the variance request is to recognize the widest width of the driveway if Part 1 merges to the south property and that it will be set back 0.6 metres from north lot line.

Member Ursacki asked if the conditions from Building Division is an either/or situation and the Secretary-Treasurer said she believes that is be correct.

The Chair noted no one from the public spoke on the file.

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

**Decision PLCON202600146 – GRANTED with 9 conditions** and for the following reasons:

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

2. That the applicant provide a revised site plan showing the location of the septic tank and distribution piping of the septic bed. The site plan must include the setbacks of the tank and distribution piping to the proposed property lines in order to show compliance with 8.2.1.6. If compliance is not shown, a building permit and all required inspections to the satisfaction of the Chief Building Official will be required to comply with the OBC.
3. That the applicant detail the specific use of the buildings identified as “wood framed building” and “metal clad building” to identify their major occupancy classification. The Applicant must also provide drawings of the elevations adjacent to the proposed property lines. The elevation drawings must show the area of exposing building face and aggregate area of all unprotected openings. The submission will need to meet the approval of staff. If compliance is not shown, a building permit and all required inspections to the satisfaction of the Chief Building Official may be required.
4. Pursuant to Section 50(12) of The Planning Act, R.S.O. 1990, as amended, it is hereby stipulated that Section 50(3) or (5), as the case may be, shall apply to any subsequent Conveyance of, or other transaction involving the identical subject parcel of land. Therefore, once the subject parcel of land (Part 1) has been Conveyed to the Owner of the parcel abutting to the south (Part 3), the subject parcel and the said abutting parcel shall merge in Title and become one parcel of land.
5. That any portion of the driveway that intersects the proposed new lot line shall be removed and set back a minimum of 0.6 metres from the side of the lot line.
6. That final approval be received from the Committee of Adjustment for the City of Welland for any necessary Minor Variances.
7. 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.
8. Confirmation of payment of outstanding taxes to the satisfaction of the City of Welland Finance Division.
9. That all Conditions of Consent be fulfilled within 2 years of giving Notice of Decision.

Reasons:

1. The consent application is consistent with the relevant provincial and City of Welland planning policy.
2. The application will have no adverse impact and no new lot is being created.
3. This Decision is rendered having regard to the provisions of Subsection 51(24) of The Planning Act, R.S.O. 1990, as amended.

Decision PLMV202600150 – 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 variance is still considered to be sufficient for the functionality of the property.

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

Decision PLMV202600147 – **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 variance is still considered to be sufficient for the functionality of the property.
2. The application is desirable for the appropriate development of the land as the proposed boundary will provide access to an existing single-detached dwelling that currently has no access.
3. The application maintains the intent and purpose of the Zoning By-law as the proposal is anticipated to satisfy all other requirements of the By-law and is expected to support permitted uses as outlined in the By-law
4. The application maintains the intent and purpose of the Official Plan as the proposed lot addition is consistent with the Official Plan's policies for the protection of agricultural areas.

All 3 Decisions Signed Electronically: "Diane Zakraysek-Bourque"  
"Kristen McNutt"  
"Wayne Ursacki"

**CARRIED**

**8. NEXT HEARING DATE** – August 19, 2026

**9. OTHER ITEMS** – Nil.

**10. ADJOURNMENT** – Hearing closed at 5:32pm.

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Chair

Secretary-Treasurer

**Item 7 on Agenda**

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**FILE NO. PLMV202600149**

Owner: RESIDENCE RICHELIEU WELLAND INCORPORATED

Location: 649 Tanguay Avenue

**Comments Received:**

Engineering Division

Planning Division

Building Division

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**MEMORANDUM**

**TO:** Christine Rossetto  
Secretary – Treasurer

**FROM:** Mateo Mussari  
Engineering Technician - Development

**CC:** Samantha McCauley  
Manager of Development Engineering

**DATE:** August 6, 2026

**SUBJECT:** PLMV202600149  
649 Tanguay Avenue

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Engineering has completed a review of the minor variance application PLMV202600149 for relief from City of Welland Zoning By-Law 2017-117, as amended with respect to the following:

Section 5.3.2 a) ii) – Accessory Structure Location – To permit a minimum west side yard setback of 0.5 metres instead of the required 0.9 metres for proposed addition onto an existing accessory building, such addition to be approximately 26.3 square metres in size.

**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:** August 19<sup>th</sup>, 2026

**SUBJECT:** Minor Variance Application No. PLMV202600149  
Residence Richelieu Welland Inc  
649 Tanguay Avenue  
PLAN 22 LOT 140 TO 157 LOTS 181 TO 1187PT LOTS 170 TO 180 PT  
LOTS 188 TO 194 RP 59R-5600 PART 2  
Welland, Ontario

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Planning Staff have reviewed Minor Variance Application No. PLMV202600149 and offer the following comments for your hearing on Wednesday, August 19<sup>th</sup>, 2026.

### **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 5.3.2 ii) - To permit a minimum setback from a side yard of 0.5 metres instead of 0.9 metres for a detached private garage or other accessory building.

### **PLANNING DIVISION COMMENTS**

The Applicant is requesting a variance for the proposed future addition to an existing detached garage. Relief is being requested for a decreased minimum setback of 0.5 metres, whereas 0.9 metres is permitted. As the proposed addition is closer to the westernmost interior side lot line than what is permitted by the Zoning By-law, a minor variance is required to permit the addition.

### **SITE CONTEXT**

The subject property is known municipally as 649 Tanguay Avenue, north of Tanguay Avenue between Wellington Street and Promenade Richelieu. The property is presently developed with an existing retirement home and detached garage. The surrounding land uses are predominantly low density residential uses to the west and north. The institutional use of a school is located to the south while more facilities for the Foyer Richelieu retirement home are located on lots to the east and north of the subject property.

Residence Richelieu Welland Inc

649 Tanguay Avenue, Welland, Ontario

PLAN 22 LOT 140 TO 157 LOTS 181 TO 1187PT LOTS 170 TO 180 PT LOTS 188 TO 194 RP 59R-5600 PART 2

## **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 High Density Residential in the City's Official Plan which is intended to accommodate medium-rise and high-rise apartment dwellings and a variety of accessory uses at a density between 61 and 125 dwelling units per net hectare of land. The proposed use is permissible in the applicable designation.

The lands are zoned RH-47 – Residential High Density in Zoning By-law 2017-117, as amended. The uses and regulations for the RH-47 Zone are those of the RH Zone save and except for changes to the required lot frontage, minimum side yard of the principal structure, minimum landscaped open space, maximum building height, and parking. A variety of high-density residential uses and several commercial uses are permitted in the RH-47 Zone, including accessory structures. The requested variance would permit a decreased setback from a side lot line for accessory structures from what is currently allowed in the Zoning By-law.

## **ANALYSIS**

The applicant is requesting relief from Section 5.3.2 ii) of Zoning By-law 2017-117, as amended which requires a detached private garage or other accessory building to maintain a minimum setback of 0.9 metres from any side or rear lot line. The decreased setback will permit an accessory structure to be closer to the westernmost side lot line than is typically permitted, and the minor variance is required to facilitate the expansion of the existing detached garage onto an existing concrete slab.

The variance is not anticipated to cause adverse impacts to the adjacent area. The current drawings show the structure to meet the other requirements for accessory uses, buildings, and structures in Zoning By-law 2017-117. Accessory structures, including detached garages, are permitted in the zone and designation.

Upon review of the submitted variance, Staff are of the opinion that the decreased setback is appropriate. The proposal complies with all other provisions of the Zoning By-law, including setback requirements for accessory structures.

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 variance.

## **RECOMMENDATION**

### **MINOR VARIANCE FILE PLMV202600149**

The Planning Division recommends **approval** of Minor Variance Application PLMV202600149 for the following reasons:

1. **The application is compliant with the general intent and purpose of the Official Plan** as the proposed changes are consistent with the High Density Residential designation.

Residence Richelieu Welland Inc

649 Tanguay Avenue, Welland, Ontario

PLAN 22 LOT 140 TO 157 LOTS 181 TO 1187PT LOTS 170 TO 180 PT LOTS 188 TO 194 RP 59R-5600 PART 2

2. **The application is compliant with the general intent and purpose of the Zoning By-law** as the use is permitted in the RH-47 Zone and 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 proposal will permit greater use of the existing accessory structure and is a permitted use.
4. **The application is minor in nature** as the requested variance is not anticipated to negatively impact neighboring properties 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.

TG:tg

## Christine Rossetto

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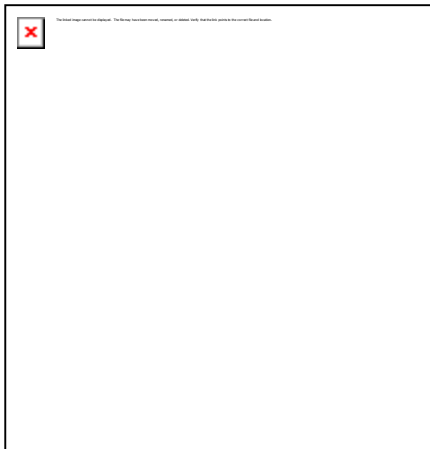
**From:** Matthew Balenovich  
**Sent:** August 14, 2026 3:55 PM  
**To:** Christine Rossetto  
**Subject:** Re: Minor Variance Notices - due August 13

Hi Christine,

Please see below for Building Division comments and conditions for these three files:

1. PLMV202600149: No condition. Comment only: A building permit will be required for the proposed addition to the accessory building. Please contact [BuildingPermitSubmissions@welland.ca](mailto:BuildingPermitSubmissions@welland.ca) for permit application requirements.

Thank you, and let me know if you require anything else.

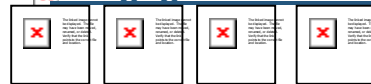


**Matthew Balenovich**  
Plan Examiner  
Building Division  
60 East Main Street, Welland, Ontario L3B 3X4

 Phone: 905-735-1700 x2317

 [welland.ca](http://welland.ca)

 [engagewelland.ca](http://engagewelland.ca)



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**From:** Christine Rossetto <[christine.rossetto@welland.ca](mailto:christine.rossetto@welland.ca)>

**Sent:** Wednesday, July 29, 2026 11:12 AM

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

**Item 8 on Agenda**

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**FILE NO. PLMV202600163**

Owner: DIVISION AND CROSS WELLAND DEVELOPMENT INC.

Location: 95 Division Street

**Comments Received:**

Engineering Division

Neitha Rose

Niagara Region

Heather Corman

Planning Division

Building Division

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**MEMORANDUM**

**TO:** Christine Rossetto  
Secretary – Treasurer

**FROM:** Mateo Mussari  
Engineering Technician - Development

**CC:** Samantha McCauley  
Manager of Development Engineering

**DATE:** August 6, 2026

**SUBJECT:** PLMV202600163  
95 Division Street

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Engineering has completed a review of the minor variance application PLMV202600163 for relief from City of Welland Zoning By-Law 2017-117, as amended with respect to the following:

Section 6.13 c) – Parking Structures – To permit a minimum 0 metre setback for the below-grade parking structure from all street lines and property lines instead of the required 3 metres.

**Engineering has no comments.**

## Christine Rossetto

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**From:** JOHN ROSE [REDACTED]  
**Sent:** August 12, 2026 10:40 AM  
**To:** cofa  
**Cc:** Mark McGill  
**Subject:** Property adjacent to Holy Trinity Anglican Church

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

As a citizen of Welland for over 85 years, I should like to register my opposition to the apartment project slated for Division Street. Not only will a building of this size impact the church beside it but it will also impact the community it serves. One only has to look at the property at 76 Division Street to register the futility of this type of project. Each time the owner attempts to upgrade the building it is vandalized. To the west of the church, closer to King Street, another project has been abandoned. Downtown development is central to the health of the City of Welland but a 10 story apartment building, in my opinion, is not the answer. We need to bring people to the downtown area but there is little there at this time to attract them. It seems that each project we take on eliminates more parking area and that is already lacking. I am old enough to remember the downtown as a vibrant area and rebuilding that should be our primary focus. We need to attract small customer friendly businesses, not just offices. We need a safe and clean downtown that offers a pleasant and restful environment. Most of that disappeared with the advent of one way streets.

That notwithstanding, the effects on the 151 year old church beside this facility will cause irreparable damage. The foundation, the stained glass windows, many in memory of past builders of the community, will be decimated by the use of heavy equipment so close. Why people who are supposedly wanting to rebuild the downtown area would even consider this proposal is beyond my comprehension.. Surely, tax dollars have not become so important to our elected representatives that they are willing to compromise what is left of the history of our city.

(Mrs.) Neitha C.Rose

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## Christine Rossetto

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**From:** Lucky Reddy, Adithi <Adithi.Lucky.Reddy@niagararegion.ca>  
**Sent:** August 13, 2026 2:57 PM  
**To:** Christine Rossetto; Development Planning Applications  
**Cc:** Fajta, Jessica  
**Subject:** RE: Minor Variance Notices - Welland - Due August 13

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Hi Christine,

The Region has no comments for the minor variance applications at 95 Division Street and 205 Lancaster Drive. As you mentioned, we are reviewing the site plan applications.

Thank you,



**Adithi Lucky Reddy**  
Planner

Niagara Region, Sir Isaac Brock Way,  
Thorold, ON, L2V 4T7, PO Box 1042

**P:** (905) 980-6000 ext. 3264

**W:** [www.niagararegion.ca](http://www.niagararegion.ca)

**E:** [adithi.luckyreddy@niagararegion.ca](mailto:adithi.luckyreddy@niagararegion.ca)



*My workday may look different from your workday. Please do not feel obligated to respond outside of your normal working hours.*

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**From:** Christine Rossetto <christine.rossetto@welland.ca>  
**Sent:** July 29, 2026 11:40 AM  
**To:** Development Planning Applications <devtplanningapplications@niagararegion.ca>  
**Cc:** Lucky Reddy, Adithi <Adithi.Lucky.Reddy@niagararegion.ca>  
**Subject:** Minor Variance Notices - Welland - Due August 13

**Niagara Region Security Warning:**

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Hi Adithi,

Please see 2 Minor Variance Notices attached for review. Any comments **due August 13.**

I understand that the Region is reviewing the site plans for both properties (95 Division St and 205 Lancaster Dr). Thus, I have not asked for the review fee.

## Christine Rossetto

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**From:** Heather Corman [REDACTED]  
**Sent:** August 13, 2026 4:14 PM  
**To:** cofa  
**Subject:** Variance requested from City of Welland Zoning By-law 2017-117

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

To Ms. C. Rossetto;

I am writing in opposition to this Variance.

The Wardens of Holy Trinity Anglican Church, 77 Division Street, Welland, have grave concerns about the City of Welland permitting Section 6.13c. A zero metre setback for the below grade parking structure, instead of the required 3 metres, has the potential to weaken/damage the foundation of our 150 year old building.

Removing 35 parking spaces from the city parking behind the church has the potential to adversely affect our many outreach programs for unhoused people and individuals with low income, such as our Breakfast Program, which we run 375 days a year, the Food and Hygiene Pantry, 3 days a week, not to mention the many deliveries to the back of the church, that are necessary to keep these programs running.

We will be attending the public hearing to voice our opposition to this application.

Sincerely,

Heather Corman

Warden

Holy Trinity Anglican Church

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## 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:** August 14, 2026

**SUBJECT:** Minor Variance Application No. PLMV202600163  
Division and Cross Welland Development Inc.  
95 Division Street, Welland, Ontario  
PLAN 555 PT LOTS 20 & 21 PLAN 564 PT BLK AA RP 59R17618  
PARTS 1, 3, & 5.

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Planning Staff have reviewed Minor Variance Application No. PLMV202600163 and offer the following comments for your hearing on August 19<sup>th</sup>, 2026.

#### **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 6.13 c) – Parking Structures – To permit a minimum 0 metre setback for the below-grade parking structure from all street lines and property lines instead of the required 3 metres.

#### **PLANNING DIVISION COMMENTS**

The applicant proposes to construct a 135-unit, 10-storey apartment building with commercial uses on the ground floor. The proposed development is undergoing an application for Site Plan Control Agreement.

The submitted application seeks relief from Section 6.13 c) – Parking Structures in Zoning By-Law 2017-117 to address the deficiencies in the minimum required setbacks for the underground parking garage.

#### **SITE CONTEXT**

The subject land, municipally known as 95 Division Street, is currently utilized for parking purposes. It is located on the south side of Division Street, at the southwest corner of the intersection of Division Street and Cross Street. Immediately to the south of the subject land is

the municipal parking lot addressed 70 Young Street and commonly known as the Market Square. The surrounding lands have a mix of uses and formats typical of the Downtown, including a place of worship immediately to the west, along with mixed-use residential and commercial buildings, a social services establishment, and various other commercial uses in the vicinity.

The property is situated on the east side of the Welland Recreation Waterway and the Welland River, approximately 250 metres from the multi-use Canal Parkway Trail. The lands are also less than 300 metres to Welland Bus Terminal.

## **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 Downtown in the City's Official Plan. Through the planning objectives for this designation, the Downtown is intended to be maintained and enhanced as the primary mixed-use node, be attractive and pedestrian-friendly, and to maintain historic character while still being the primary location for intensification and redevelopment. A wide variety of uses are permitted in the Downtown, including commercial, institutional, entertainment, and hospitality uses, personal and professional services, offices, and all densities of residential development.

The subject lands are currently zoned Downtown Mixed Use Centre – DMC in Zoning By-law 2017-117, as amended. The DMC zone permits a wide of commercial, hospitality, community, recreational, and residential uses, including an apartment building with commercial uses on the ground floor, as is proposed on the subject property.

## **ANALYSIS**

The applicant is requesting relief from Section 6.13 c) of Zoning By-Law 2017-117, as Amended, to permit a minimum 0 metre setback for the below-grade parking structure from all street lines and property lines instead of the required 3 metres.

A previous minor variance application (File No. A07-2023) to address deficiencies in maximum lot coverage, maximum height, minimum required rear yards, and minimum parking requirements was approved for the proposed development. The details of the underground parking garage were not yet conceptualized at the time of the approval and have been identified during the review for Site Plan Control.

Staff are of the opinion that a reduction in the required setbacks for an underground parking garage is appropriate for the following reasons:

- The reduced setbacks for the underground parking structure are not anticipated to have a negative impact on the adjacent properties as they are currently being used, nor on the potential for development in the future.
- The reduced setbacks are intended to enhance the functionality of the property below-ground while maintaining the functionality of the property above-ground.
- The proposal will help facilitate the appropriate development of vacant land in the Downtown, in a manner that aligns with the City's current planning policies.

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 variance.

## **RECOMMENDATION**

### **MINOR VARIANCE FILE PLMV202600163**

The Planning Division recommends **approval** of Minor Variance Application PLMV202600163 for the following reasons:

1. **The application is consistent with the general intent and purpose of the Official Plan** as the proposed application encourages intensification and facilitates the addition of commercial and residential uses in the Downtown.
2. **The application is consistent with the general intent and purpose of the Zoning By-law** as the proposed development is expected to comply with all other provisions of Zoning By-law 2017-117.
3. **The application is desirable for the appropriate development of the site** as the requested variances will permit efficient use of vacant land in the Downtown that is serviced and well-connected to active and sustainable transportation networks.
4. **The application is minor in nature** as the requested variances are not expected to negatively affect the surrounding area nor the public, and it is in 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

## Christine Rossetto

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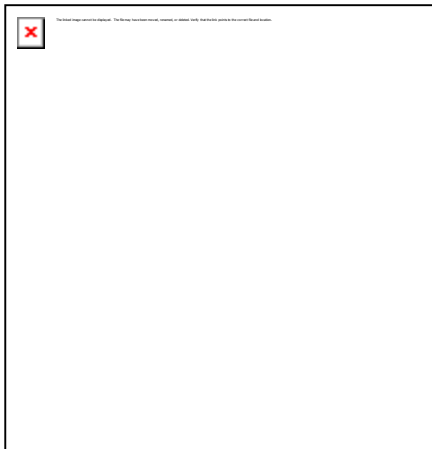
**From:** Matthew Balenovich  
**Sent:** August 14, 2026 3:55 PM  
**To:** Christine Rossetto  
**Subject:** Re: Minor Variance Notices - due August 13

Hi Christine,

Please see below for Building Division comments and conditions for these three files:

1. PLMV202600163: No condition. Comment only: A building permit will be required for the proposed 10-storey building. Please contact [BuildingPermitSubmissions@welland.ca](mailto:BuildingPermitSubmissions@welland.ca) for permit application requirements.

Thank you, and let me know if you require anything else.



**Matthew Balenovich**  
Plan Examiner  
Building Division  
60 East Main Street, Welland, Ontario L3B 3X4

 Phone: 905-735-1700 x2317

 [welland.ca](http://welland.ca)

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**From:** Christine Rossetto <[christine.rossetto@welland.ca](mailto:christine.rossetto@welland.ca)>

**Sent:** Wednesday, July 29, 2026 11:12 AM

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

**Item 9 on Agenda**

**[Back to Top](#)**

**FILE NO. PLMV202600168**

Owner: IDRAKOTH LTD

Location: 205 Lancaster Drive

**Comments Received:**

Engineering Division

Niagara Region

Planning Division

Building Division

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**MEMORANDUM**

**TO:** Christine Rossetto  
Secretary – Treasurer

**FROM:** Mateo Mussari  
Engineering Technician - Development

**CC:** Samantha McCauley  
Manager of Development Engineering

**DATE:** August 6, 2026

**SUBJECT:** PLMV202600168  
205 Lancaster Drive

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Engineering has completed a review of the minor variance application PLMV202600168 for relief from City of Welland Zoning By-Law 2017-117, as amended with respect to the following:

Section 5.10.7 c) – Heat Pumps, Air Conditioners, Ventilating Equipment, Generators, etc. – To permit heat pumps and air conditioners to be a minimum of 2 metres from a street line instead of the required 3 metres for a parcel yet to be created (shown as Part 2, 59R-18456).

Section 6.13 c) – Parking Structures – To permit a minimum 0 metre setback for the below-grade parking structure from all street lines and property lines instead of the required 3 metres for a parcel yet to be created (shown as Part 2, 59R-18456).

**Engineering has no comments.**

## Christine Rossetto

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**From:** Lucky Reddy, Adithi <Adithi.Lucky.Reddy@niagararegion.ca>  
**Sent:** August 13, 2026 2:57 PM  
**To:** Christine Rossetto; Development Planning Applications  
**Cc:** Fajta, Jessica  
**Subject:** RE: Minor Variance Notices - Welland - Due August 13

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

Hi Christine,

The Region has no comments for the minor variance applications at 95 Division Street and 205 Lancaster Drive. As you mentioned, we are reviewing the site plan applications.

Thank you,



**Adithi Lucky Reddy**  
Planner

Niagara Region, Sir Isaac Brock Way,  
Thorold, ON, L2V 4T7, PO Box 1042

**P:** (905) 980-6000 ext. 3264

**W:** [www.niagararegion.ca](http://www.niagararegion.ca)

**E:** [adithi.luckyreddy@niagararegion.ca](mailto:adithi.luckyreddy@niagararegion.ca)



*My workday may look different from your workday. Please do not feel obligated to respond outside of your normal working hours.*

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**From:** Christine Rossetto <christine.rossetto@welland.ca>  
**Sent:** July 29, 2026 11:40 AM  
**To:** Development Planning Applications <devtplanningapplications@niagararegion.ca>  
**Cc:** Lucky Reddy, Adithi <Adithi.Lucky.Reddy@niagararegion.ca>  
**Subject:** Minor Variance Notices - Welland - Due August 13

**Niagara Region Security Warning:**

This is an external email, use caution when opening attachments or clicking links

Hi Adithi,

Please see 2 Minor Variance Notices attached for review. Any comments **due August 13.**

I understand that the Region is reviewing the site plans for both properties (95 Division St and 205 Lancaster Dr). Thus, I have not asked for the review fee.

## 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:** August 14, 2026

**SUBJECT:** Minor Variance Application No. PLMV202600168  
Idrakoth Ltd.  
205 Lancaster Drive, Welland, Ontario  
BLK 1 PLAN 59M-529

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Planning Staff have reviewed Minor Variance Application No. PLMV202600168 and offer the following comments for your hearing on Wednesday, August 19<sup>th</sup>, 2026.

#### **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 5.10.7 c) - Heat Pumps, Air Conditioners, Ventilating Equipment, Generators, etc. - To permit heat pumps and air conditioners to be a minimum of 2 metres from a street line instead of the required 3 metres for a parcel yet to be created (shown as Part 2, 59R-18456).
2. Section 6.13 c) - Parking Structures - To permit a minimum 0 metre setback for the below-grade parking structure from all street lines and property lines instead of the required 3 metres for a parcel yet to be created (shown as Part 2, 59R-18456).

#### **PLANNING DIVISION COMMENTS**

The applicant proposes to construct a 3-storey stacked townhouse development with a below-grade parking structure on a parcel of land yet to be created. 205 Lancaster Drive is concurrently subject to an application for a Plan of Condominium (File No. 26CD-14-23003) to create the subject parcel (shown as Part 2 on attached Plan 59R-18456), as well as an application for Site Plan Control Agreement.

The submitted application seeks relief from Section 6.13 c) - Parking Structures in Zoning By-law 2017-117 to address deficiencies in the minimum required setbacks for the underground

parking garage. The application also seeks relief from Section 5.10.7 c) - Heat Pumps, Air Conditioners, Ventilating Equipment, Generators, etc. in Zoning By-Law 2017-117 to address deficiencies in the minimum required setbacks to a street line for the above-mentioned equipment.

## **SITE CONTEXT**

The subject land parcel of land, yet to be created, is currently located along the northern street line of the larger property known municipally as 205 Lancaster Drive (Part 2 on attached Plan 59R-18456). The following context will be pertaining to the parcel yet to be created, unless otherwise specified.

The subject land and the other lands pertaining to 205 Lancaster Drive are vacant, having been previously used as part of the parking lot for the Seaway Mall (800 Niagara Street). It is located on the south side of Lancaster Drive near the intersection of Lancaster Drive and Niagara Street. Further south of the subject lands is the Seaway Mall (800 Niagara Street) and further to the northwest and southwest is the established commercial strip along Niagara Street, representing the regional shopping node. Low-, medium-, and high-density residential uses are located to the north and east of the subject lands. Southeast of the property and beyond the residential uses to the east is open space and vacant land along the west bank of Welland Recreational Canal.

The property is within proximity the transit stop located in the Seaway Mall (800 Niagara Street) parking lot, which is serviced by Regional Route #70/75 (Brock University and Niagara College Welland Campus) and Welland Route #508 and #509.

## **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 subject parcel (shown as Part 2 on attached Plan 59R-18456) Medium Density Residential - SPA in the City's Official Plan. This designation permits a maximum density of 216 units per net hectare of land, and all other uses permitted in the Medium Density Residential designation, including multiple dwellings, townhouses, stacked townhouses, and low-rise apartments. The proposed uses and development are permissible in the Medium Density Residential designation. The High Density Residential - SPA is present on the larger 205 Lancaster Drive property, but not on the subject lands.

The subject lands are currently zoned Residential Medium – RM-110 in Schedule B: Special Exceptions of the Zoning By-law 2017-117, as amended. The RM-110 Zone has extensive specifications for General Provisions, Parking and Loading Regulations, and the regulations outlined for Residential Zones. The requested minor variances are not pertaining to provisions found in the RM-110 Zone in Schedule B, rather they pertain to Zoning By-Law 2017-117, as amended. RM-109 and RM-111 Zones are present on the larger 205 Lancaster Drive property, but not on the subject lands.

## **ANALYSIS**

The applicant is requesting relief from section 5.10.7 c) - Heat Pumps, Air Conditioners, Ventilating Equipment, Generators, etc., to permit such equipment to be a minimum of 2 metres from a street line instead of the required 3 metres. This is to address the potential installation of this equipment in the exterior side yards. The applicant is also requesting relief from Section 6.13 c) - Parking Structures, to permit a minimum 0 metre setback for the below-grade parking structure from all street lines and property lines instead of the required 3 metres.

The site underwent an Official Plan Amendment (OPA) to adopt the current Medium Density Residential - SPA Designation and a Zoning By-Law Amendment (ZBA) to adopt the current site-specific RM-110 Zone. The development proposal has not changed substantially since the OPA/ZBA applications; however, minor zoning deficiencies have been identified during the review for Site Plan Control.

Staff are of the opinion that a reduction in the required setbacks for an underground parking garage is appropriate. The reduced setbacks for the underground parking structure are not anticipated to have a negative impact on the adjacent properties, and they are anticipated to enhance the functionality of the property below-ground while maintaining the functionality of the property above-ground. Staff are also of the opinion that a reduction in the required setbacks for Heat Pumps, Air Conditioners, Ventilating Equipment, Generators, etc., from a street line is appropriate. The potential presence of such equipment within 2m of the street line (rather than 3m), on balconies or on the ground, is not anticipated to pose a substantial disturbance to people using the right-of-way. The proposed variances will help facilitate the appropriate development of vacant land in proximity to the City's Regional Shopping Node, in a manner that aligns with the City's current planning policies.

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 variance.

## **RECOMMENDATION**

### **MINOR VARIANCE FILE PLMV202600168**

The Planning Division recommends **approval** of Minor Variance Application PLMV202600168 for the following reasons:

1. **The application is consistent with the general intent and purpose of the Official Plan** as the uses are supportive of objectives and policy within the Official Plan by facilitating development in an area that is already serviced and accessible via public transit.
2. **The application is consistent with the general intent and purpose of the Zoning By-law** as the proposed development is expected to comply with all other provisions of Zoning By-law 2017-117.

3. **The application is desirable for the appropriate development of the site** as the requested variances will permit efficient use of the land to provide more housing opportunities in a well-serviced area.
4. **The application is minor in nature** as the requested variances are not expected to negatively affect the surrounding area nor the public, and it is in 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

## Christine Rossetto

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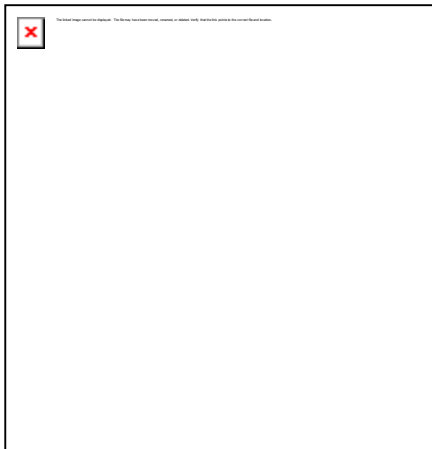
**From:** Matthew Balenovich  
**Sent:** August 14, 2026 3:55 PM  
**To:** Christine Rossetto  
**Subject:** Re: Minor Variance Notices - due August 13

Hi Christine,

Please see below for Building Division comments and conditions for the file:

1. PLMV202600168: No condition. Comment only: A building permit will be required for the proposed stacked townhouse and parking structure. Please contact [BuildingPermitSubmissions@welland.ca](mailto:BuildingPermitSubmissions@welland.ca) for permit application requirements.

Thank you, and let me know if you require anything else.



**Matthew Balenovich**  
Plan Examiner  
Building Division  
60 East Main Street, Welland, Ontario L3B 3X4

 Phone: 905-735-1700 x2317

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**From:** Christine Rossetto <[christine.rossetto@welland.ca](mailto:christine.rossetto@welland.ca)>

**Sent:** Wednesday, July 29, 2026 11:12 AM

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