



H01/2026

**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
MINUTES OF THE HEARING OF THE COMMITTEE OF ADJUSTMENT**

FEBRUARY 18, 2026 at 4:00 P.M.

TOWNSHIP OF WAINFLEET COUNCIL CHAMBERS

PRESENT:

D. Chase	Chair
S. McMillan	Member
R. Leone	Member
M. Feduck	Member
G. Balicki	Member

REGRETS: None.

STAFF PRESENT:

L. Earl	Mgr. of Community and Development Services
D. Scott	Secretary – Treasurer, Planning Technician

1. Call to Order

The hearing was called to order by the Chair at 4:00 p.m.

2. Disclosure of Pecuniary Interest and the General Nature Thereof

None.

3. Requests for Adjournment

None.

4. Adoption of Minutes

a) Minutes of the Committee of Adjustment Hearing held December 17, 2025

Motion COA-001-2026

Moved by Member McMillan

Seconded by Member Feduck

“THAT the minutes of the Committee of Adjustment Hearing scheduled December 17, 2025 be adopted as circulated.”

CARRIED

5. Applications for Minor Variance

a) A01/2026W – Wojciech and Mariola Oles (11507 Beach Road East)

The subject property is located on the south side of Beach Road East, east of Bellevue Beach Road. The subject property is zoned Residential Lakeshore – RLS.C25 with a Hazard Overlay

An application for a minor variance has been submitted to expand a legal non-conforming single detached dwelling. The applicant proposes to construct a new two-storey single detached dwelling extending further towards the rear lot line, resulting in a rear yard setback of 6.85m and a lot coverage of 33%.

Representation

Wojciech Oles, the applicant, was present to represent the application.

Correspondence

Correspondence was received from the following agencies, departments and members of the public:

1. Township of Wainfleet By-law Department
2. Niagara Peninsula Conservation Authority
3. Township of Wainfleet Drainage Department
4. Township of Wainfleet Building Department
5. Niagara Region Public Works Infrastructure Planning and Development Division
6. Township of Wainfleet Planning Department

Comments

The Secretary – Treasurer provided an overview of the application and the Manager of Community and Development Services provided the Committee with a summary of the planning report along with a recommendation.

Member McMillan asked for confirmation regarding the relief being requested. The Manager of Community and Development Services stated that the minor variance is to approve the rebuilding of the legal non-conforming use, and that stairs off of the built deck will encroach further into the rear yard. The applicant confirmed the assessment of the Manager of Community and Development Services, and gave further timelines regarding their ownership of the property, and why they were rebuilding the dwelling.

Member McMillan asked for clarification as to whether the Township would be liable if the mentioned gas well was not properly capped. The Manager of Community and Development Services said that the applicant could not force the neighbour to make sure the well is capped, but that the request is for the applicant to do his due diligence.

Member Leone asked how far the property is from the break wall. The applicant stated that the property is about 7 metres from the break wall. Chairperson Chase asked if the garage near the road is the applicants. The applicant said that it was the garage of his neighbour. Chairperson Chase asked where parking was on the property, which the applicant explained to the committee's satisfaction. Chairperson Chase asked if the new dwelling would be a four-season dwelling, which was confirmed by the applicant. There was general agreement among committee members that the proposal represents an improvement to what currently exists on the property.

Decision

Motion COA-002-2026

Moved by Member McMillan

Seconded by Member Feduck

"THAT the application for Minor Variance A01/2026W made by Wojciech and Mariola Oles be approved subject to the following condition(s):

1. That the applicant obtain a Works Permit from the Niagara Peninsula Conservation Authority (NPCA) prior to any site alteration."

CARRIED

6. Other Business

- a) Minutes of the Property Standards Appeal Committee Hearing held January 21, 2026

Motion COA-003-2026

Moved by Member McMillan

Seconded by Member Feduck

"THAT the minutes of the Property Standards Appeal Committee Hearing scheduled January 21, 2026 be adopted as amended."

CARRIED

- b) Appointment of Chairperson and Vice-Chairperson for 2026 Committee of Adjustment

Discussion took place regarding candidates for Chair and Vice-Chair of the Committee for 2026. Members discussed Diane Chase continuing as Chair. Diane Chase accepted and was acclaimed for the position. Members then discussed Sharon McMillan filling the role of Vice-Chair, which she then accepted and was acclaimed. A formal motion regarding the appointments for 2026 was made.

Motion COA-004-2026

Moved by Member McMillan
Seconded by Member Balicki

“**THAT** Diane Chase be appointed as Chair and that Sharon McMillan be appointed as Vice-Chair for 2026, effective the March 18, 2026 meeting.”

CARRIED

7. Adjournment

Motion COA-005-2026

Moved by Member McMillan
Seconded by Member Leone

“**THAT** the Committee of Adjustment for the Township of Wainfleet be adjourned.”

Committee adjourned at 4:35 p.m.

CARRIED



D. Chase, CHAIR



D. Scott, SECRETARY-TREASURER