



H03/2026

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

MAY 20, 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: S. Ivins Planner
 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 April 15, 2026

Motion COA-010-2026

Moved by Member McMillan

Seconded by Member Balicki

“**THAT** the minutes of the Committee of Adjustment Hearing scheduled April 15, 2026, be adopted as circulated.”

CARRIED

5. Applications for Minor Variance

a) A03/2026W – Todd Barber on behalf of Merle and Stacie Beam (10165 Cedar Crest Road)

The subject property is located on the west side of Cedar Crest Road, south of Lakeshore Road. The subject property is zoned Residential Lakeshore – RLS.C10-21 with a Hazard Overlay.

An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a detached garage on the subject property:

| Section of By-law | By-law Requirement | Application Request | Difference |
|---|--------------------|---------------------|------------|
| Section 4 Table 2 – Accessory Building Maximum Height | 6.5 m | 9.3 m | 2.8 m |

Representation

Merle and Stacie Beam, the applicants, were present at the meeting.

Todd Barber, the agent, was present to represent the application.

Correspondence

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

1. Niagara Region Public Works – Infrastructure Planning and Development Division
2. Niagara Peninsula Conservation Authority
3. Township of Wainfleet By-law Department
4. Township of Wainfleet Drainage Department
5. Township of Wainfleet Building Department
6. Township of Wainfleet Planning Department
7. Letter of Concern from Joan Davison (neighbour of subject property). At the request of said neighbour, the letter was withdrawn from consideration by the Committee on May 20, 2026.

Comments

The Secretary – Treasurer provided an overview of the application, and the Planner provided the Committee with a summary of the planning report along with a recommendation.

Chairperson Chase asked for clarification of the location of the proposed garage on the property, which was provided by the Planner. Chairperson

Chase then asked whether the same existing driveway would be used to access the garage. The Planner confirmed that it would use the same driveway at the same level as currently exists. The Planner further stated that the garage would be built to the plan presented in the minor variance application.

The agent gave an overview of the project, and gave some detail as to why the garage was designed as it was, emphasizing the lay of the land on the property, and through consultation with Planning staff. There was an effort to ensure the garage would blend in with the property and the existing dwelling. Member Leone felt that the garage would blend in well with what currently exists.

Decision

Motion COA-011-2026

Moved by Member Balicki

Seconded by Member Leone

“THAT the application for Minor Variance A03/2026W made by Todd Barber on behalf of Merle and Stacie Beam be approved subject to the following condition(s):

1. That the Owner submit a written acknowledgement to the Township of Wainfleet stating that the Owner agrees to implement the approved Arborist Report, prepared by Arborwood Tree Services Inc. (dated February 27, 2026).
2. That as a condition of the Township Building Permit, that the Owner provide verification from a qualified professional that the required re-plantings have been completed prior to final inspection and closure of the building permit.
3. That the Owner obtain an amended NPCA Works Permit.”

CARRIED

6. Other Business

- a) 2026 OACA Conference in Ottawa (May 10-13, 2026).

Both Chairperson Chase and the Secretary-Treasurer provided an overview of the conference, and pointed out some key point that they came away with. Some highlights:

- The impact of road widening requests, and when it is determined to required in an application;
- The issue of judicial reviews and their impact on decisions made by the Committee;
- The ability for the Committee to go in-camera through the current statutory framework.

A discussion ensued between Committee members on the issues presented, and how they would impact the works of the Committee going forward.

7. Adjournment

Motion COA-013-2026

Moved by Member Feduck

Seconded by Member McMillan

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

Committee adjourned at 5:01 p.m.

CARRIED



D. Chase, CHAIR



D. Scott, SECRETARY-TREASURER