

NOTICE OF DECISION

In the matter of the Planning Act, R.S.O. 1990, c. P. 13, s. 45, and;
In the matter of an application for minor variance on behalf of:

Wojciech and Mariola Oles
11507 Beach Road East
Plan 11 Lot 37 NP 738

Description of the Land and Purpose and Effect of the Application:

The subject property is located on the south side of Beach Road East, east of Bellevue Beach Road.

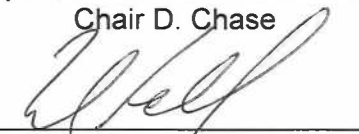
An application for a minor variance has been submitted to expand a legal non-conforming single detached dwelling. The applicant proposes to construct a new two-storey single detached dwelling extending further towards the rear lot line, resulting in a rear yard setback of 6.85m and a lot coverage of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

DECISION: GRANTED REFUSED DEFERRED

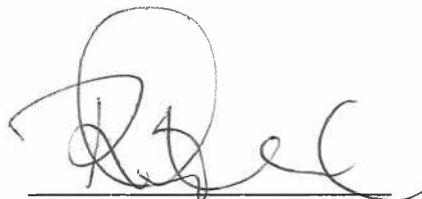
Prior to making the decision, the Committee of Adjustment considered all written and verbal comments from the public and responding Township Departments and external agencies. The above decision was made for the reasons and is subject to the conditions outlined in Schedule "A", attached hereto.



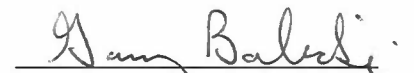
Chair D. Chase



Member M. Feduck



Member R. Leone



Member G. Balicki



Member S. McMillan

Date of Decision: February 18, 2026

Date of Notice: February 19, 2026

I, David Scott, Secretary-Treasurer of the Committee of Adjustment for the Township of Wainfleet, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Wainfleet in the Regional Municipality of Niagara and this decision was concurred in by the majority of the members who heard the application.


David Scott, Secretary-Treasurer

Last date of filing an appeal to the Ontario Land Tribunal: March 10, 2026

PROCEDURE FOR APPEAL

The *Planning Act*, R.S.O. 1990, c. P. 13 Section 53, Subsection 19 states that "the applicant, the Minister, a specified person or any public body may, not later than 20 days after the giving of notice under subsection (17) is completed, appeal the decision or any condition imposed by the council or the Minister or appeal both the decision and any condition to the Tribunal by filing with the clerk of the municipality or the Minister a notice of appeal setting out the reasons for the appeal, accompanied by the fee charged by the Tribunal". Parties, other than the applicant, the Minister, a specified person or public body, are no longer eligible to file appeals for this application.

Take notice that an appeal to the Ontario Land Tribunal in respect to all or part of this Minor Variance application may be made by filing a notice of appeal with the Secretary-Treasurer either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting Wainfleet as the Approval Authority or by mail [31940 Highway 3, P.O. Box 40, Wainfleet ON L0S 1V0], no later than 4:30 p.m. on **March 10, 2026**. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The Ontario Land Tribunal (OLT) appeal fee can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to dscott@wainfleet.ca.

SCHEDULE A – FILE A01/2026W

This is Schedule A, appended to and forming part of the Notice of Decision for Application for Minor Variance A01/2026W.

The above decision was made for the following reasons:

1. The application can be considered consistent with the intent of the Official Plan and the Zoning By-law.
2. The proposed variance appears minor in nature given the location and size of the subject lands.
3. This decision has been rendered having regard to the provisions of Section 45 of the Planning Act.
4. The committee believes that the applicant has done their due diligence to mitigate issues found on the property, and the property is improved by the proposal, which is good for the community.

The above decision is subject to the following conditions:

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