

In the matter of the Planning Act, R.S.O. 1990, c. P.13, s. 45:

DECISION: File No. Minor Variance A-09/22 – 128 Line 4 Road
Assessment Roll No. 2627020015117010000

Description of the Land and Purpose and Effect of the Proposed Minor Variance:

The subject property is 128 Line 4 Road in the town of Niagara-on-the-Lake.

Minor Variance Application A-09/22 is made to facilitate the construction an addition and covered front porch by requesting relief from the “Rural (A) Zone” as follows:

1. Minimum front yard setback from 15.24 metres, as required in the Zoning By-Law, to 12.04 metres for the proposed dwelling addition;
2. Minimum front yard setback from 15.24 metres, as required in the Zoning By-Law, to 11.13metres for the proposed covered front porch and;
3. Maximum encroachment into a front yard setback from 1.5 metres, as required in the Zoning By-Law, to 4.11 metres for the proposed front porch steps.

Decision: Granted.

Reasons: The Committee of Adjustment considered the oral and written submissions and agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.
4. The general intent and purpose of the Official Plan is maintained.

Date of Decision: April 21, 2022

Last date to file a notice of appeal: May 11, 2022


Notice of appeal must be filed with the Secretary-Treasurer for the Town of Niagara-on-the-Lake Committee of Adjustment, must set out the reasons for the appeal and must be accompanied by the fee required by the Ontario Land Tribunal. <https://olt.gov.on.ca/appeals-process/fee-chart/>

Only individuals, corporations and public bodies may appeal decisions in respect of applications. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of association on its behalf.


Information regarding the Local Planning Appeals Tribunal can be found at;
<https://www.ontario.ca/document/citizens-guide-land-use-planning/ontario-land-tribunal>

Consent was obtained by the Secretary Treasurer on April 21, 2022 to insert electronic signatures below;

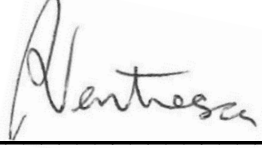
ABSENT
Steve Bartolini
Committee of Adjustment


John Bice (Vice Chair)
Committee of Adjustment

ABSENT
Paul Harber
Committee of Adjustment


Eric Lehtinen
Committee of Adjustment

ABSENT
Allen Snider (Chair)
Committee of Adjustment


Richard Ventresca
Committee of Adjustment

I, Natalie Thomson, Secretary Treasurer of the Committee of Adjustment for the Town of Niagara-on-the-Lake, hereby certify that the above is a true copy of the decision of the Committee of Adjustment with respect to the application recorded herein.

DATED at the Town of Niagara-on-the Lake, this 22nd day of April, 2022.


Natalie Thomson, Secretary Treasurer



KEY PLAN

EXISTING RESIDENTIAL

EXISTING RESIDENTIAL

LOT AREA = 40,000 SQ. FT. = 3,716.2 SQ. M.

Existing House Floor Area = 1569.5 SF. = 145.8 SM
 Proposed House Floor Area = 1833 SF. = 170.3 SM
 Existing Garage Area = 1152 SF. = 107 SM
 Proposed Open Porch Area = 83.8 SF. = 7.8 SM
 Existing LOT Coverage = 2721.5 SF. = 252.8 SM
 Existing LOT Coverage = 6.8 %
 Proposed LOT COVERAGE = 3068.8 SF. = 285.1 SM
 Proposed LOT COVERAGE = 7.5 %

PROPERTY LINE

edge of pavement

Zoning:
 Rural (A) as per Section 4.1 of ZB 500A-74

Front yard setback: 13.87 m (non conforming for existing) Req'd is 15.24 m

Requesting to reduce front yard setback to new addition (previously an uncovered porch) to 13.87 m - needs a variance

New uncovered porch and steps are at 11.13 m req'd is allowed to encroach 1.5 m into the 15.24 m permitted to be at 15.24 - 1.5 m = 13.74) - needs a variance (Section 3.28)

Lot coverage proposed is 7.5% No issue. Allowed to be at 7.5%

Height will not exceed the allowable 10.67 m (35 ft) Only at 6.45 m to peak.

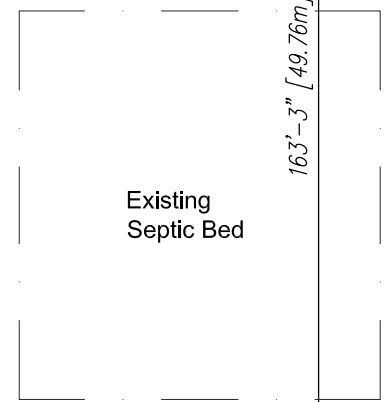
March 24 2022 -

123'-2" [37.54m]

31'-4" [9.55m]

45'-6" [13.87m]

89'-6" [27.28m]



ADDITION TO EXISTING

Existing Landing + Stair.
 Repair Existing Basement Stair.

#128 EXISTING 1 STOREY DWELLING
 PROPOSED RENO + ADDITION TO EXISTING

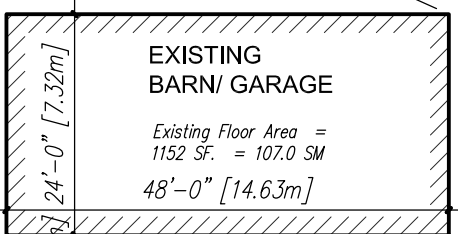
8'-2" [2.49m]
 1'-9" [0.53m]
 3'-0" [0.91m]
 36'-6" [11.13m]
 New Open Porch
 New Steps

16'-8 1/2" [5.09m]
 Repair Existing Basement Stair.

Repair Existing Basement Stair.

Existing Cistern

Existing Well



EXISTING BARN/ GARAGE
 Existing Floor Area = 1152 SF. = 107.0 SM
 48'-0" [14.63m]

EXISTING AGRICULTURAL

PROPERTY LINE

68'-6" [20.88m]

12'-9" [3.89m]

200'-0" [60.96m]

83'-6" [25.45m]

PROPERTY LINE

52'-0" [15.85m]

200'-0" [60.96m]

6'-5" [1.96m]

23'-3" [7.09m]

58'-6" [17.83m]

LINE 4 ROAD

[PUBLICLY TRAVELED ROAD]

66'-0" [20.12m]

EXISTING RESIDENTIAL

SITE PLAN

Re-ISSUED FOR PERMIT Feb. 24/22.
 Re-ISSUED FOR PERMIT Feb. 8/22.
 ISSUED FOR BUILDING PERMIT SEPT. 6/21.
 ISSUED/REVISED :
 SCALE : 1=250 M.
 DATE : JULY 2021

SITE PLAN

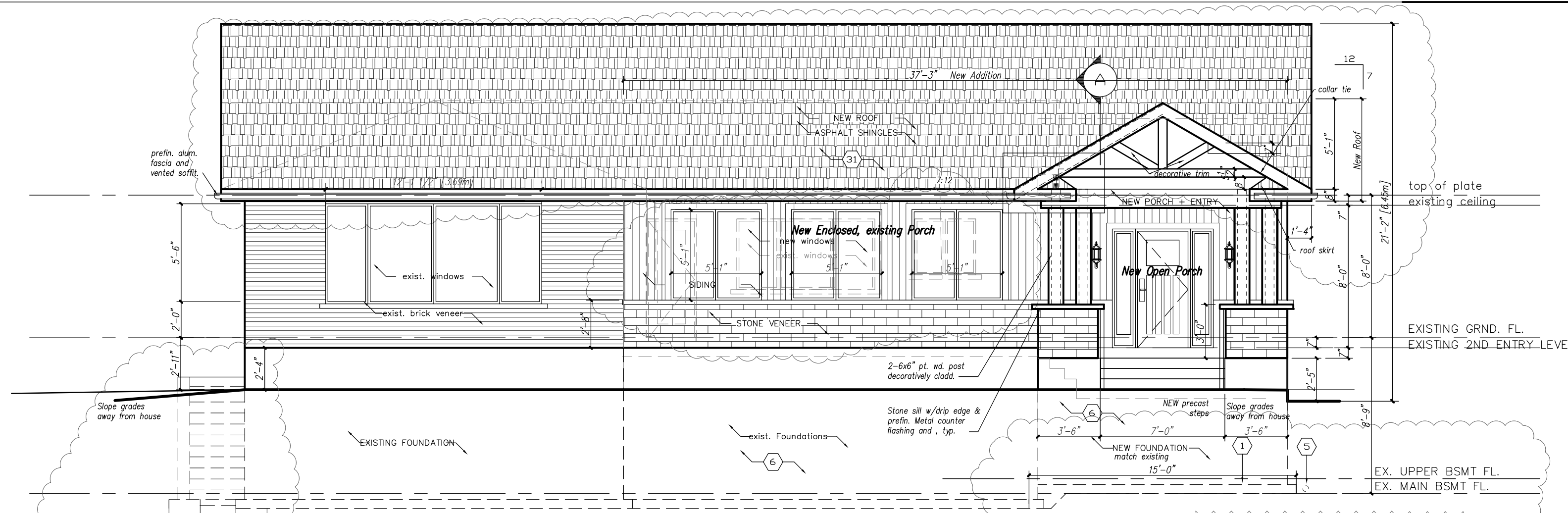
PROPOSED RENOVATION OF EXISTING 1 STOREY DWELLING

128 Line 4 Road,
 Niagara on the Lake,
 Ontario.

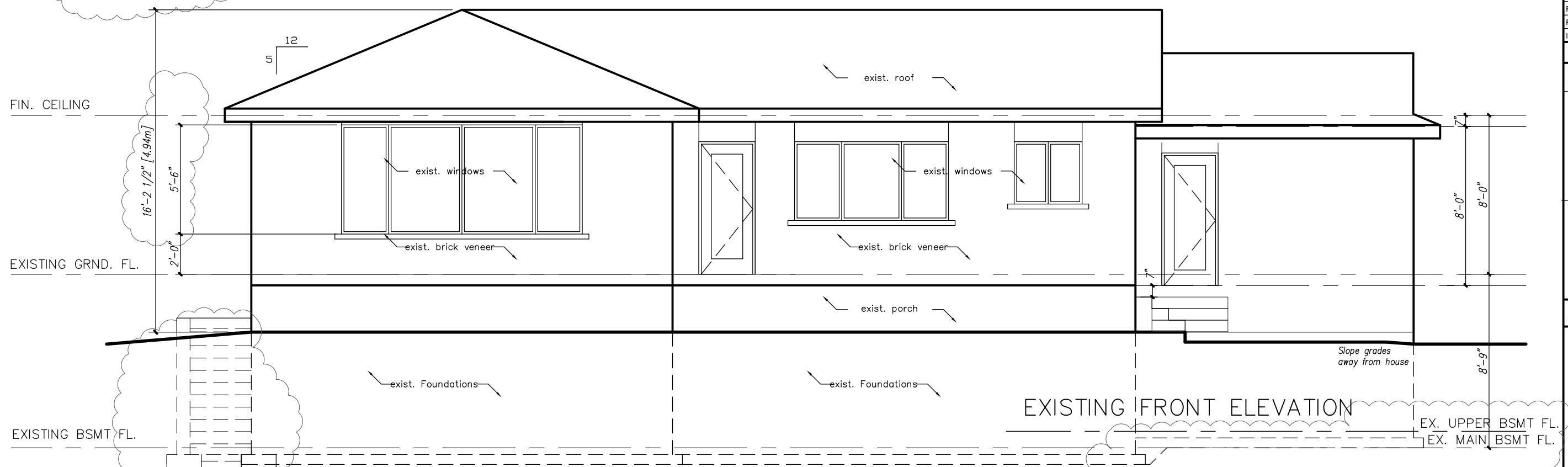
SCALE : 3/16" = 1'-0"
 DATE : JULY 2021



A1



PROPOSED [WEST] FRONT ELEVATION

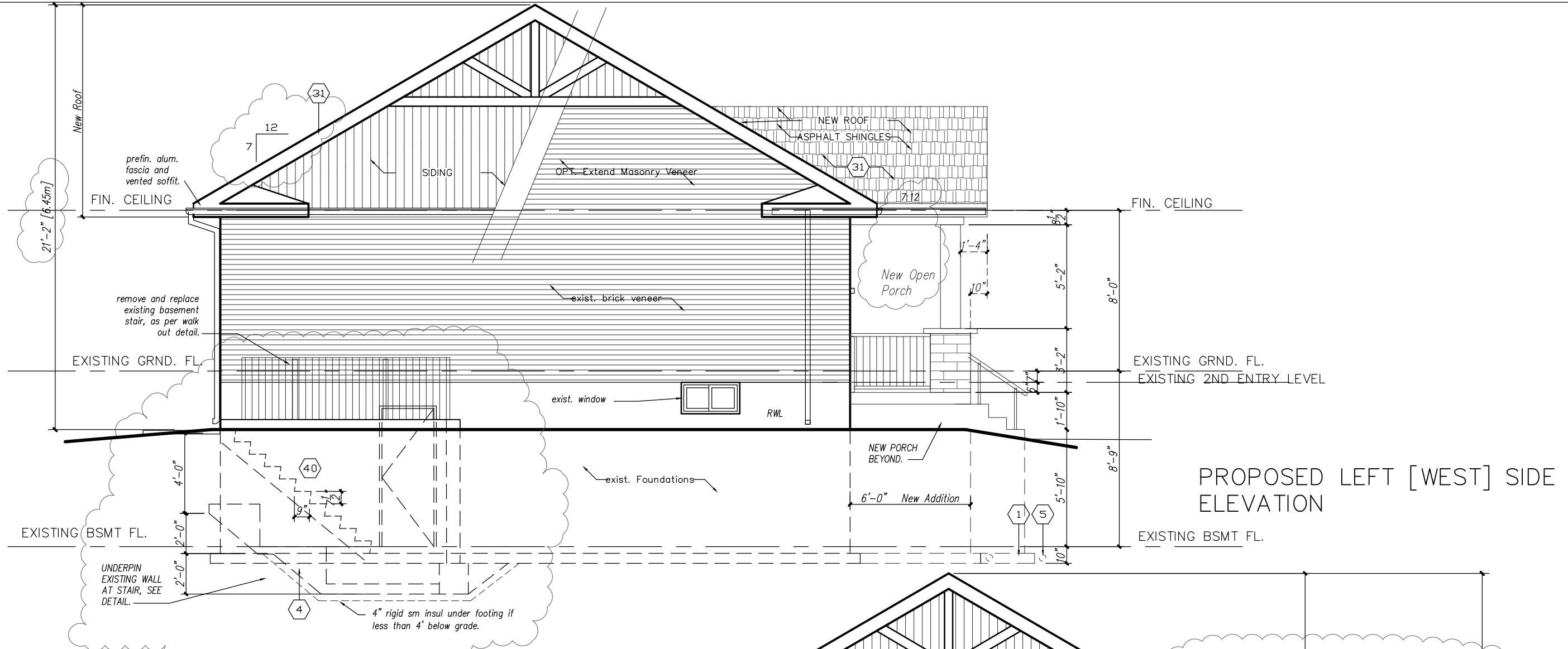


EXISTING FRONT ELEVATION

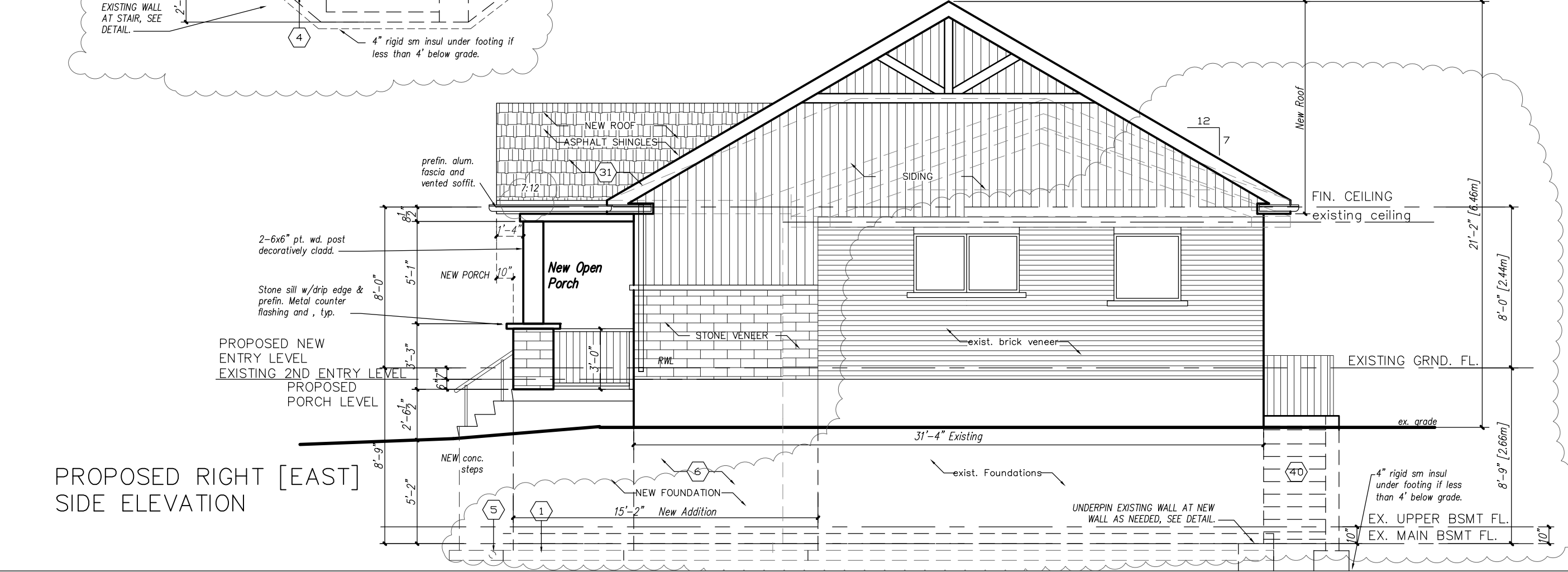
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FRONT
ELEVATIONS

PROPOSED RENOVATION
OF EXISTING 1 STOREY
DEWELLING
 128 Line 4 Road,
 Niagara on the Lake,
 Ontario.
 SCALE : 3/16" = 1'-0"
 DATE : JULY 2021



PROPOSED LEFT [WEST] SIDE ELEVATION



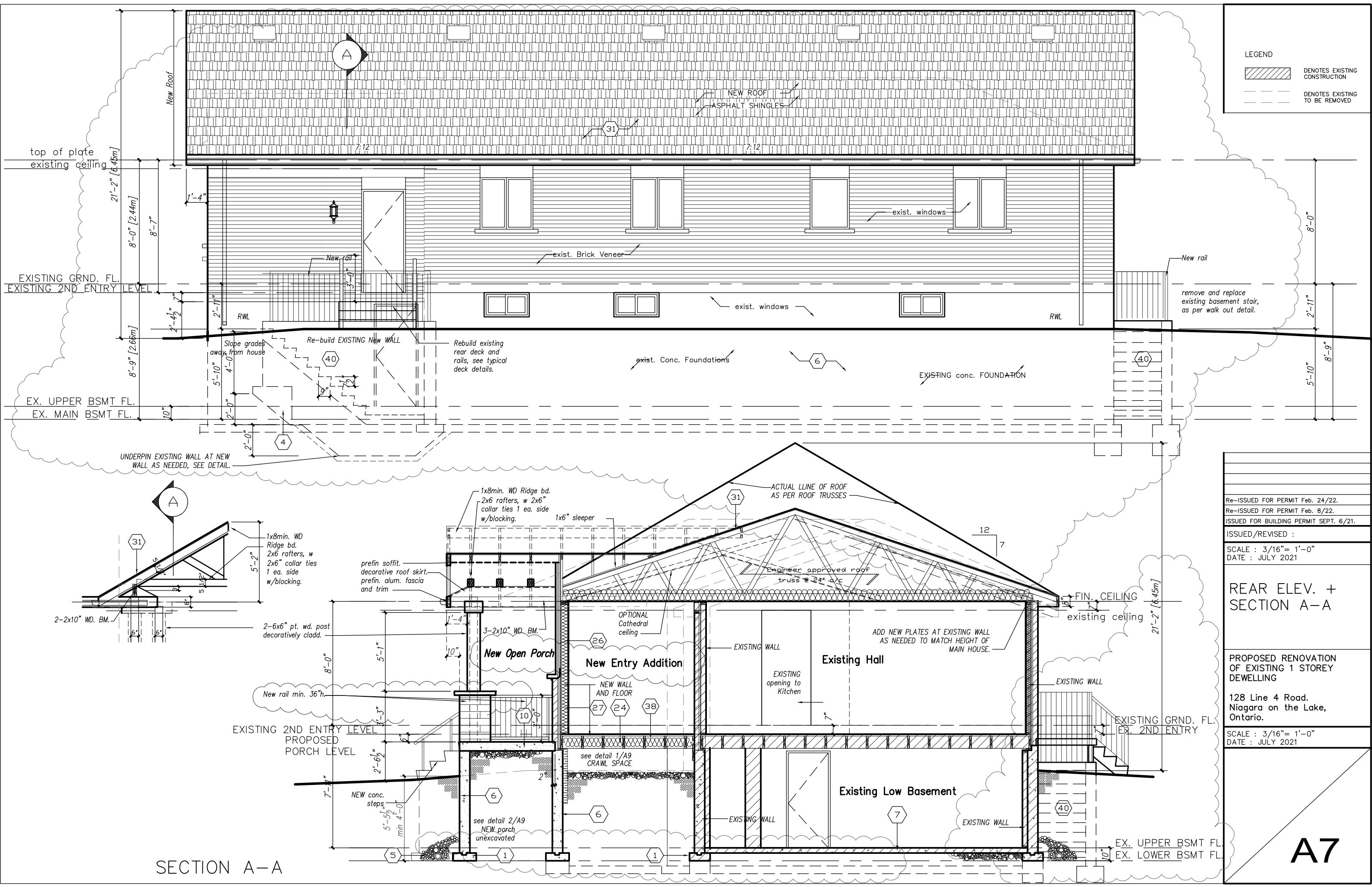
PROPOSED RIGHT [EAST] SIDE ELEVATION

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 ISSUED FOR BUILDING PERMIT SEPT. 6/21.
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SIDE ELEVATIONS

PROPOSED RENOVATION OF EXISTING 1 STOREY DWELLING
 128 Line 4 Road,
 Niagara on the Lake,
 Ontario.

SCALE : 3/16" = 1'-0"
 DATE : JULY 2021



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REAR ELEV. + SECTION A-A

PROPOSED RENOVATION OF EXISTING 1 STOREY DEWELLING

128 Line 4 Road, Niagara on the Lake, Ontario.

SCALE : 3/16" = 1'-0"
DATE : JULY 2021

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