



In the matter of the Planning Act, R.S.O. 1990, c. P.13, s. 53:

DECISION: File No. Consent B-23/22 – 733 King Street
Assessment Roll No.2627010003196040000

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

The subject lands are known municipally as 733 King Street, lying on the west side of King Street, south of Cottage Street, Niagara-on-the-Lake.

The application proposes a boundary adjustment by severing a 957 square meter parcel of land at the rear and merging it with the abutting vacant lot to the north. The retained lot would continue to be used for residential purposes.

Decision: Granted subject to the conditions attached as Schedule A.

Reasons: The Committee of Adjustment considered all the written and oral submissions and agrees with the consent report analysis and recommendation that, subject to the conditions of provisional consent, this application meets Planning Act requirements, is consistent with the Provincial Policy, the Niagara Regional Official Plan and the Town Official Plan regarding the creation of a new lot.

Date of Notice: October 21, 2022

Last date to file a notice of appeal: November 10, 2022

Notice of appeal must be filed with the Secretary-Treasurer for 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/>

You will be entitled to receive notice of any changes to the conditions of provisional consent if you have made a written request to be notified of changes to the conditions.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. 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 the association on its behalf.

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

Last date to fulfil all conditions: October 20, 2024

Consent was obtained by the Secretary Treasurer on October 20, 2022 to insert electronic signatures below;



Steve Bartolini
Committee of Adjustment

CONFLICT

John Bice (Vice Chair)
Committee of Adjustment

ABSENT

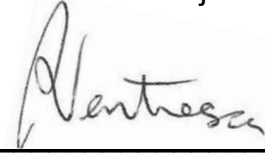
Paul Harber
Committee of Adjustment



Eric Lehtinen
Committee of Adjustment



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 21st day of October, 2022.



Natalie Thomson, Secretary Treasurer

SCHEDULE A

Conditions of Provisional Consent B-23/22 :

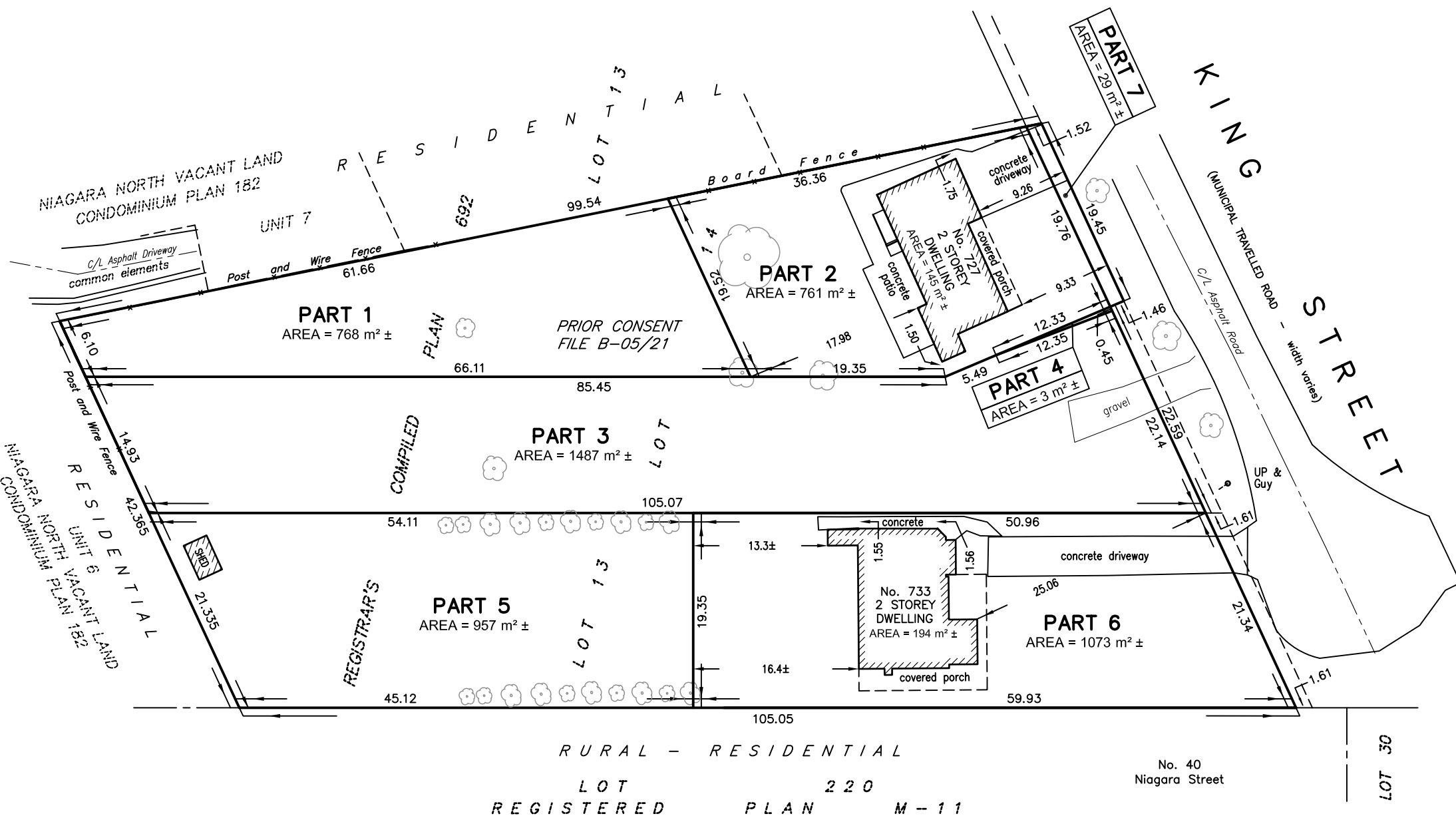
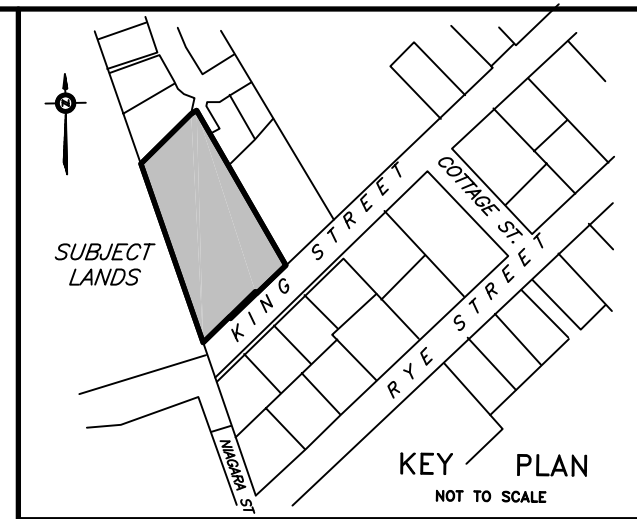
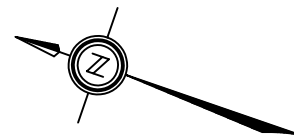
1.3.1 That the owner/applicant provides a legal description of Part 1, acceptable to the Registrar, together with 1 digital copy to-scale of the deposited reference plan, if applicable, or a copy of all instruments and plans referred to in the legal description, to the satisfaction of the Director of Community and Development Services, for use in the issuance of the Certificate of Consent;

1.3.2 That pursuant to *Planning Act* Section 50 (12), it is hereby stipulated that Section 50 (3) or 50 (5) shall apply to any subsequent conveyance of, or other transaction involving the identical subject parcel of land (Part 1); that Part 1 is merged in title with Part 3 and they become one parcel of land; and that the owner/applicant provides a lawyer's undertaking, to the satisfaction of the Director of Community and Development Services, that Part 1 shall be conveyed to the owner of Part 3 and to prepare and register the application to consolidate the lands and forward a copy of receipted application within two years of issuance of the consent certificate;

1.3.3 That the owner/applicant provides a lawyer's undertaking, to the satisfaction of the Director of Community and Development Services, to forward a copy of documentation confirming the transaction, i.e. transfer of Part 1, has been carried out, the documentation to be provided within two years of issuance of the consent certificate, or prior to the issuance of a building permit, whichever occurs first;

1.3.4 That the owner/applicant obtains final approval of Minor Variance Application A-33/22 to permit the proposed lot area of Part 6.

1.3.5 That the owner/applicant obtain final approval of Consent Applications B-21/22 and B-22/22.



SKETCH FOR SEVERANCE APPLICATION

SCALE 1 : 500
 10 5 0 10 metres

ROY S. KIRKUP, O.L.S.
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CAUTION

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.

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NOTES

GEOGRAPHIC LOCATION BEING LOT 14 AND PART OF LOT 13, REGISTRAR'S COMPILED PLAN No. 692, TOWN OF NIAGARA-ON-THE-LAKE, REGIONAL MUNICIPALITY OF NIAGARA.

DISTANCES SHOWN HEREON ARE BASED ON FIELD MEASUREMENTS AND CALCULATIONS USING OFFICE RECORDS.

THIS SKETCH IS PREPARED FOR SEVERANCE APPLICATION ONLY AND IS NOT TO BE USED FOR MORTGAGE OR TRANSACTION PURPOSES

DATE : JULY 27, 2022

RSK
 ROY S. KIRKUP
 ONTARIO LAND SURVEYOR

THIS SKETCH IS NOT VALID UNLESS EMBOSSED WITH THE ORIGINAL SURVEYORS SEAL

Kirkup Mascoe Ure Surveying
 A Division of J.D. Barnes Limited

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DRAWN BY: GP	CHECKED BY: RSK	REFERENCE NO.: 16-49-289-01_3sketch
PLOTTED: JUNE 30, 2022		DATED: JUNE 30, 2022

METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.