



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

DECISION: File No. Consent B-29/22 646 Line 7 Road
Assessment Roll No. 2627020020194000000

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

The subject lands are known municipally as 646 Line 7 Road lying on the north side of Line 7 Road, east of Concession 5 Road, Niagara-on-the-Lake.

The application proposes a boundary adjustment by conveying a 4.4 hectare parcel at the rear of the subject lands to be merged with the abutting property located at 766, 774 and 796 Four Mile Creek Road. 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: December 16, 2022

Last date to file a notice of appeal: January 5, 2023

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/>

Please note neighbours and other interested parties not defined are no longer eligible to file Planning Act Section 53(19) appeals as per Bill 23, More Homes Built Faster Act, 2022. Planning Act Section 53(19) appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by Planning Act 1(1)), and any “public body” (as defined by Planning Act 1(1)).

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: December 15, 2024

below;



Steve Bartolini
Committee of Adjustment

ABSENT

John Bice (Vice Chair)
Committee of Adjustment

ABSENT

Paul Harber
Committee of Adjustment



Eric Lehtinen
Committee of Adjustment



Allen Snider (Chair)
Committee of Adjustment

ABSENT

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 16th day of December, 2022.

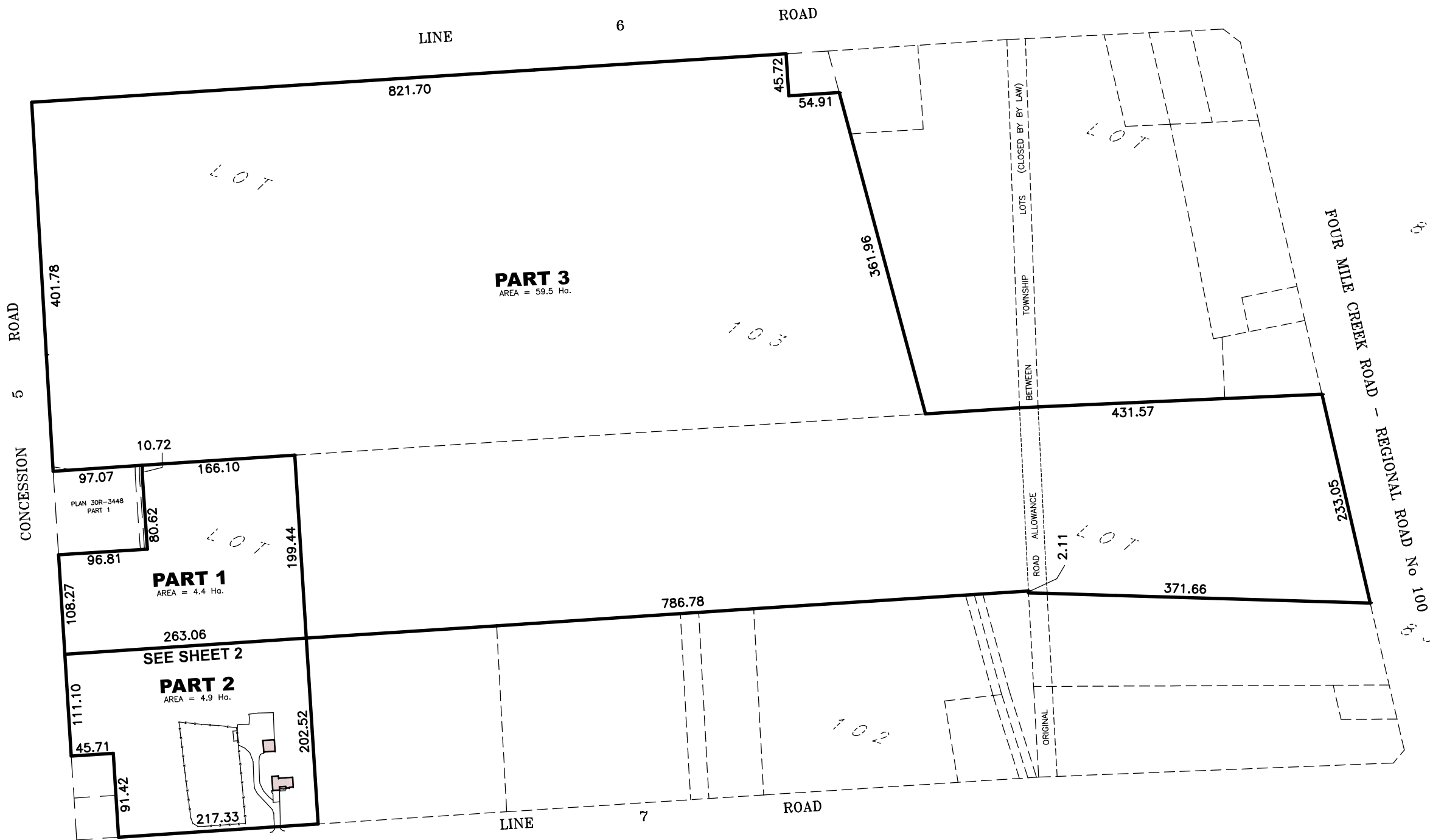


Natalie Thomson, Secretary Treasurer

SCHEDULE A

Conditions of Provisional Consent:

- 1.1.1 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;
- 1.1.2 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; and
- 1.1.3 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.



SKETCH
PREPARED FOR SEVERANCE APPLICATION

PART OF LOT 102

GEOGRAPHIC TOWNSHIP OF NIAGARA
IN THE
TOWN OF NIAGARA-ON-THE-LAKE
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 5,000 (METRIC)

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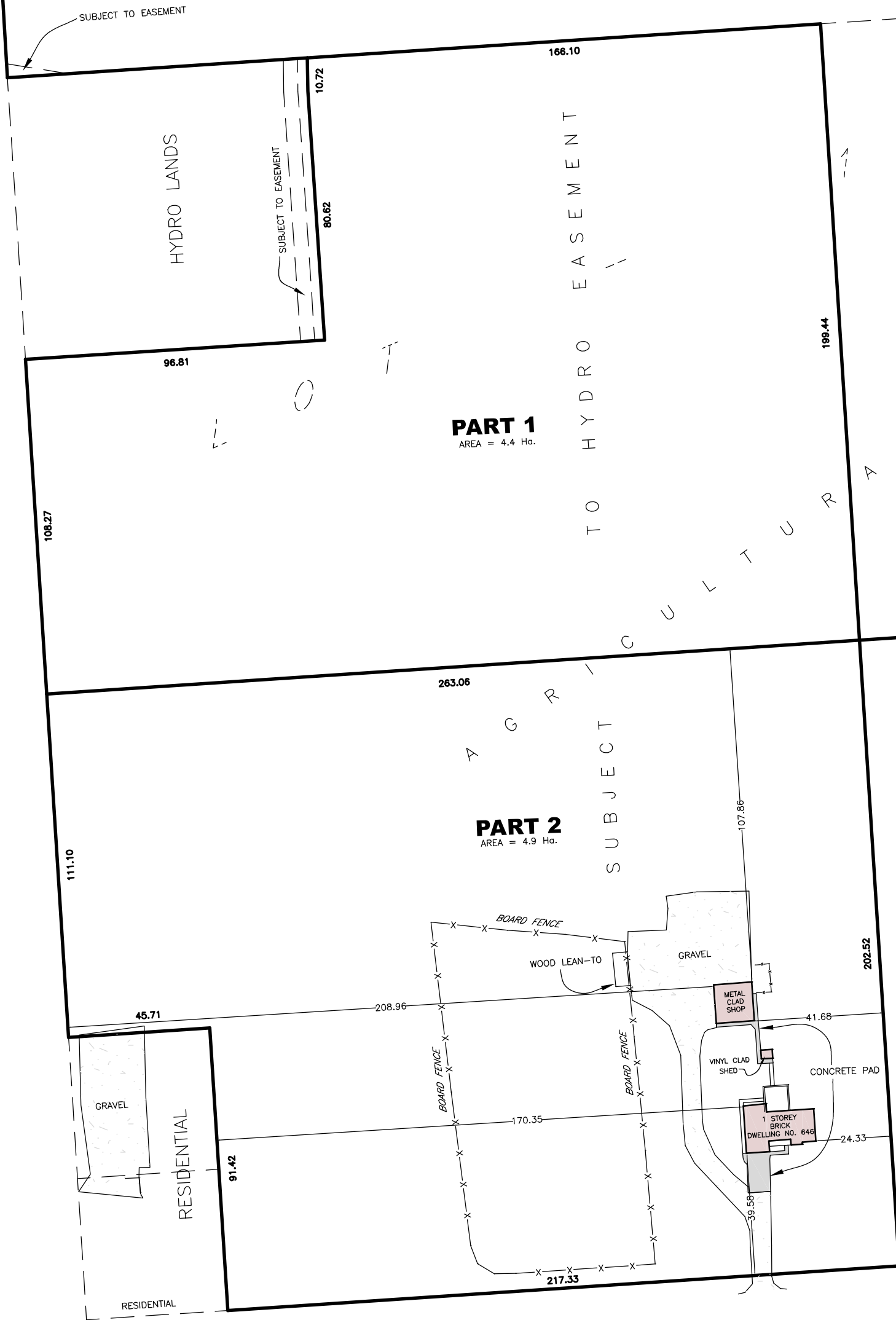
JULY 7, 2022 *Don Chambers*
DATE DONALD G. CHAMBERS, B. Sc., O.L.S.

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NOTE: PART 1 TO BE SEVERED FROM PART 2 AND ADDED TO PART 3

CONCESSION 5 ROAD

LINE 7 ROAD



SKETCH

PREPARED FOR SEVERANCE APPLICATION

PART OF LOT 102

GEOGRAPHIC TOWNSHIP OF NIAGARA
IN THE

**TOWN OF
NIAGARA-ON-THE-LAKE**

REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 1500 (METRIC)



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JULY 7, 2022
DATE

Don Chambers
DONALD G. CHAMBERS, B. Sc., O.L.S.

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