

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

**DECISION:** File No. Minor Variance A-10/24 – 93 River Beach Drive  
**Assessment Roll No. 262701000100600000**

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

Minor Variance Application A-10/24 is made to recognize the construction of an unenclosed and uncovered deck and requests relief as follows:

1. Maximum encroachment into a front yard setback from 1.5 metres, as required in the Zoning By-law, to 6.55 metres for the unenclosed and uncovered deck; and
2. Minimum landscape open space from 30%, as required in the Zoning By-law, to 25% to accommodate the existing deck.

**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:

- a. The variance is minor in nature.
- b. The variance is appropriate for the development of the land.
- c. The general intent and purpose of the Zoning By-law is maintained.
- d. The general intent and purpose of the Official Plan is maintained.

**Date of Decision: June 20, 2024**

**Last date to file a notice of appeal: July 10, 2024**

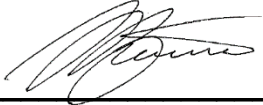
Notice of appeal must be filed with the Secretary-Treasurer for the Town of Niagara-on-the-Lake Committee of Adjustment, must set out the reasons for the appeal and must be accompanied by the fee required by the Ontario Land Tribunal. <https://olt.gov.on.ca/appeals-process/fee-chart/>

Please note neighbours and other interested parties not defined by the Planning Act are no longer eligible to file appeals for this application as per Bill 23, More Homes Built Faster Act, 2022. Planning Act 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 Local Planning Appeals Tribunal can be found at;

<https://www.ontario.ca/document/citizens-guide-land-use-planning/ontario-land-tribunal>

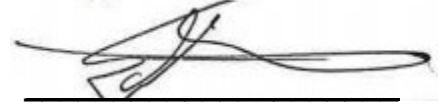
Consent was obtained by the Secretary Treasurer on June 20, 2024 to insert electronic signatures below;



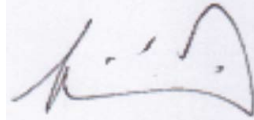
\_\_\_\_\_  
Steve Bartolini  
Committee of Adjustment

*ABSENT*

\_\_\_\_\_  
Margaret Louter (Vice Chair)  
Committee of Adjustment



\_\_\_\_\_  
Eric Lehtinen (Chair)  
Committee of Adjustment



\_\_\_\_\_  
Paul Johnson  
Committee of Adjustment

\_\_\_\_\_  
Angelo Miniaci  
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 on June 21, 2024.



\_\_\_\_\_  
Natalie Thomson, Secretary Treasurer

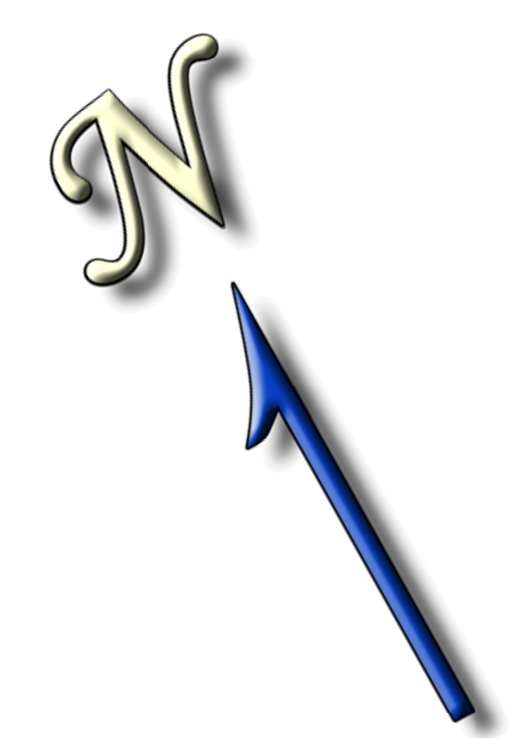
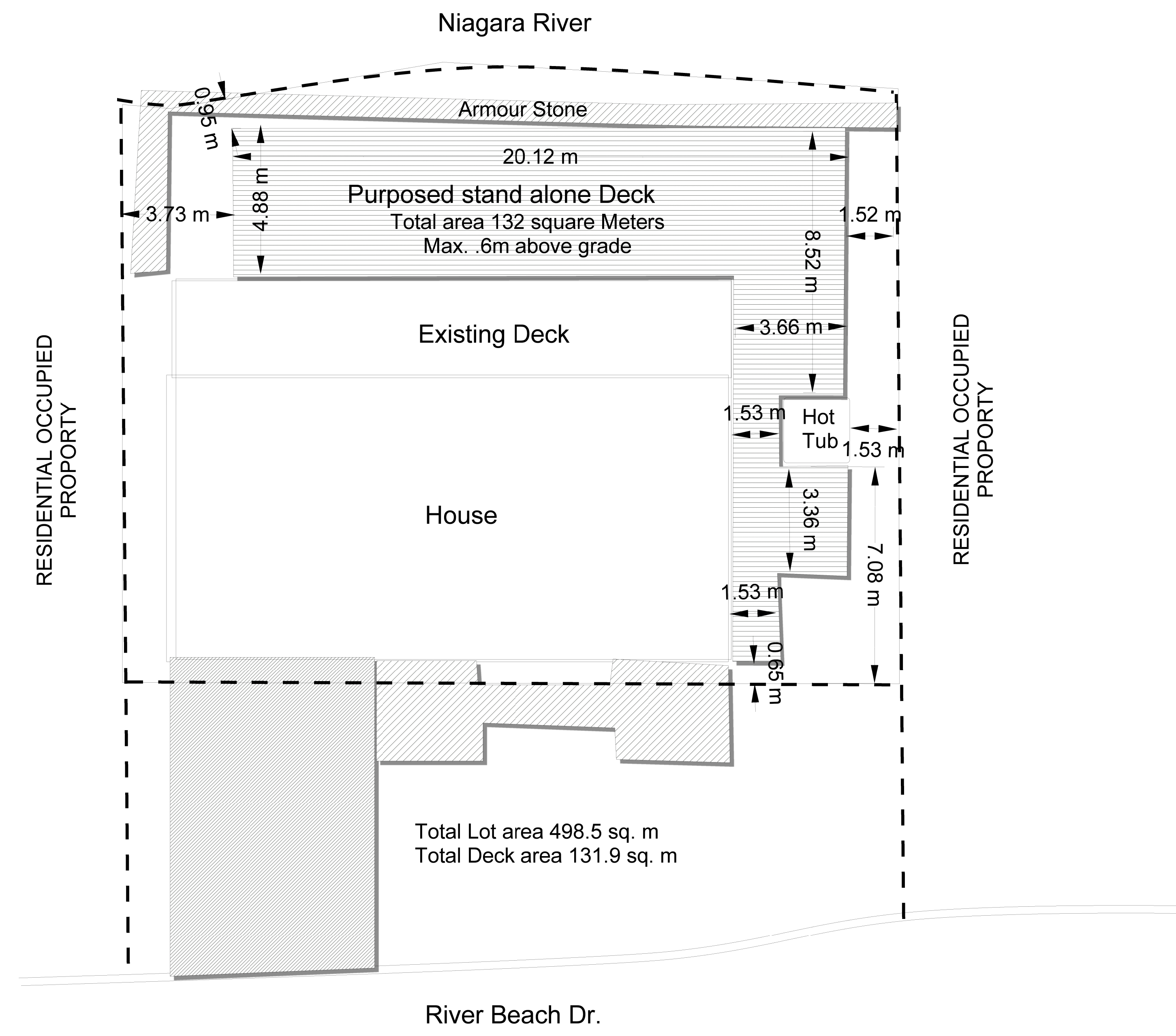
**KEVILL RESIDANCE**  
 street: 93 Riverbeach Drive  
 city: Niagara-on-the-Lake  
 L0S 1J0  
 Phone Number: 905-348-4065

*Purposed Deck  
 and Hot Tub Location*  
 Materials - 5/4 P/T deck Boards

Date: March 19, 2024

**HARDSCAPE NIAGARA**  
 28 Emerick Ave  
 Fort Erie, Ontario  
 L2A 2W3  
 hardscapeniagara@gmail.com  
 905-327-5350  
 Owner: Michael Jeffs

**SCALE:**  
 1mm=100mm  
 Arch D, 24"x36"



**KEVILL RESIDANCE**  
 street: 93 Riverbeach Drive  
 city: Niagara-on-the-Lake  
 L0S 1J0  
 Phone Number: 905-348-4065

**DECK DETALES**

Materials - 5/4 P/T deck Boards

Date: March 19, 2024

**HARDSCAPE NIAGARA**  
 28 Emerick Ave  
 Fort Erie, Ontario  
 L2A 2W3  
 hardscapeniagara@gmail.com  
 905-327-5350  
 Owner: Michael Jeffs

**SCALE:**  
 1mm=100mm  
 Arch D, 24"x36"

