



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

DECISION: File No. Consent B-02/25 – East Side Niagara Stone Road
Assessment Roll No. 2627020013011200000

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

Consent Application B-02/25 proposes a boundary adjustment and a partial discharge of mortgage by conveying a 1153.1 square metre parcel of land (Part 2) to be merged with the vacant abutting lands (Part 1) known municipally as 740 Line 1 Road.

The existing vacant parcel facing Niagara Stone Road will be retained.

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: February 21, 2025

Last date to file a notice of appeal: March 13, 2025.

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 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 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: February 20, 2027

Consent was obtained by the Secretary Treasurer on February 20, 2025 to insert electronic signatures below;



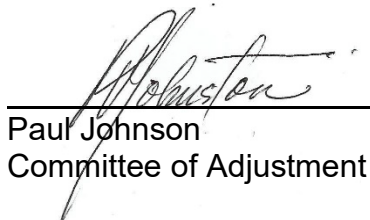
Steve Bartolini
Committee of Adjustment



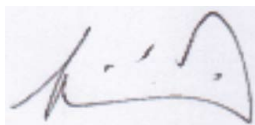
Margaret Louter (Vice Chair)
Committee of Adjustment



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 February 21, 2025



Natalie Thomson, Secretary Treasurer

SCHEDULE A

Conditions of Provisional Consent:

1. That the owner/applicant provides a legal description of Part 2, 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 Town, for use in the issuance of the Certificate of Consent;
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 2); that Part 2 is merged in title with Part 1 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 2 shall be conveyed to the owner of Part 1 and to prepare and register the application to consolidate the lands and forward a copy of the receipted application within two years of issuance of the consent certificate;
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 2, 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;
4. That the Town Operations Department be provided with a copy of the deposited reference plan; and
5. That the owner/applicant removes the lapsed Site Plan Agreement (SPA 128-2022) which applies to Part 2 from title, to the satisfaction of the Director of Community and Development Services.

SKETCH FOR PLANNING PURPOSES ONLY

SCALE 1 : 400

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METRIC NOTE

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

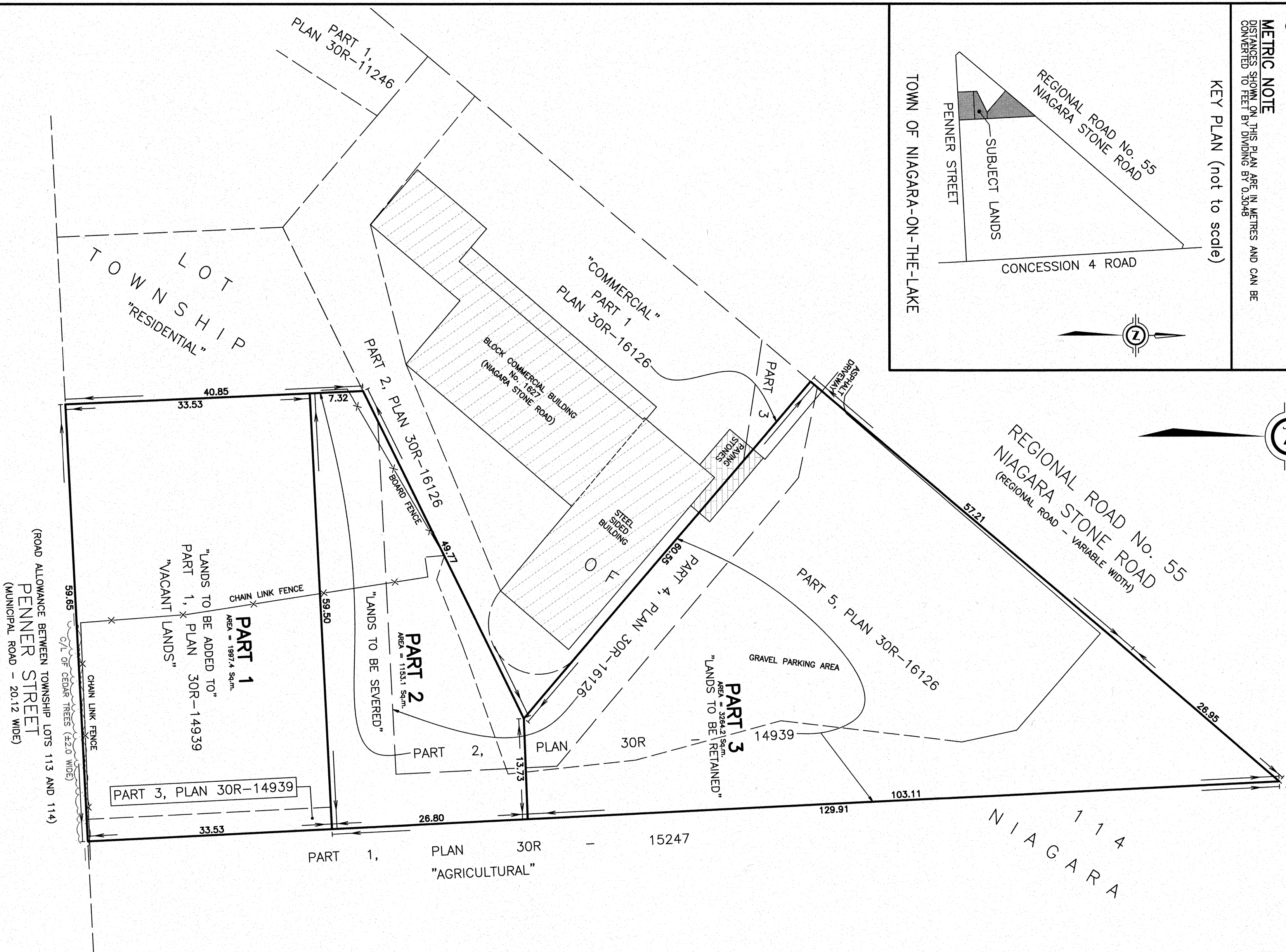
KEY PLAN (not to scale)



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

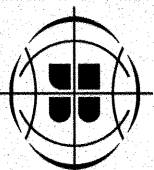
(B) THIS SKETCH IS PROTECTED BY COPYRIGHT.

| PART | BUILDING AREA (Sq.m) | PART AREA (Sq.m) | COVERAGE (%) |
|------|----------------------|------------------|--------------|
| 1 | N/A | 1997.4 | N/A |
| 2 | N/A | 1153.1 | N/A |
| 3 | N/A | 3264.2 | N/A |



LEGAL DESCRIPTION

PART OF LOT 114, GEOGRAPHIC TOWNSHIP OF NIAGARA, TOWN OF NIAGARA-ON-THE-LAKE BEING PART 2 ON PLAN 30R-14939.



J.D. BARNES
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SURVEYING
MAPPING
GIS

BM/DP

DATED: 12/24/2024

Ref. No. 24-16-270-000

MA4

PLOT DATE: 12/24/2024 10:13 AM