

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

**DECISION:** File No. Minor Variance A-03/25 – 874 Line 1 Road

**Assessment Roll No. 2627020012044000000**

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

Minor Variance Application A-03/25 is made to facilitate the construction of an accessory structure (detached garage and storage area), a new covered front porch and attached garage onto the existing dwelling and requests relief as follows:

1. Maximum height of an accessory structure from 4.5 metres, as required in the Zoning By-law, to 6.4 metres for the proposed detached accessory structure; and
2. Minimum front yard setback from 15.24 metres, as required in the Zoning By-law, to 14 metres for the proposed covered porch.

**Decision: Granted, subject to the conditions in Schedule A.**

**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: March 20, 2025.**

**The last date for filing a notice of appeal is April 9, 2025.**

A notice of appeal:

1. must be filed with the Secretary-Treasurer;
2. must set out the reasons for the appeal; and
3. must be accompanied by the fee required by the Ontario Land Tribunal.

An appeal to the Ontario Land Tribunal (OLT) in respect to all or part of this decision may be made by filing a notice of appeal with the Secretary-Treasurer by one (1) of the following means:

1. Through the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting the Town of Niagara-on-the-Lake as the Approval Authority; or,
2. Through providing physical copies of the appeal materials to Town Hall 1593 Four Mile Creek Road, P.O. Box 100, Virgil, ON L0S 1T0
3. Through providing electronic copies of the appeal materials to the Secretary-Treasurer at [natalie.thomson@notl.com](mailto:natalie.thomson@notl.com).

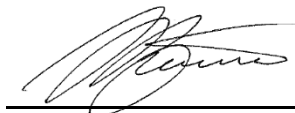
The appeal fee can be paid online through e-file or by certified cheque/money order and submitted to the Town (certified cheque/money order to be addressed to the Minister of Finance, Province of Ontario). Further information and the required forms are available on the OLT website at [www.olt.gov.on.ca](http://www.olt.gov.on.ca).

**Further notice and appeal eligibility:**

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 March 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

ABSENT

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 March 21, 2025.



Natalie Thomson, Secretary Treasurer

## **Schedule A**

- 1.1.1 That the owner/applicant proceeds with one of the following options with regard to the two westerly driveway accesses fronting the lands shown on the site plan (Part 8 of Plan 30R-15971), to the satisfaction of the Director of Operations:
  - 1.1.1.1 That a fence, substantive hedgerow or other permanent barrier suitable to the Director of Operations be installed along the northern lot line between Parts 6 and 8 of Plan 30R-15971; or
  - 1.1.1.2 That the owner/applicant applies for, and receives approval for an appropriate easement to be registered to allow for continued access across Part 8 lands to access Part 6 lands as shown on Plan 30R-15971);
- 1.1.2 That prior to the issuance of a building permit for the new accessory structure, an archaeological assessment be completed at the owner/applicants' expense, scoped to the area disturbance of the new accessory structure; and that no demolition, grading or other soil disturbances shall take place on the subject property, in the vicinity of the new accessory structure, prior to the Ministry of Citizenship and Multiculturalism confirming to the Town that all archaeological resources concerns have met licensing and resource conservation requirements, and that a copy of the Ministry letter is submitted to the Town, to the satisfaction of the Town;
- 1.1.3 A new septic system is installed on the property to service the proposed development, which meets all Ontario Building Code requirements, to the satisfaction of Niagara Region. A permit for the new system shall be applied for and obtained from Niagara Region prior to installation; and
- 1.1.4 That the applicant/owner provides a written undertaking, to the satisfaction of the Region and Town, confirming that the accessory structure does not contain any bedroom or living spaces, is built in accordance with the plans submitted with the application, and that the uses will be accessory to the residential dwelling.

SITE PLAN AND BUILDING STATISTICS			
Zoning:	ZONE A (PERMITTED USES: RURAL OR RESIDENTIAL)		
	Required	Existing	Existing + Propose
Lot Area	3716 sq.m.	4054.1 sq.m.	4054.1 sq.m.
Lot Frontage	60.96 m	82.4 m	82.4 m
Lot Coverage	MAX 15% (557.4 sq.m.) MAX 8% (Accessory Structure)	3.55% 144sq.m.	14.87% 603sq.m. 6.8% (Accessory Structure)
Front Setback	(3.05m Accessory Structure & Pool) 15.24m	SEE SITE	DWELLING: 14.0m ACCESS. BLDG: 25.39m
Rear Setback	(3.05m Accessory Structure & Pool) 15.24m	SEE SITE	SEE SITE
Int.Side Setback	(3.05m Accessory Structure & Pool) 3.05m	SEE SITE	SEE SITE
Ex. Side Setback	N/A	N/A	N/A
Building Height	(4.5m Accessory Structure) 10.67m	3.74m	6.375m Accessory Structure TBD HOUSE
Landscaped	N/A	N/A	N/A
Parking Req'd	(N/A Accessory Structure) 1	(EXISTING CAN ACCOMMODATE MORE THAN REQUIRED) 1	(PROPOSE CAN ACCOMMODATE MORE THAN REQUIRED) 6+
Additional Requirements:	- THE MINIMUM SIDE OR REAR YARD REQUIREMENTS FOR IN-GROUND SWIMMING POOLS AND ABOVE GROUND SWIMMING POOLS SHALL COMPLY WITH THE ACCESSORY BUILDING YARD REQUIREMENTS FOR THE ZONE IN WHICH THE POOL IS LOCATED. - MINIMUM LOT DEPTH: REQUIRED 60.96m, EXISTING 49.2m		

1 SITE PLAN  
Scale: 1 : 200

HEIGHT MEANS:

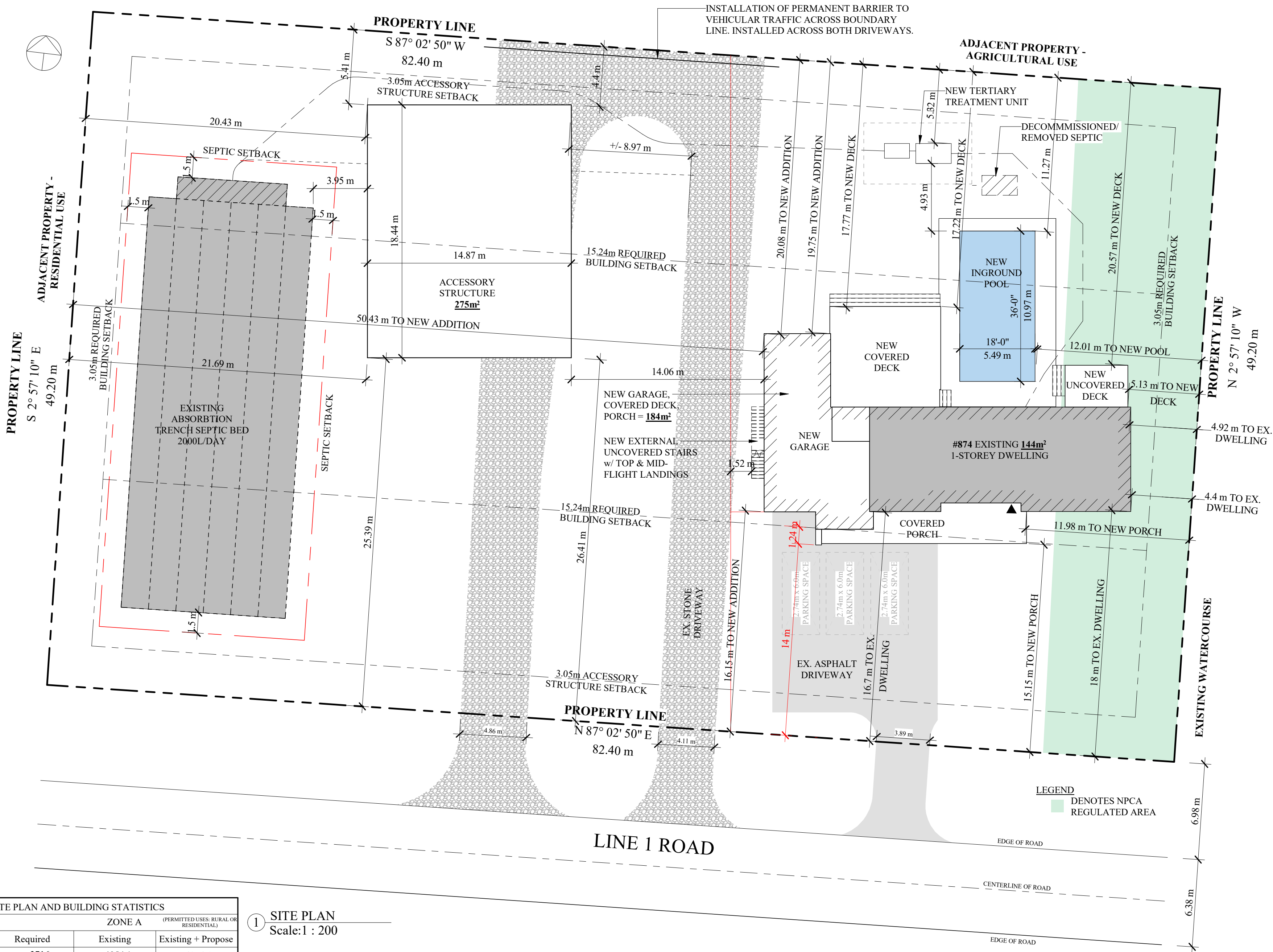
(a) IN THE CASE OF A FLAT ROOF, THE HIGHEST POINT OF THE ROOF SURFACE OR THE PARAPET, WHICHEVER IS THE GREATER

(b) IN THE CASE OF A MANSARD ROOF, THE DECK ROOF LINE, AND

(c) IN THE CASE OF A GABLE, HIP, OR GAMBREL ROOF, THE MEAN HEIGHT BETWEEN THE EAVES AND RIDGE

LOT COVERAGE:

MEANS THE PERCENTAGE OF THE LOT AREA COVERED BY BUILDINGS, INCLUDING ACCESSORY BUILDINGS, BAY/CANTILEVERED WINDOWS, COVERED PORCHES AND VERANDAS, COVERED DECKS AND COVERED ENTRANCE WAYS BUT NOT INCLUDING AN IN-GROUND OR ABOVE GROUND SWIMMING POOL, A SATELLITE DISH, UNCOVERED PARKING AREAS OR DRIVEWAYS



#	Description	Date
1	ISSUED FOR COORDINATION	27MAY2024
2	ISSUED FOR MINOR VARIANCE COORDINATION	19JUL2024
3	ISSUED FOR SEPTIC INSPECTION	08AUG2024
4	ISSUED FOR MINOR VARIANCE	17JAN2024

Do not scale drawings. Report any discrepancies to Jordan Station Design Co. Inc. before proceeding. Drawings must be signed by the Licensed Architectural Technologist prior to the use for any building permit applications and / or government approval. Drawings must be signed by the Technologist before drawings are used for any construction. All construction to be in accordance with the current Ontario Building Code & all applicable ON. regulations. All drawings & related documents remain the property of Jordan Station Design Co. Inc., All drawings are protected under copyright and under contract.



info@jordanstationdesignco.ca

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
Required unless design is exempt under 3.2.5.1. of the Ontario Building Code

NAME SIGNATURE BCIN

**REGISTRATION INFORMATION**  
Required unless design is exempt under 3.2.4.1. of the Ontario Building Code

NAME SIGNATURE BCIN

## NEW ACCESSORY BUILDING

874 Line 1 Road,  
Niagara-on-the-Lake, ON, L0S 1J0

### SITE PLAN

Project number 23086

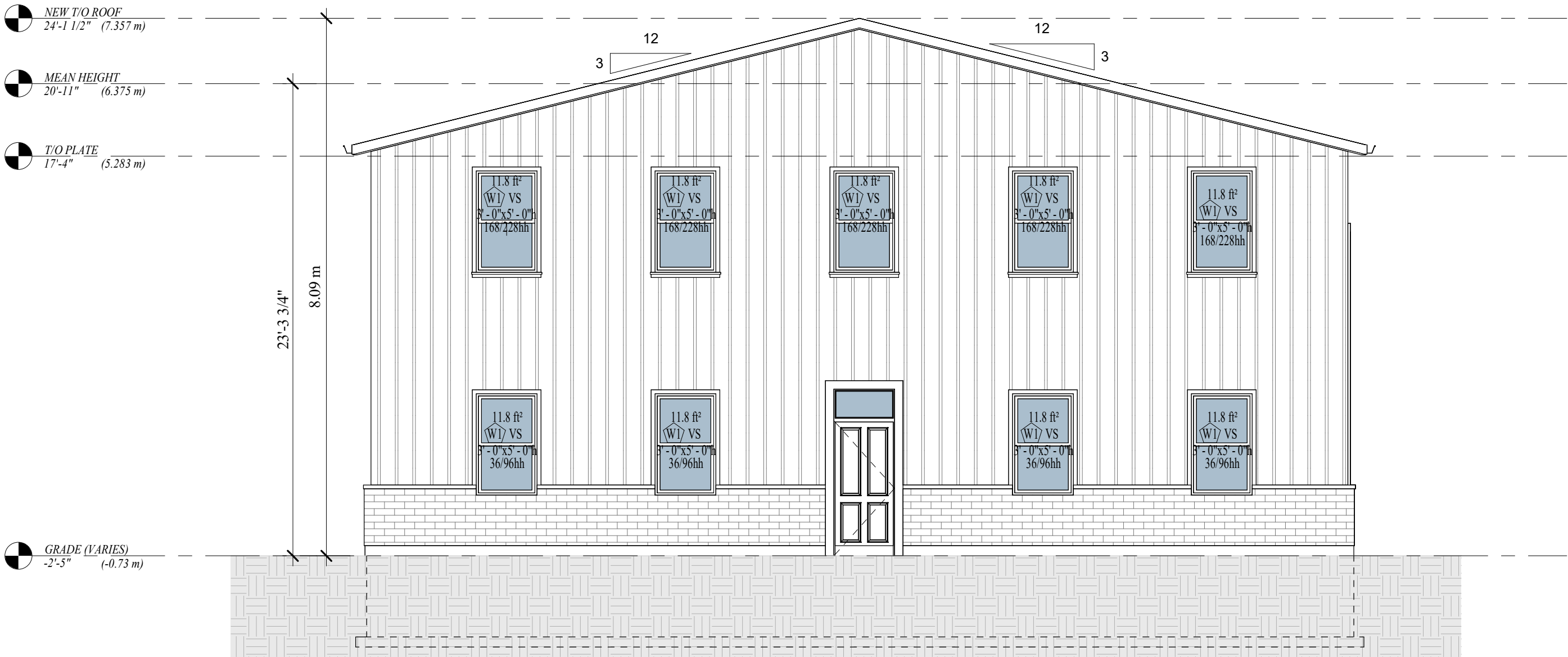
Date FEBRUARY 2025

Drawn by GAC & NW

Designed by LC

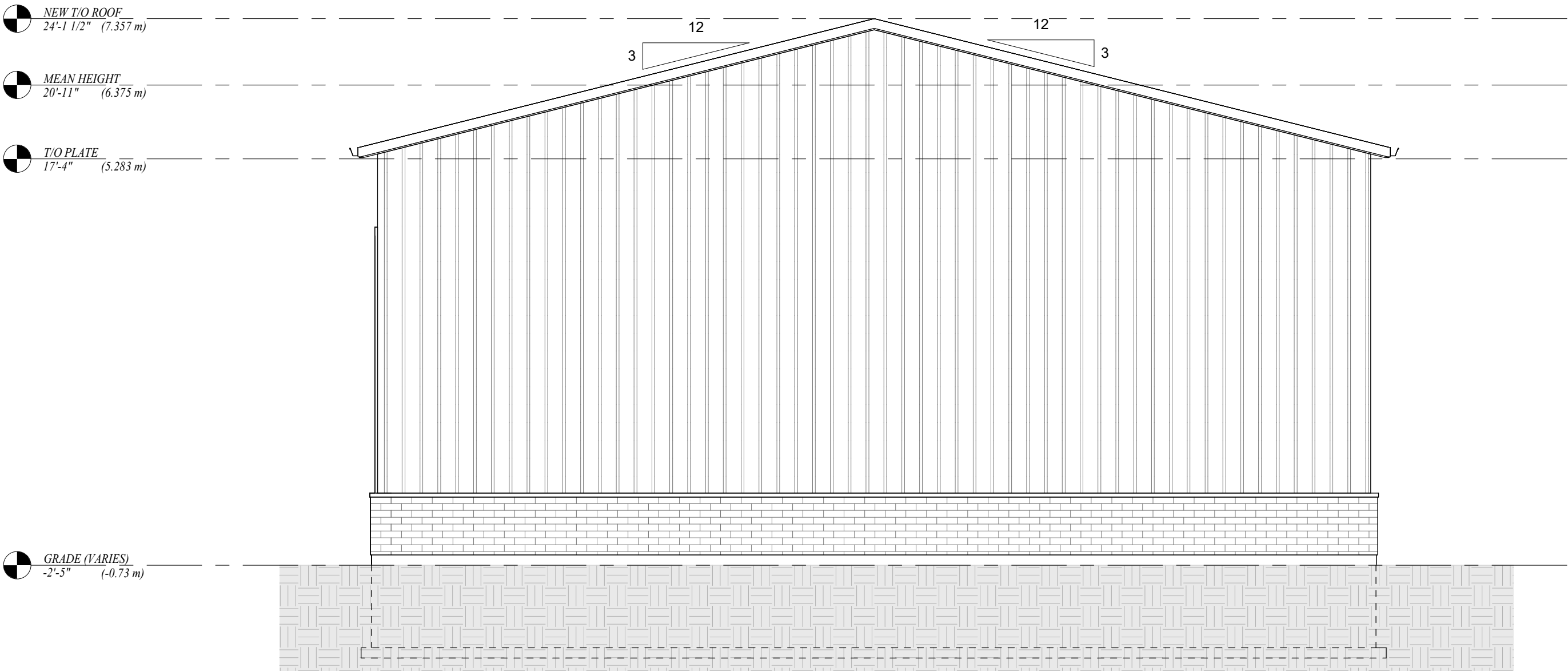
A1-1

Scale 1 : 200



① FRONT ELEVATION  
Scale: 3/16" = 1'-0"

EXPOSED BUILDING FACE (OBC TABLE 9.10.15.4.)		
Limiting Distance:	19.31m	
Area Exposed Face:	88 sq.m.	
Allowable Area:	100%	88 sq.m.
Proposed Area:	10 sq.m.	11.36%



② REAR ELEVATION  
Scale: 3/16" = 1'-0"

EXPOSED BUILDING FACE (OBC TABLE 9.10.15.4.)		
Limiting Distance:	10.48m	
Area Exposed Face:	88 sq.m.	
Allowable Area:	100%	88 sq.m.
Proposed Area:	0 sq.m.	0%

PRELIMINARY  
NOT FOR  
CONSTRUCTION

#	Description	Date
1	ISSUED FOR COORDINATION	27MAY2024

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<b>REGISTRATION INFORMATION</b> Required unless design is exempt under 3.2.4.1. of the Ontario Building Code		

NAME	SIGNATURE	BCIN
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## NEW FARM BUILDING

874 Line 1 Road,  
Niagara-on-the-Lake, ON,  
L0S 1J0

### FRONT & REAR ELEVATION

Project number	23086
Date	April 30 2024
Drawn by	GAC
Designed by	LC

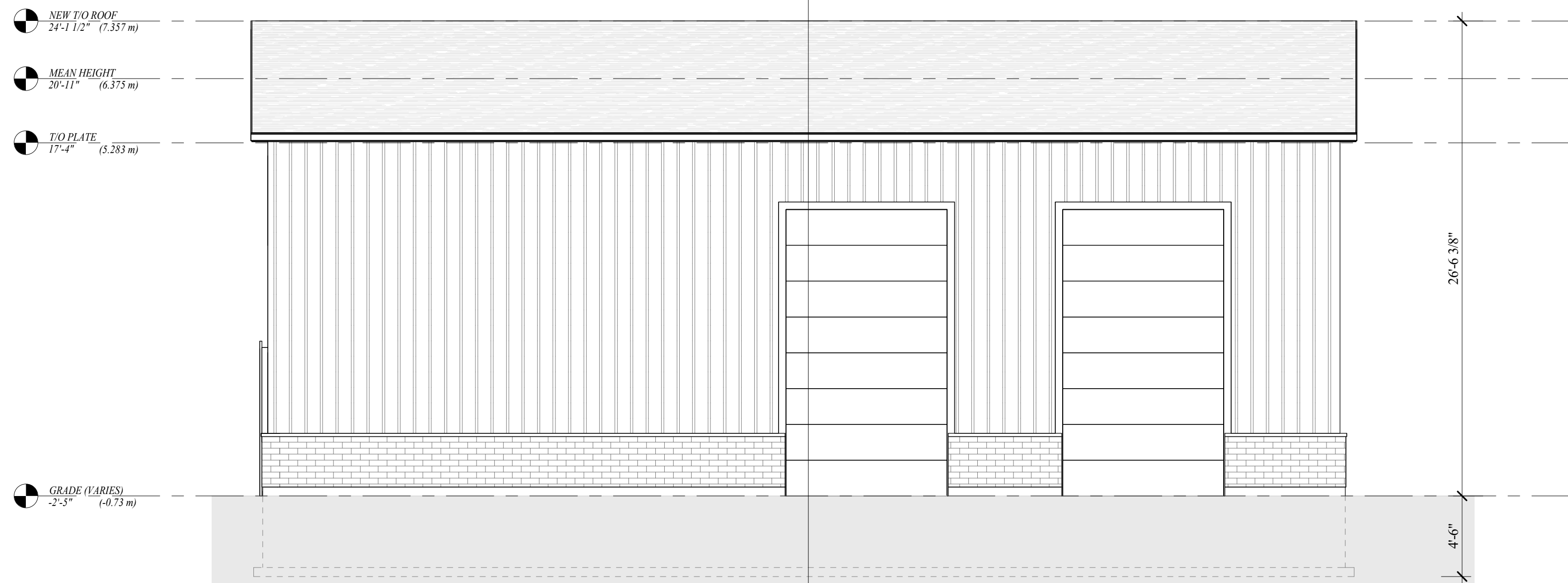
A2-1

Scale	3/16" = 1'-0"
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1 LEFT ELEVATION  
Scale: 3/16" = 1'-0"

EXPOSED BUILDING FACE (OBC TABLE 9.10.15.4.)			
Limiting Distance:	22.1m		
Area Exposed Face:	106 sq.m.		
Allowable Area:	100%	106 sq.m.	
Proposed Area:	4.1 sq.m.	4.15%	



2 RIGHT ELEVATION  
Scale: 3/16" = 1'-0"

EXPOSED BUILDING FACE (OBC TABLE 9.10.15.4.)			
Limiting Distance:	14.1m		
Area Exposed Face:	106 sq.m.		
Allowable Area:	100%	106 sq.m.	
Proposed Area:	0 sq.m.	0%	

PRELIMINARY  
NOT FOR  
CONSTRUCTION

#	Description	Date
1	ISSUED FOR COORDINATION	27MAY2024

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JORDAN  
STATION  
DESIGN CO

info@jordanstationdesignco.ca

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NAME	SIGNATURE	BCIN
<b>REGISTRATION INFORMATION</b> Required unless design is exempt under 3.2.4.1. of the Ontario Building Code		

NAME	SIGNATURE	BCIN
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NEW FARM  
BUILDING

874 Line 1 Road,  
Niagara-on-the-Lake, ON,  
L0S 1J0

LEFT AND RIGHT ELEVATION

Project number

23086

Date

April 30 2024

Drawn by

GAC

Designed by

LC

A2-2

Scale

3/16" = 1'-0"



