



Department of Community & Development Services  
 1593 Four Mile Creek Road  
 P.O. Box 100, Virgil, ON L0S 1T0  
 905-468-3266 • Fax: 905-468-0301

[www.notl.com](http://www.notl.com)

File No:	Date of Receipt:
Town Fee (\$):	Regional Fee (\$):
NPCA Fee (\$):	Other Fee (\$):

(Office Use Only)

## Application for Minor Variance, Fence Variance, Sign Variance or Legal Non-Conforming Use Permission

Under the *Planning Act, R.S.O. 1990 c. P.13, as amended*

A pre-consultation meeting with Community & Development Services Staff is required prior to applying for Minor Variance, Fence Variance, Sign Variance, or Legal Non-Conforming Use Permission.

Please complete all applicable sections of this application. All measurements are to be provided in metric units. The information requested on this application is required to review the proposal. An incomplete application will be returned to the Registered Owner/Authorized Agent. If you have questions regarding the information requested on this application, please contact the Community & Development Services Department.

*All information requested on this form is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. The requested information on this application and all accompanying plans, reports, and information is required in order to process this application and will form part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information. Questions about the collection of information can be made to the Town Clerk.*

### 1. Type of Application

Minor Variance    
  Fence Variance    
  Sign Variance    
  Legal Non-Conforming Use Permission

### 2. Details of the Subject Lands

Municipal Address 407 VICTORIA STREET, NOTL		Assessment Roll Number 2627010004170050000	
Legal Description PT LT 241 TP PL 86 NIAGARA PT 2 30R7510 TOWN OF NIAGARA ON THE LAKE			
Date the subject lands were acquired 2022	Lot Area (metric) 831.14	Lot Frontage (metric) 18.29	Lot Depth (metric) 45.46
Description of easements, rights-of-way, or restrictive covenants applicable to the subject lands (if applicable): N/A			

### 3. Registered Owner (as shown on the deed and title of the property)

Name Julita and Waldemar Czernicki	Company Name	Municipality Niagara-on-the-Lake	
Mailing Address 407 VICTORIA STREET P.O. Box 1398		Unit Number	Postal Code L0S 1J0
Province Ontario	Email julitacz@hotmail.com	Telephone 519 731 3052	

### 4. Authorized Agent (if one has been authorized)

Name	Company Name	Municipality	
Mailing Address		Unit Number	Postal Code
Province	Email	Telephone	

Contact for all future correspondence (select one):    
 Registered Owner    
 Authorized Agent

**5. Official Plan and Zoning Information**

Existing Niagara Regional Official Plan designation(s) of the subject lands:  
 Delineated Built-up Area

Existing Town of Niagara-on-the-Lake Official Plan designation(s) of the subject lands:  
 Established Residential

Existing Town of Niagara-on-the-Lake Zoning of the subject lands:  
 Established Residential (ER) Zone within Old Town Community Zoning District

**6. Details of the Proposal**

Identify the nature and extent of relief from the Zoning By-law, Fence By-law, or Sign By-law:  
 To demolish existing structures. To construct Single Family Residential Dwelling. 1. Proposed exterior side setback (4.5 m required) for house main wall : 2.14 m, covered porch:1.22 m and uncovered step: 0.9 m.  
 2. Proposed front yard setback (7.5 m required) to covered porch: 6.58 m, and to uncovered step: 6.28 m.

Explain why the proposed use cannot comply with the provisions of the Zoning By-law, Fence By-law, or Sign By-law:  
 Newly constructed dwelling could not be oriented along the front of the subject lot without large side wall looking unnatural and unsightly for the area ( corner lot) and without having large side wall very close to next door property ( 411 Victoria Str).obstructing light.

**7. Existing Buildings, Structures, and Uses**

Identify the existing use(s) of the subject lands and the length of time the existing use(s) have continued:  
 There is an existing house and a garden shed on subject land.

Type of building or structure	framed house	framed garden shed		
Construction date	unknown	unknown		
Existing use(s)	residential	storage		
Time the existing use(s) have continued	since constructed	since constructed		
Front yard setback (m)	1.6 m	13.2 m		
Rear yard setback (m)	35.8 m	25.4 m		
Side yard setback (m)	3.80 m	12.7 m	(exterior side)	
Side yard setback (m)	3.85 m	3.03 m	(interior side)	
Height (m)	12.0 m	10.0 m		
Gross floor area (sq m)	106 sq m	24.5 sq m		
Lot coverage (sq m)	84 sq m	24.5 sq m		

**8. Proposed Buildings, Structures, and Uses (if applicable)**

Identify the proposed use(s) of the subject lands:  
 House and garden shed to be demolished. New single family residential dwelling to be constructed.

Type of building or structure	framed house			
Construction date	Aug 2025			
Proposed use(s)	residential			
Front yard setback (m)	6.58 m ( to porch)	6.28 m ( to step)		
Rear yard setback (m)	12.2 m			
Side yard setback (m)	1.22 m ( to porch)	0.9 m ( to step)	(exterior side)	
Side yard setback (m)	1.82 m		(interior side)	
Height (m)	9.2 m	( 30"-2')		
Gross floor area (sq m)	372.40 sq m			
Lot coverage (sq m)	257.34 sq m	( 30.96 %)		

**9. Access** (select all that apply)

Identify how the subject lands will be accessed:

Public road maintained all year     
  Niagara River Parkway     
  Provincial highway  
 Public road maintained seasonally     
  Private easement/Right-of-way     
  Waterway

If the subject lands will be accessed by a waterway only, identify the parking and docking facilities to be used and the approximate distance of these facilities from the subject lands to the nearest public road:

**10. Servicing** (select all that apply)

Identify how the subject lands will be serviced:

<b>Water</b>	<b>Sewage Disposal</b>	<b>Storm Drainage</b>
<input checked="" type="checkbox"/> Publicly owned and operated piped water system <input type="checkbox"/> Privately owned and operated individual well <input type="checkbox"/> Privately owned and operated communal well <input type="checkbox"/> Lake or other water body <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Publicly owned and operated sanitary sewage system <input type="checkbox"/> Privately owned and operated individual septic system <input type="checkbox"/> Privately owned and operated communal septic system <input type="checkbox"/> Privy <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Sewers <input type="checkbox"/> Ditches/swales <input type="checkbox"/> Other: _____

**11. Sign Details** (for Sign Variance only)

Identify the type of work being proposed:

Erect new sign     
  Alter existing sign     
  Repair existing sign     
  Relocate existing sign     
  Add electrical component to existing sign

Identify the material or finish of the proposed sign:

Length of proposed sign (m)		Minimum height above grade (m)	
Height of proposed sign (m)		Maximum height of proposed sign (m)	
Depth of proposed sign (m)		Projection of proposed sign, if applicable (m)	

Identify the type and number of signs to be erected:

Type	No.	Type	No.	Type	No.
<input type="checkbox"/> Awning		<input type="checkbox"/> Banner		<input type="checkbox"/> Canopy	
<input type="checkbox"/> Construction		<input type="checkbox"/> Directional		<input type="checkbox"/> Directory	
<input type="checkbox"/> Ground		<input type="checkbox"/> Mobile		<input type="checkbox"/> Neon (No Flashing)	
<input type="checkbox"/> Pole		<input type="checkbox"/> Projecting		<input type="checkbox"/> Sandwich	
<input type="checkbox"/> Subdivision		<input type="checkbox"/> Window		<input type="checkbox"/> Wall	

**12. Previous Applications**

Have the subject lands ever been the subject of an application under the *Planning Act, R.S.O. 1990, c. P.13, as amended* for approval of a plan of subdivision or condominium, a consent, a minor variance, a site plan, an official plan amendment, or a zoning by-law amendment?

Yes     
  No     
  Unknown

If yes, provide the information requested below for each previous application:

Application Type	File Number	Status of the Application

13. Concurrent Applications		
Application Type	File Number	Status of the Application

**14. Checklist of Requirements for a Complete Application** (all boxes must be checked)

The following plans, reports and, information must accompany this application in a digital format (pdf):

- One copy of the Pre-Consultation Agreement;
- All applicable application fees (payable by cheque, cash, or debit);
- A sketch of the subject lands;
- A sketch of the proposed fence/sign, (Fence and Sign Variances only);
- All required plans, reports and, information identified on the Pre-Consultation Agreement;

*This application will be circulated to various agencies for review and comment. Where the scope or nature of the application requires input from a large number of agencies, additional copies of this application and accompanying plans, reports, and information may be required.*

**15. Checklist of Drawing Requirements** (all applicable boxes must be checked)

Plans and drawings accompanying this application must show the following information, in metric units:

- North arrow;
- Metric scale;
- The boundaries and dimensions of the subject lands;
- The location, size, type, and setbacks of all existing and proposed buildings and structures on the subject lands;
- Natural and artificial features located within or adjacent to the subject lands, such as buildings, railways, roads/highways, pipelines, watercourses, drainage ditches, top of banks, wetlands, wooded areas, wells, septic tanks, and parking and docking facilities (if access to the subject lands is by waterway only), or any other features that may affect this application in the opinion of the Registered Owner/Authorized Agent;
- The existing use(s) of adjacent lands (for example, residential, agricultural, or commercial);
- The location, width and name any road/highway within or abutting the subject lands, and indicating whether it is an unopened road allowance, a public road, a private road, or a right-of-way; and
- The location and nature of any easement affecting the subject lands (if applicable).

*Community & Development Services Staff may request that additional information be provided in the plans and drawings that accompany this application, based on the scope and nature of the proposal.*

**16. Plans, Reports, and Information Submitted with this Application**

Identify all plans, reports, and information submitted with this application:

No.	Title	Date	Author
1	Site Plan	March 23, 2025	Julita Czernicki
2	Tree Inventory	March 23, 2025	Julita Czernicki
3	Proposed Landscaping	March 23, 2025	Julita Czernicki
4	Elevations (2)	March 23, 2025	Julita Czernicki
5	Cover Letter	March 23, 2025	Julita Czernicki
6			

## 17. Acknowledgement and Agreement of Registered Owner

I, Julita Czernicki AM THE REGISTERED OWNER OF THE SUBJECT LANDS AND  
(Name of Registered Owner/Company)

**I ACKNOWLEDGE AND AGREE** that all information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

**I ACKNOWLEDGE AND AGREE** that the Town of Niagara-on-the-Lake, its employees and agents may enter onto my property to view, photograph and survey my property as necessary for this application.

**I ACKNOWLEDGE AND AGREE** that all costs of processing this application shall be paid for by the Registered Owner. The Registered Owner shall reimburse the Town of Niagara-on-the-Lake, upon demand, for all costs incurred by the Town of Niagara-on-the-Lake in respect of this application. Without limiting the foregoing, the Registered Owner acknowledges and agrees to pay such expenses regardless of whether or not this application is approved or proceeded with and are not refundable. If costs are not paid by the due date imposed by the Town of Niagara-on-the-Lake, the Registered Owner understands and acknowledges that the costs will be added to the tax bill of the subject lands and collected in like manner as property taxes.

Julita Czernicki Digitally signed by Julita Czernicki  
Date: 2025.03.24 09:50:34 -06'00'  
(Signature of Registered Owner)

March 24, 2025  
(Date)

## 18. Authorization of Registered Owner

If this application is being submitted by an Authorized Agent, the Registered Owner of the subject lands must complete this section. If there is more than one Registered Owner, a separate authorization from each individual or corporation is required. An additional copy of this page must be attached for each Registered Owner.

I, \_\_\_\_\_ AM THE REGISTERED OWNER OF THE SUBJECT LANDS  
(Name of Registered Owner/Company)

AND HEREBY AUTHORIZE \_\_\_\_\_  
(Name of Authorized Agent/Company)

**TO SUBMIT THIS APPLICATION** to the Town of Niagara-on-the-Lake, appear on my behalf at any hearing(s) of this application, and provide any information or material required by the Town of Niagara-on-the-Lake relevant to this application.

**I UNDERSTAND** that all information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

**I ACKNOWLEDGE AND AGREE** that the Town of Niagara-on-the-Lake, its employees and agents may enter onto my property to view, photograph and survey my property as necessary for this application.

**I ACKNOWLEDGE AND AGREE** that all costs of processing this application shall be paid for by the Registered Owner. The Registered Owner shall reimburse the Town of Niagara-on-the-Lake, upon demand, for all costs incurred by the Town of Niagara-on-the-Lake in respect of this application. Without limiting the foregoing, the Registered Owner acknowledges and agrees to pay such expenses regardless of whether or not this application is approved or proceeded with and are not refundable. If costs are not paid by the due date imposed by the Town of Niagara-on-the-Lake, the Registered Owner understands and acknowledges that the costs will be added to the tax bill of the subject lands and collected in like manner as property taxes.

\_\_\_\_\_  
(Signature of Registered Owner)

\_\_\_\_\_  
(Date)

### 19. Sworn Declaration

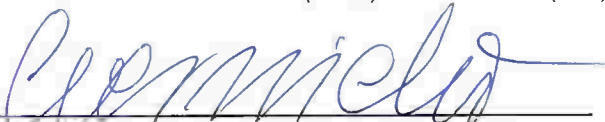
I, JULITA CZERNICKI OF THE NIAGARA-ON-THE-LAKE  
(Name of Registered Owner/Company or Authorized Agent/Company) (Name of City, Town, Township, etc.)

IN THE NIAGARA  
(Name of Regional Municipality or Province)

**DO SOLEMNLY DECLARE** that the information contained in this application and that the information contained in the documents that accompany this application is true and complete.

Declared before me in Town in the Region of Niagara  
(Name of City, Town, Township, etc.) (Name of Regional Municipality or Province)

on this 26 day of March, 2025.  
(Month) (Year)

  
(Signature of Registered Owner/Authorized Agent)

  
(Signature of Commissioner of Oath)

**Shannon Brittany Mista, a Commissioner, etc.,  
Province of Ontario, for the Cooperation of the  
Town of Niagara-on-the-Lake.**  
Expires May 3, 2026

#### THIS APPLICATION MUST BE SUBMITTED TO:

Town of Niagara-on-the-Lake  
Community & Development Services  
1593 Four Mile Creek Road  
PO Box 100  
Virgil, ON L0S 1T0

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