

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

DECISION: File No. Minor Variance A-06/25 – 329 Victoria Street

Assessment Roll No. 2627010004162000000

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

Minor Variance Application A-06/25 is made to facilitate the construction of an addition, covered front porch, and covered rear porch to the existing single-detached dwelling and the construction of two covered areas to the existing detached accessory structure, and requests relief as follows:

1. Minimum front yard setback from 7.5 metres, as required in the Zoning By-law, to 4.94 metres for the proposed dwelling addition;
2. Minimum front yard setback from 7.5 metres, as required in the Zoning By-law, to 2.91 metres for the proposed covered front porch; and
3. Maximum accessory structure lot coverage from 8%, as required in the Zoning By-law, to 10% for the proposed additions to the existing accessory structure.

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: May 15, 2025.

The last date for filing a notice of appeal is June 4, 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.

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.

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 May 15, 2025 to insert electronic signatures below;

ABSENT

Steve Bartolini
Committee of Adjustment



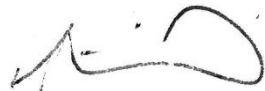
Margaret Louter (Vice Chair)
Committee of Adjustment



Eric Lehtinen (Chair)
Committee of Adjustment

CONFLICT

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 May 16, 2025.



Natalie Thomson, Secretary Treasurer

Schedule A

- 1.1.1 That a Stage 1 and 2 archaeological assessment be completed, by a consultant archaeologist licensed by the Ministry of Citizenship and Multiculturalism under the provisions of the Ontario Heritage Act (R.S.O. 1990), on the whole subject lands and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The results of the Stage 1 and 2 archaeological assessment will determine the need for further studies. No demolition, grading or other soil disturbances shall take place on the subject property 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 all archaeological assessment reports and Ministry Compliance Letters are submitted to the Town, to the satisfaction of the Town;
- 1.1.2 That the owner/applicant signs and submits the Town's Tree Protection Declaration Form, to the satisfaction of the Town's Urban Forestry Officer; and
- 1.1.3 That the owner/applicant submits and obtains approval of permit applications for the proposed tree removal from the Town, which may include but not be limited to the completion of a Tree Inventory and Protection Plan. If any boundary trees are proposed for removal, the owner/applicant is required to obtain written permission from adjacent landowners for the removal of any boundary trees, to the satisfaction of the Town's Urban Forestry Officer.

SITE PLAN NOTE:
INFORMATION FOR THIS SITE PLAN WAS TAKEN FROM A SITE PLAN BY: 'GABRIS ASSOCIATES' JANUARY 2021, FOR A PREVIOUS ISSUED BUILDING PERMIT.

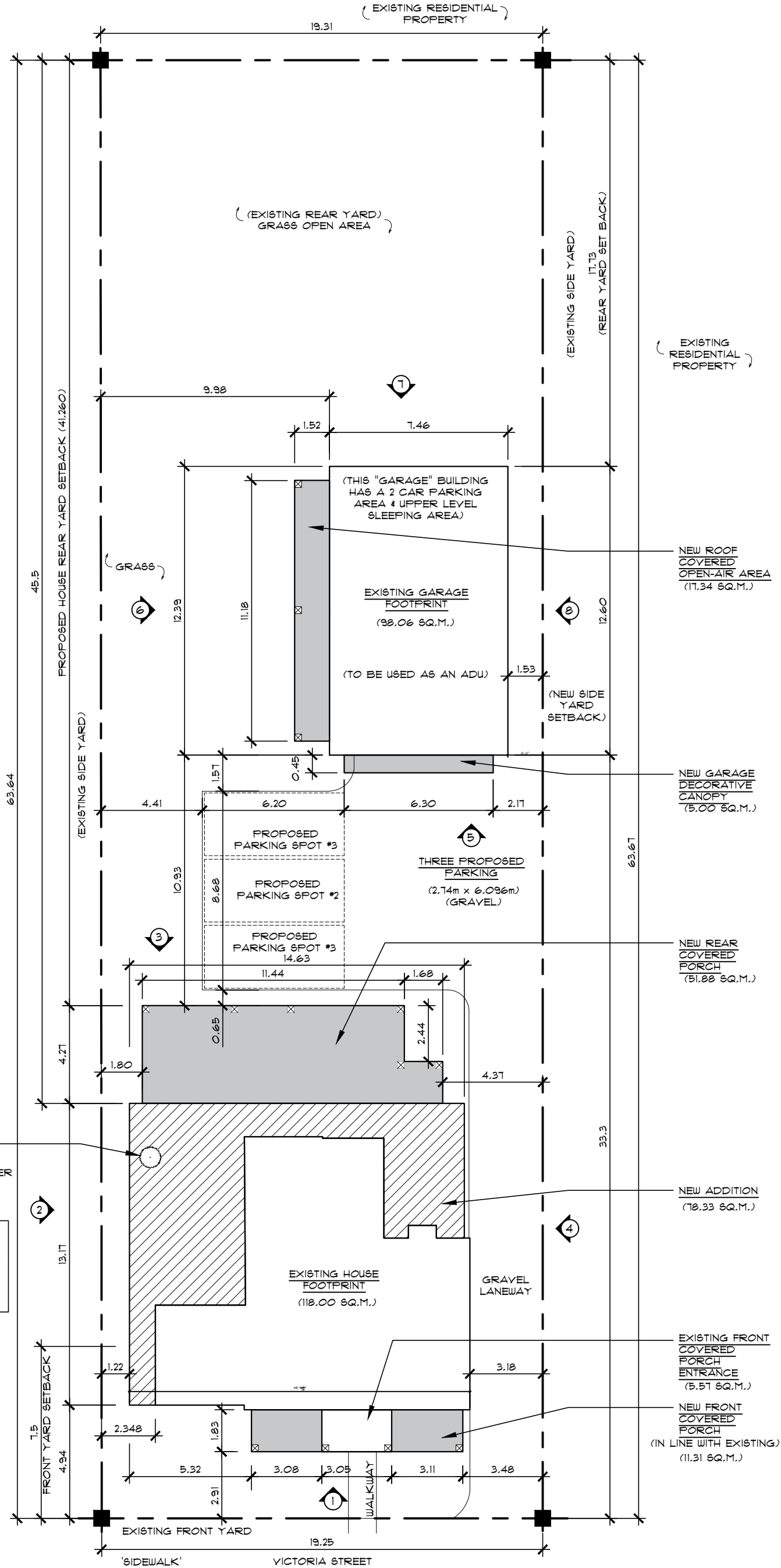
DENOTES PROPERTY LINE

HATCH LEGEND:

DENOTES EXISTING HOUSE, FRONT COVERED PORCH & GARAGE

DIAGONAL 'HATCH' ON SITE PLAN DENOTES PROPOSED NEW HOUSE ADDITION

SOLID 'HATCH' ON SITE PLAN DENOTES PROPOSED NEW FRONT COVERED PORCH, REAR COVERED PORCH, GARAGE CANOPY & GARAGE OPEN AIR WALKWAY



EXISTING RESIDENTIAL PROPERTY

EXISTING TREE
(TO BE "POTENTIAL" REMOVED AT A LATER DATE)

NOTE:
ANY TREE REMOVAL WILL REQUIRE THE APPROVAL OF THE TOWN'S TREE REMOVAL BY-LAW.

SITE CALCULATIONS: EXISTING	
LOT SIZE: 1226.93 SQ.M	
LOT COVERAGE ALLOWANCE: 33%	
EXISTING HOUSE FOOTPRINT: 118.00 SQ.M.	9.62% LOT COVERAGE
EXISTING FRONT PORCH FOOTPRINT: 5.51 SQ.M.	0.45% LOT COVERAGE
EXISTING GARAGE FOOTPRINT: 98.06 SQ.M.	7.99% LOT COVERAGE

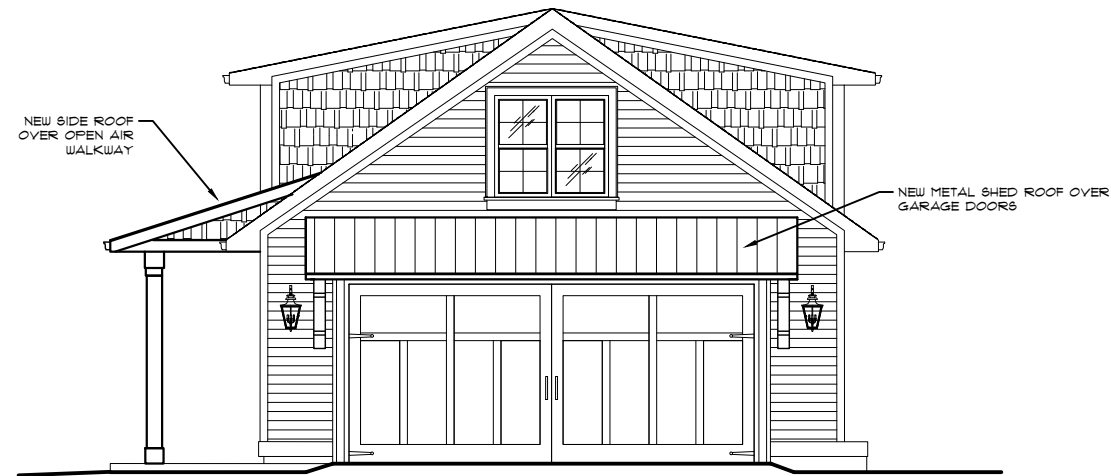
SITE CALCULATIONS: PROPOSED	
HOUSE ADDITION: 78.33 SQ.M.	6.38% LOT COVERAGE
FRONT COVERED PORCH: 11.31 SQ.M.	0.92% LOT COVERAGE
REAR COVERED PORCH: 51.88 SQ.M.	4.23% LOT COVERAGE
GARAGE CANOPY: 5.00 SQ.M.	0.41% LOT COVERAGE
GARAGE OPEN AIR WALKWAY: 17.34 SQ.M.	1.41% LOT COVERAGE

LOT COVERAGE CALCULATIONS:		
GARAGE:	120.43 SQ.M.	9.81%
TOTAL HOUSE:	196.17 SQ.M.	16%
TOTAL COVERED PORCHES:	63.19 SQ.M.	5.15%
TOTAL LOT COVERAGE:	379.79 SQ.M.	30.96%

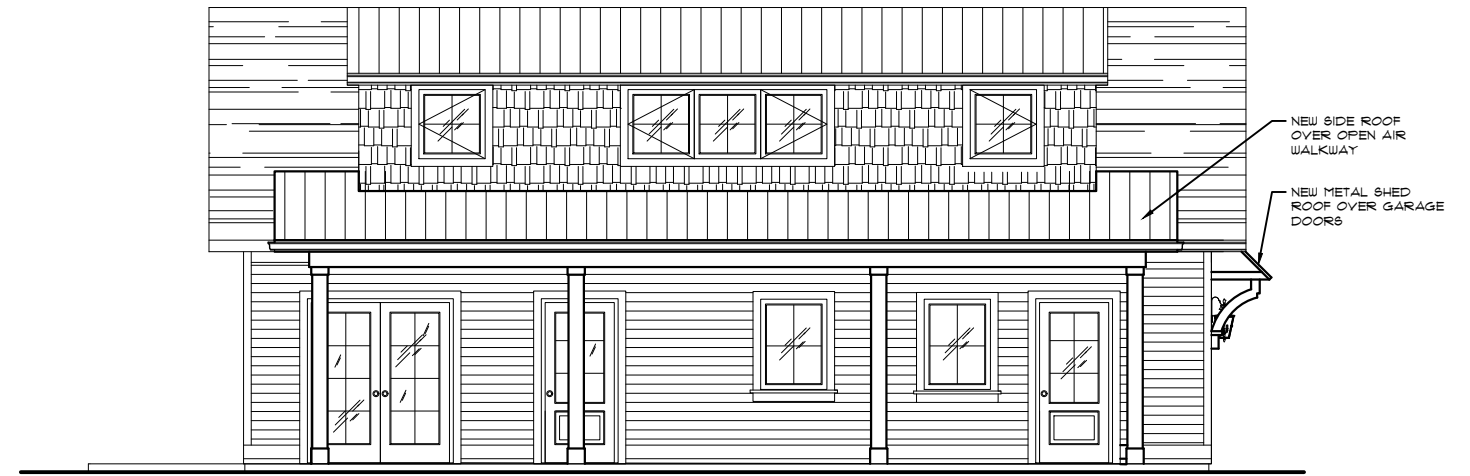
LANDSCAPE CALCULATION	
OPEN SPACE: 841.44 SQ.M.	31.4% LOT COVERAGE

ZAKINTHINOS RESIDENCE
SITE PLAN (329 VICTORIA STREET, N.O.T.L.)
SCALE: NOT TO SCALE

Edwards designs Inc.
MARCH 26, 2025



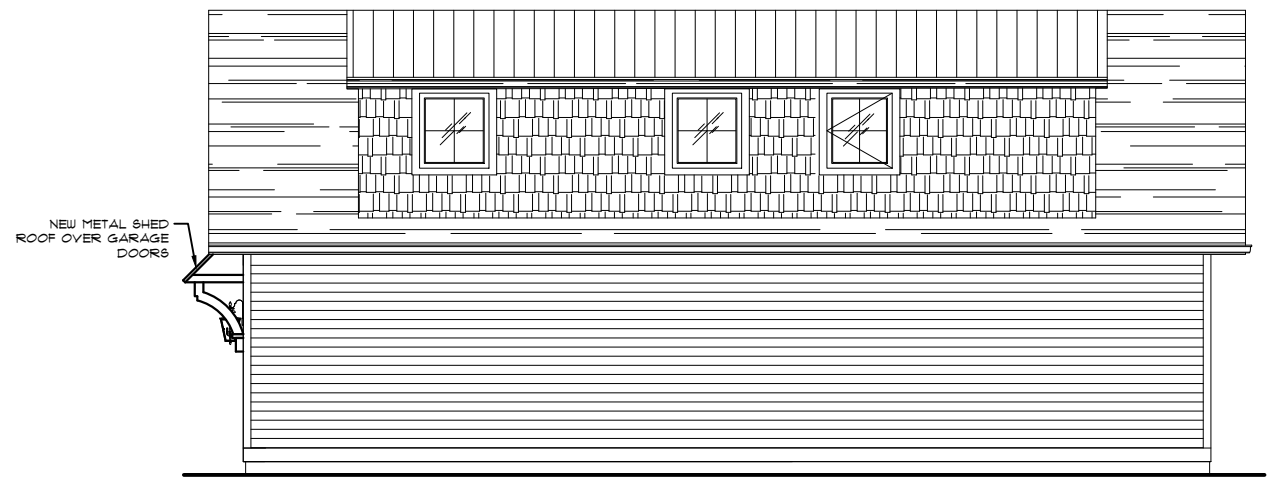
WEST ELEVATION
SCALE: 1:100



SOUTH ELEVATION
SCALE: 1:100



EAST ELEVATION
SCALE: 1:100



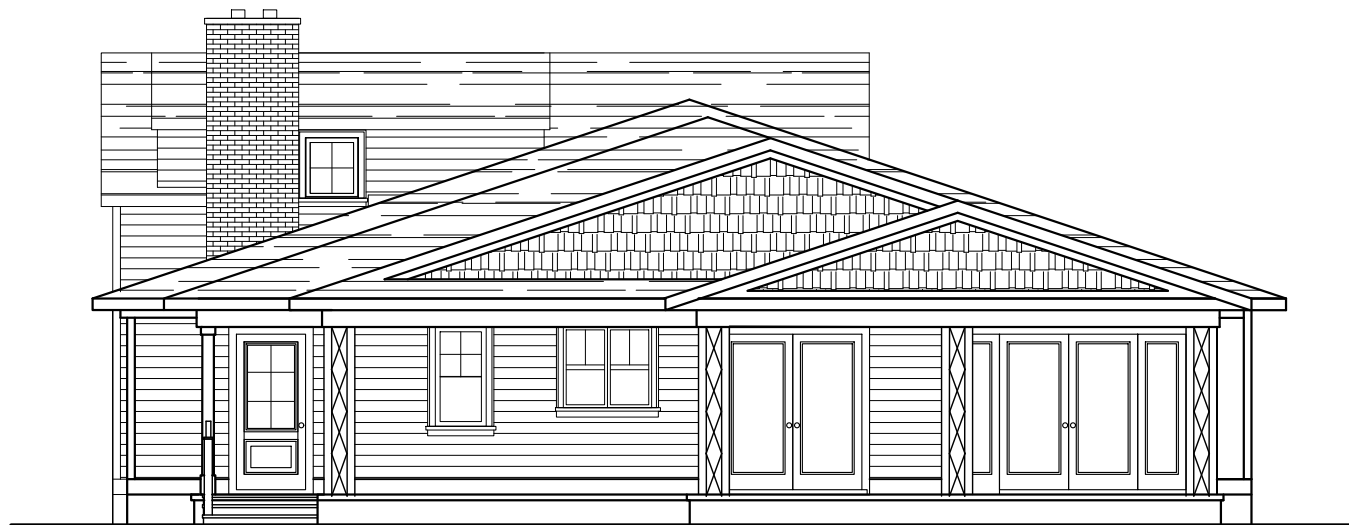
NORTH ELEVATION
SCALE: 1:100




EAST ELEVATION
 SCALE: 1:100




SOUTH ELEVATION
 SCALE: 1:100




WEST ELEVATION
 SCALE: 1:100




NORTH ELEVATION
 SCALE: 1:100

ZAKINTHINOS RESIDENCE

HOUSE EXTERIOR ELEVATIONS (329 VICTORIA STREET, N.O.T.L.)

SCALE: 1:100

MARCH 17, 2025

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