

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

**DECISION:** File No. Minor Variance A-07/25 – 19 Kenmir Avenue  
**Assessment Roll No. 2627020025143250000**

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

Minor Variance Application A-07/25 is made to facilitate construction of a single-detached dwelling, and requests relief as follows:

1. Maximum lot coverage from 33%, as required in the Zoning By-law, to 36.5% for the proposed single-family dwelling and covered rear 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: 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) 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:**

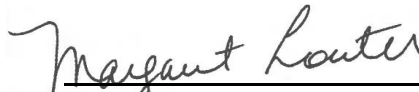
Please note neighbours and other interested parties not defined by the Planning Act are no longer eligible to file appeals for this application as per Bill 23, More Homes Built Faster Act, 2022. Planning Act appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified 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 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

  
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.

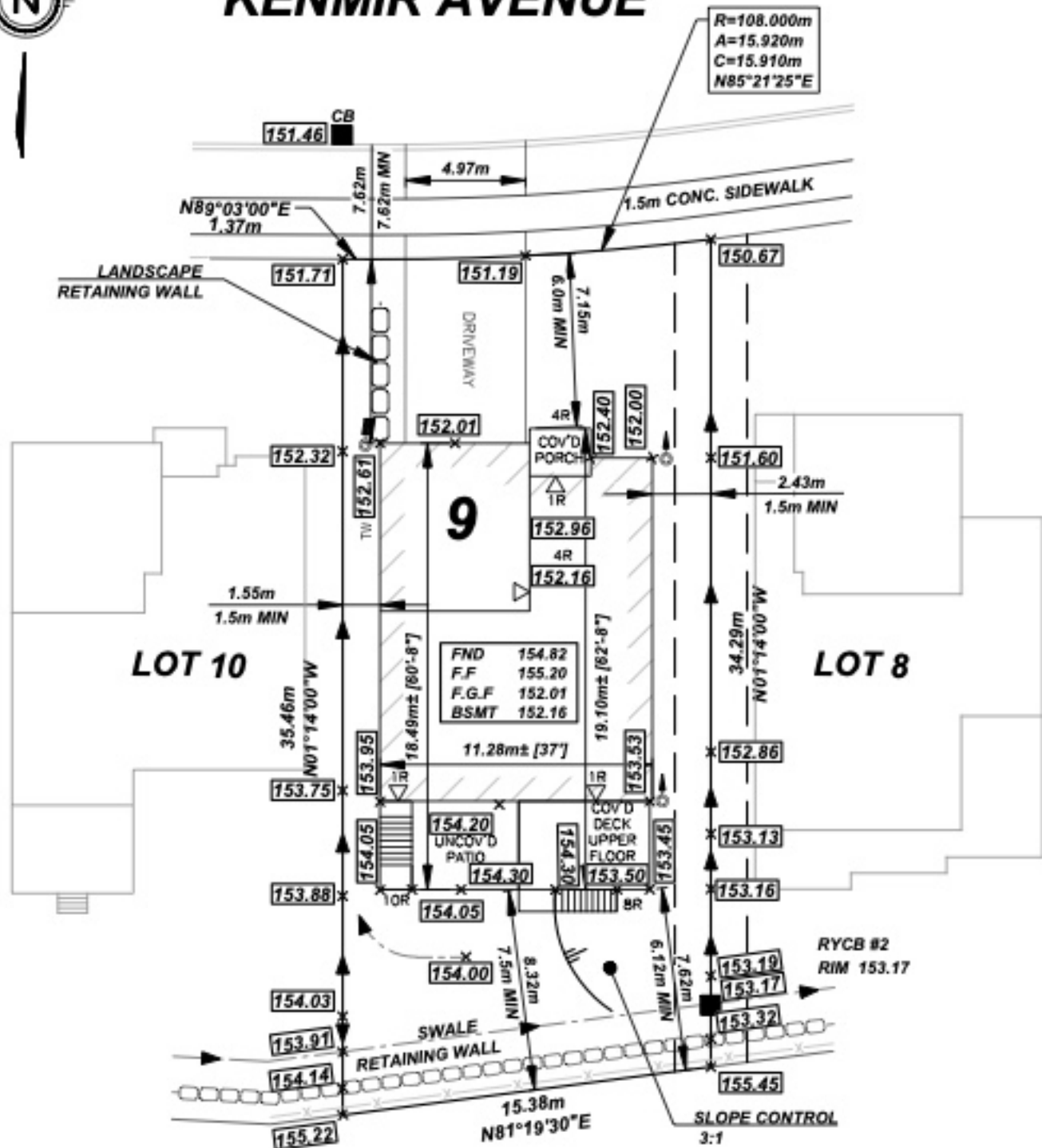
  
Natalie Thomson, Secretary Treasurer

## **Schedule A**

- 1.1.1 That the owner/applicant submits and obtains approval from the Town for the removal or relocation of the Town tree fronting the subject property, including any compensation, to the satisfaction of the Town's Urban Forestry Officer.



# KENMIR AVENUE



AVERAGE GRADE: 153.35

TOTAL LOT AREA 529.35m<sup>2</sup>  
 BUILDING AREA 191.00m<sup>2</sup>  
 LOT COVERAGE 36.10%  
 MAXIMUM 1.5-2 STRY 33.00%

NOTE:  
 THE MAXIMUM HEIGHT OF THE CONCRETE SHOWING ON THE FOUNDATION WALL SHALL NOT BE MORE THAN 12" ABOVE THE FINAL APPROVED GRADE ELEVATION.



\*OVERHANG MAY NOT PROJECT INTO EASEMENT

NOTE:  
 BUILDER AND SURVEYOR TO VERIFY LOCATION OF ALL SERVICES AND UTILITIES PRIOR TO CONSTRUCTION.

SURVEYOR IS RESPONSIBLE FOR VERIFYING BUILDING SIZE & LOCATION PRIOR TO LAYOUT OF BUILDING FOUNDATION

## NIAGARA-ON-THE-LAKE

### INDIVIDUAL LOT GRADING PLAN

LOT 9  
 REGISTERED PLAN 30M-418  
 19 KENMIR AVENUE

SCALE: 1 : 250m  
 GRADE PLAN No.: 0539-GP  
 REVISION No.: REV 8  
 SUBDIVISION: ST. DAVID'S ESTATES

BUILDER: IMPERO HOMES PHONE: \_\_\_\_\_  
 OWNER: \_\_\_\_\_ PHONE: \_\_\_\_\_

### PROPOSED GRADING

I HEREBY CERTIFY THAT THE PROPOSED GRADING SHOWN CONFORMS TO THE LATEST REVISION OF THE SUBDIVISION DRAINAGE PLAN FOR THIS SUBDIVISION.

NAME: JASON SCHOOLEY (P.Eng)  
 FIRM: UPPER CANADA CONSULTANTS  
 SIGNATURE: *J. Schooley*  
 DATE: MARCH 25, 2025  
 ACCEPTED BY TOWN: \_\_\_\_\_

### LEGEND

(173.75) DENOTES PROPOSED ELEVATION  
 173.75 • EXISTING GROUND ELEVATION  
 (173.75) • FINISHED ELEVATION  
 • DRAINAGE DIRECTION  
 F.F. • FINISHED FLOOR ELEVATION  
 F.G.F. • FINISHED GARAGE FLOOR ELEVATION  
 FND. • TOP OF FOUNDATION ELEVATION  
 B.F.T.G. • BOTTOM OF FOOTING ELEVATION  
 • DOWNSPOUT & DIRECTION

### AS CONSTRUCTED GRADING

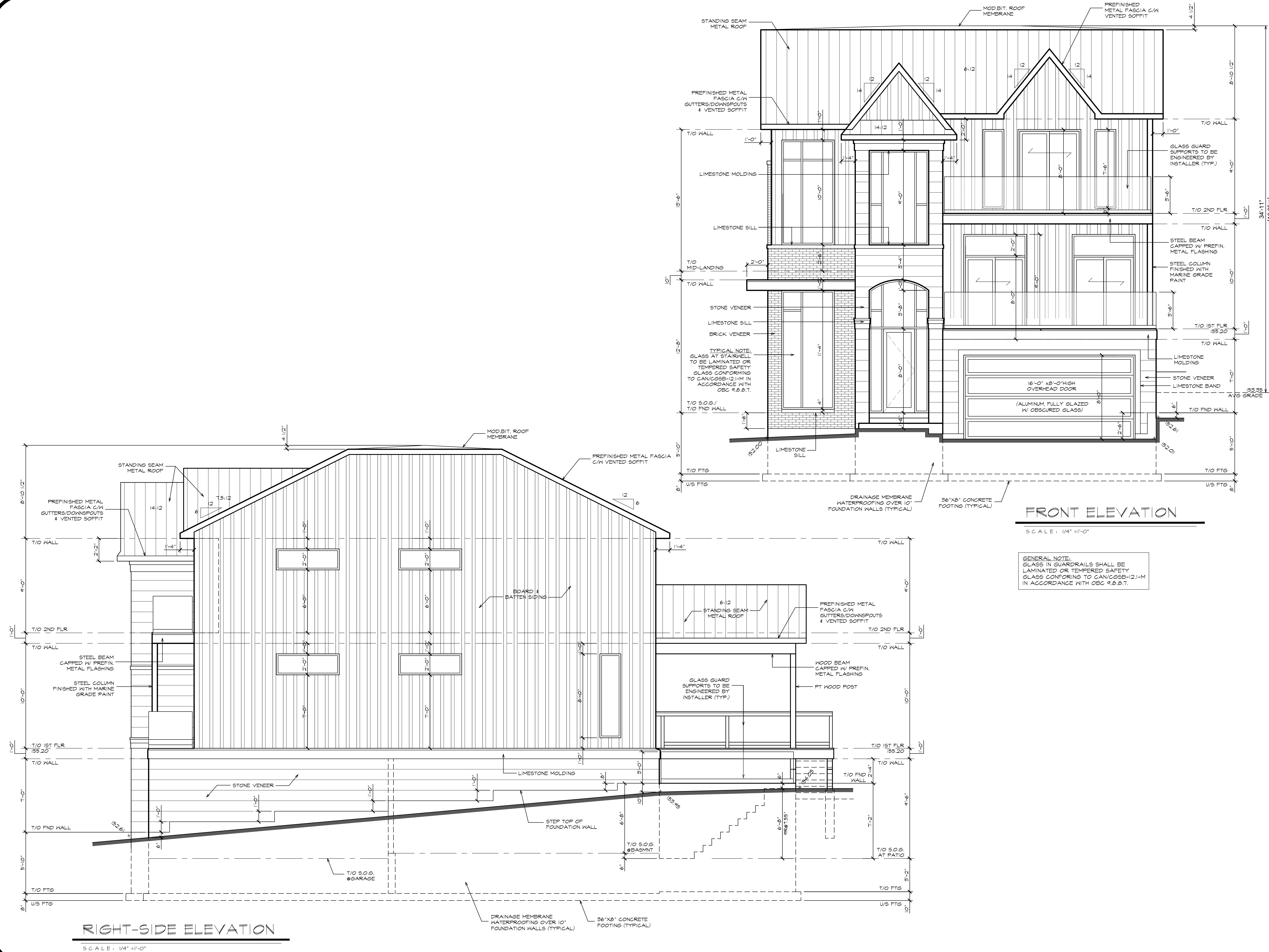
I HEREBY CERTIFY THAT I HAVE TAKEN THE FINISHED GRADES SHOWN, AND THAT THE GRADING OF THIS LOT GENERALLY CONFORMS TO THE LATEST REVISION OF THE SUBDIVISION DRAINAGE PLAN FOR THIS SUBDIVISION.

NAME: \_\_\_\_\_  
 FIRM: \_\_\_\_\_  
 SIGNATURE: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 ACCEPTED BY TOWN: \_\_\_\_\_  
 DATE: \_\_\_\_\_



**UPPER CANADA CONSULTANTS**  
 ENGINEERS / PLANNERS

261 Watford Road  
 Unit #1  
 St. Catharines, ON  
 L7W 1A1  
 Phone: (905) 688-9400  
 Fax: (905) 688-5274



General Notes

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 2.17.5.1. of the building code

CHRISTIAN VENDITTI  
NAME SIGNATURE 42354 BCIN

REGISTRATION INFORMATION  
Required unless design is exempt under 2.17.4.1. of the building code

CORE DRAFTING SERVICES  
FIRM NAME 108210 BCIN

6	REVISED	APR 24 2025
5	REVISED	FEB 4 2025
4	REVISED	JAN 24 2025
3	REVISED	DEC 11 2024
2	ISSUED FOR REVIEW	OCT 11 2024
1	ISSUED FOR REVIEW	APR 20 2024
No.	Revision/Issue	Date

**CORE**  
design-drafting  
Building  
residential | commercial | industrial  
E-mail: core@coredd.ca Phone: 289-821-1870

Project Name and Address

NEW  
RESIDENCE

9 KENMIR AVE.  
ST. DAVIDS, ON

Dwg Title	FLOOR PLANS	Sheet
Date	APR 2024	<b>A3</b>
Scale	1/4" = 1'-0"	



