

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

DECISION: File No. Consent B-05/25 – 944 Concession 1 Road
Assessment Roll No. 2627020021133000000

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

Consent Application B-05/25 proposes the severance of a residence surplus to a farming operation as a result of a farm consolidation.

The agricultural portion (Part 2), with an area of 23,660.1 square metres and 8 metres of frontage on Concession 1 Road is to be retained and merged with the abutting lands (Part 3) known municipally as 1008 Concession 1 Road for continued agricultural use. The residential portion (Part 1), containing a single-family dwelling and detached garage with an area of 4670 square metres and 76.8 metres of frontage on Concession 1 Road, is to be severed.

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: May 16, 2025

Last date to file a notice of appeal: June 5, 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)).

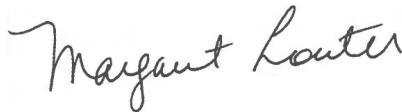
Information regarding the Local Planning Appeals Tribunal can be found at;
<https://www.ontario.ca/document/citizens-guide-land-use-planning/ontario-land-tribunal>

Last date to fulfil all conditions: May 15, 2027

Consent was obtained by the Secretary Treasurer on May 15, 2025 to insert electronic signatures below;

ABSENT

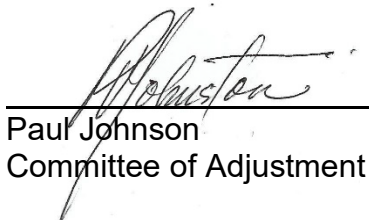
Steve Bartolini
Committee of Adjustment



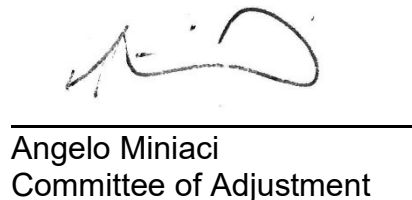
Margaret Louter (Vice Chair)
Committee of Adjustment



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



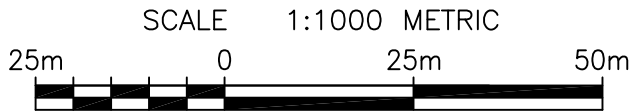
Natalie Thomson, Secretary Treasurer

SCHEDULE A

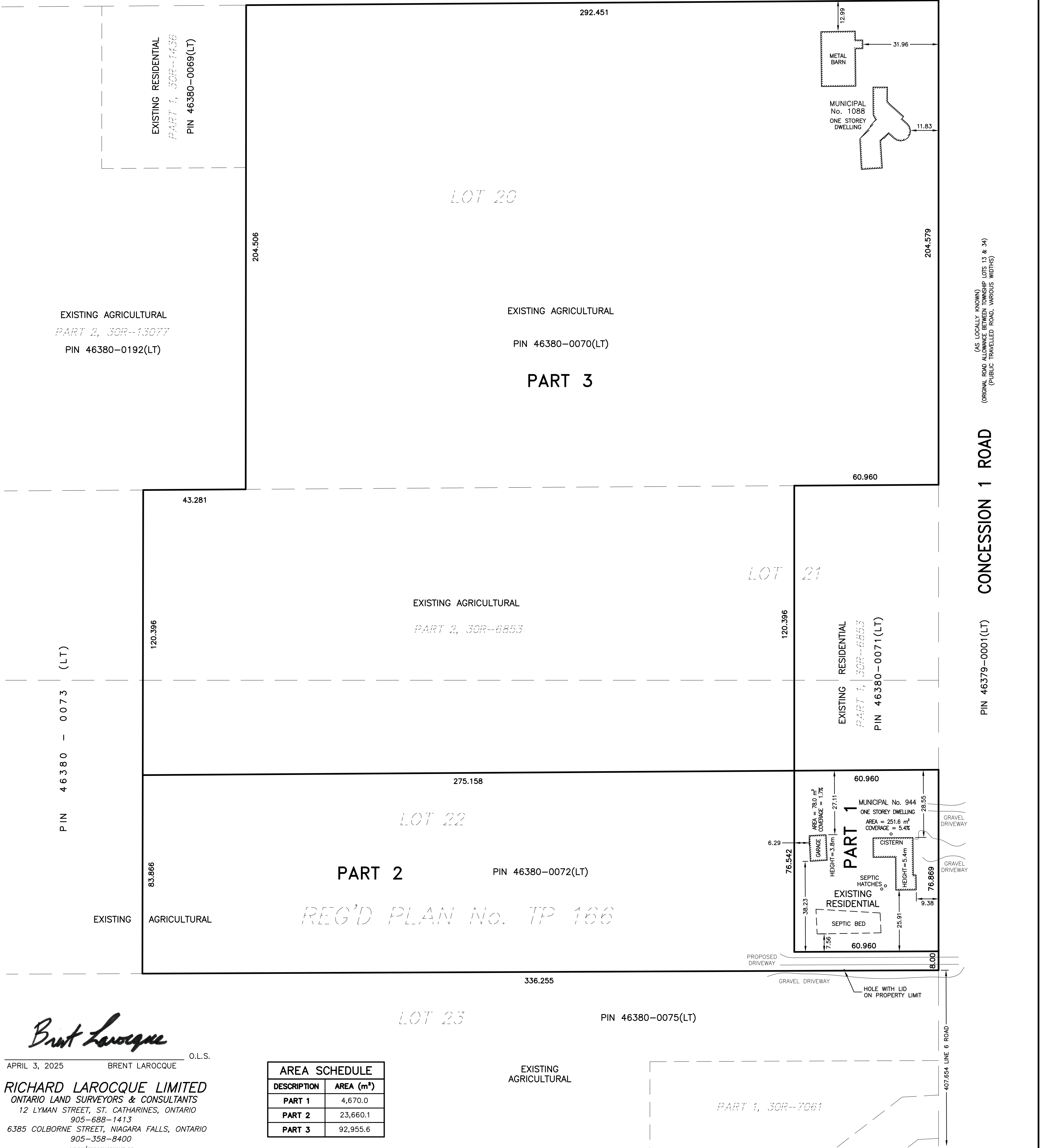
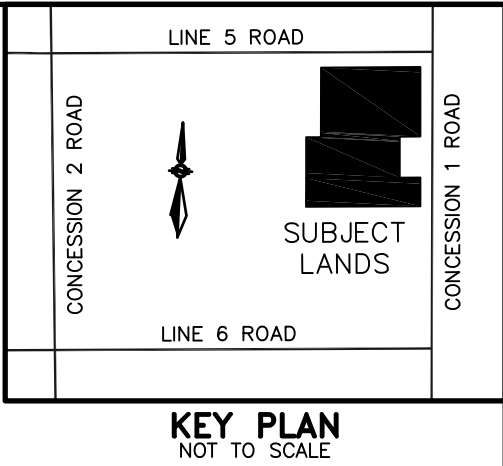
Conditions of Provisional Consent:

- 1.1.1 That the owner/applicant provides a legal description of Part 1, 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 Director of Community and Development Services, for use in the issuance of the Certificate of Consent;
- 1.1.2 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. merging of Part 2 with Part 3, 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;
- 1.1.3 That the owner/applicant obtains approval in the form of a municipal entrance permit from the Town's Operations Department for the proposed driveway on Part 2 providing access to Concession 1 Road, to the satisfaction of the Director of Operations;
- 1.1.4 That the owner/applicant, at their own expense, enter into a reapportionment agreement for assessment of future maintenance of the municipal drain, subject to the approval of the Town's Drainage Superintendent; and
- 1.1.5 That the Town Operations Department be provided with a copy of the deposited reference plan.

PRELIMINARY SKETCH TO ACCOMPANY AN APPLICATION UNDER THE PLANNING ACT
PART OF LOTS 20, 21 & 22
REGISTERED PLAN No. TP 166
TOWN OF NIAGARA-ON-THE LAKE
REGIONAL MUNICIPALITY OF NIAGARA



LINE 5 ROAD
(AS LOCALLY KNOWN)
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 33 & 34)
(PUBLIC TRAVELLED ROAD, 20.117 WIDE)
PIN 46380-0034(LT)



Brent Larocque
O.L.S.
APRIL 3, 2025 BRENT LAROCQUE
RICHARD LAROCQUE LIMITED
ONTARIO LAND SURVEYORS & CONSULTANTS
12 LYMAN STREET, ST. CATHARINES, ONTARIO
905-688-1413
6385 COLBORNE STREET, NIAGARA FALLS, ONTARIO
905-358-8400
www.larocquegroup.ca

AREA SCHEDULE	
DESCRIPTION	AREA (m²)
PART 1	4,670.0
PART 2	23,660.1
PART 3	92,955.6

EXISTING AGRICULTURAL



THIS SKETCH IS PREPARED FOR AN APPLICATION UNDER THE PLANNING ACT AND ALL DIMENSIONS ARE TO BE CONFIRMED BY SURVEY.

NOTE: THE LOT DIMENSIONS ILLUSTRATED HEREON WERE OBTAINED FROM PLANS AND DOCUMENTS ON FILE AT THE LAND REGISTRY OFFICE

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

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DRAWN BY:
D.B.

CHECKED BY:
B.L.

DATE:
APR. 3, 2025

FILE:
DWG. FILE: 1982-161B-04