

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

DECISION: File No. Consent B-06/25 – 58 Scott Street
Assessment Roll No. 2627020017157000000

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

Consent Application B-06/25 proposes the severance of a residence surplus to a farming operation as a result of a farm consolidation.

The agricultural portion (Part 1), with an area of 33,650.4 square metres is to be retained and merged with the existing abutting farm parcel (Part 3) with 51.33 metres of frontage on Scott Street for continued agricultural use. The residential portion (Part 2), containing a single-family dwelling and detached accessory structure (quonset hut) with an area of 5579.2 square metres and 62.19 metres of frontage on Scott Street, is to be severed.

Date of Notice: June 20, 2025

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.

Last date to file a notice of appeal: July 10, 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: June 19, 2027

Consent was obtained by the Secretary Treasurer on June 19, 2025 to insert electronic signatures below;



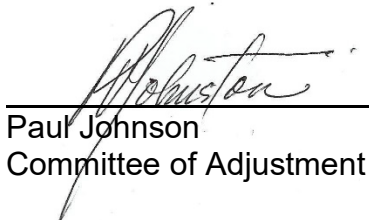
Steve Bartolini
Committee of Adjustment



Margaret Louter (Vice Chair)
Committee of Adjustment



Eric Lehtinen (Chair)
Committee of Adjustment



Paul Johnson
Committee of Adjustment



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 June 20, 2025



Natalie Thomson, Secretary Treasurer

SCHEDULE A

Conditions of Provisional Consent:

1. That the owner/applicant provides a legal description of Part 2, acceptable to the Registrar, together with one (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 Town, for use in the issuance of the Certificate of Consent;
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 1 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;
3. That the owner/applicant provide the Town Operations Department with a copy of the deposited reference plan; and,
4. That the owner/applicant dedicate a 0.9 metre road allowance widening along front Part 2 of the proposed severance to the Town, to the satisfaction of the Director of Operations.

CAUTION

- (A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.
- (B) THIS SKETCH IS PROTECTED BY COPYRIGHT.

PART	BUILDING AREA (Sq.m)	PART AREA (Sq.m)	COVERAGE (%)
1	N/A	33650.4(8.3 Acres)	N/A
2	291.7	5579.2(1.4 Acres)	5.2
3	N/A	41292.9(10.2 Acres)	N/A

NOTE: THIS SKETCH IS NOT A PLAN OF SURVEY

SKETCH FOR PLANNING PURPOSES ONLY

58 SCOTT STREET
TOWN OF NIAGARA-ON-THE-LAKE
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 2000



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METRIC NOTE

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

KEY PLAN (not to scale)



TOWN OF NIAGARA-ON-THE-LAKE

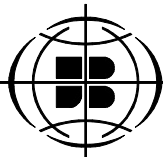
LEGAL DESCRIPTION

PART OF LOT 105, CORPORATION PLAN 5
TOWN OF NIAGARA-ON-THE-LAKE

BOUNDARY INFORMATION HAS BEEN PARTIALLY DERIVED FROM A FIELD SURVEY DATED FEBRUARY 20,2024 AND PARTIALLY COMPILED FROM EXISTING SURVEY RECORDS IN THE LAND REGISTRY OFFICE. THIS IS NOT A PLAN OF SURVEY.

JUNE 25, 2024
DATE

Allan J. Heywood
ALLAN J. HEYWOOD
ONTARIO LAND SURVEYOR



J.D.BARNES
LIMITED
LAND INFORMATION SPECIALISTS
4318 PORTAGE ROAD - UNIT 2, NIAGARA FALLS, ON L2E 6A4
T: (905) 358-3693 F: (905) 358-6224 www.jdbarnes.com

SURVEYING
MAPPING
GIS

AR	DRAWN
BM/AH	CHECKED
DATED:	
06/25/2024	
Ref. No.	
24-16-019-00	

PLOT DATE: 6/25/2024 3:30 PM

