

In the matter of the Planning Act, R.S.O. 190, c. P.13, s. 45:

DECISION: File No. Minor Variance A-12/25 – 46 Shakespeare Avenue

Assessment Roll No. 2627020007112000000

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

Minor Variance Application A-12/25 is made to recognize the construction of an addition to the existing single-detached dwelling, covered porch and verandah areas and requests relief as follows:

1. Maximum lot coverage from 40 %, as required in the Zoning By-law, to 51.5 % for the proposed garage addition, covered porch, and veranda;
2. Minimum front yard setback from 7.5 metres, as required in the Zoning By-law, to 6.25 metres for the proposed garage addition;
3. Minimum front yard setback from 7.5 metres, as required in the Zoning By-law to 3.28 metres for the covered front porch;
4. Maximum step encroachment into a front yard from 1.5 metres, as permitted in the Zoning By-law, to 5.36 metres for the proposed unenclosed and uncovered steps;
5. Maximum deck encroachment into a front yard from 1.5 metres, as permitted in the Zoning By-law, to 4.93 metres for the existing deck;
6. Minimum rear yard setback from 7.5 metres, as required in the Zoning By-law, to 5.50 metres for the covered rear porch;
7. Maximum deck encroachment into a rear yard from 1.5 metres, as permitted in the Zoning By-law, to 7.5 metres for the proposed deck;
8. Maximum step encroachment into a rear yard from 1.5 metres, as permitted in the Zoning By-law, to 3.29 metres for the proposed unenclosed and uncovered steps;
9. Minimum side yard setback from 1.22 metres, as required in the Zoning By-law, to 0.39 metres for the proposed covered porch; and
10. Maximum deck encroachment into a side yard from 0.6 metres, as permitted in the Zoning By-law, to 0.72 metres for the proposed deck.

Decision: Granted.

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: July 17, 2025.

The last date for filing a notice of appeal is August 6, 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.

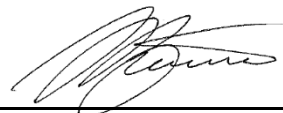
The appeal fee can be paid online through e-file or by certified cheque/money order and submitted to the Town (certified cheque/money order to be addressed to the Minister of Finance, Province of Ontario). Further information and the required forms are available on the OLT website at www.olt.gov.on.ca.

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 July 17, 2025 to insert electronic signatures below;



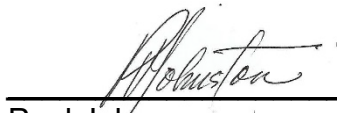
Steve Bartolini
Committee of Adjustment



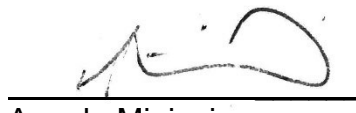
Margaret Louter (Vice Chair)
Committee of Adjustment



Eric Lehtinen (Chair)
Committee of Adjustment



Paul Johnson
Committee of Adjustment



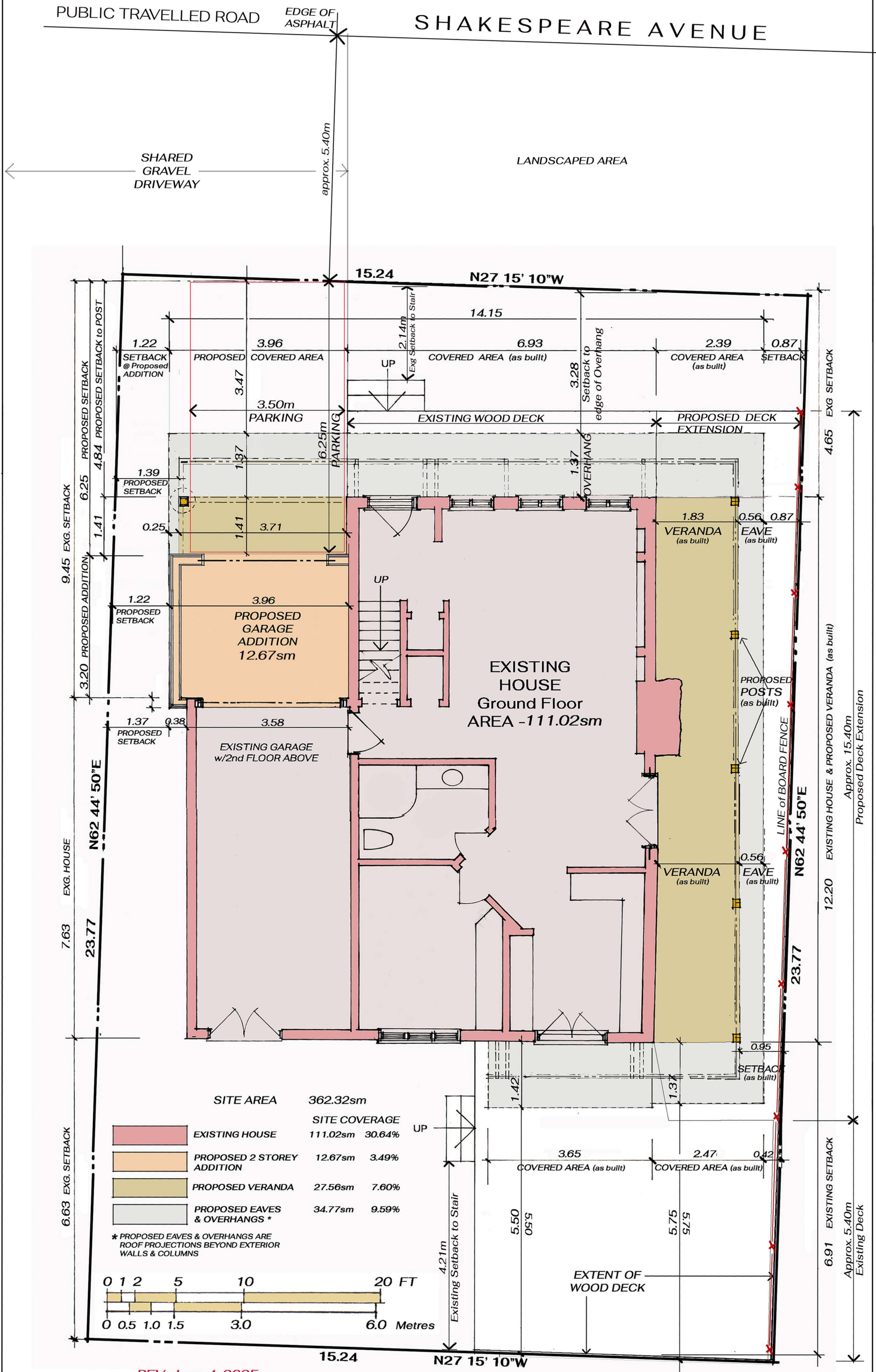
Angelo Miniaci
Committee of Adjustment





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 July 18th, 2025.

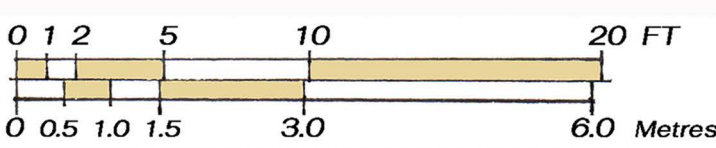


Natalie Thomson, Secretary Treasurer



	SITE AREA	362.32sm
	SITE COVERAGE	
	EXISTING HOUSE	111.02sm 30.64%
	PROPOSED 2 STOREY ADDITION	12.67sm 3.49%
	PROPOSED VERANDA	27.56sm 7.60%
	PROPOSED EAVES & OVERHANGS *	34.77sm 9.59%

* PROPOSED EAVES & OVERHANGS ARE ROOF PROJECTIONS BEYOND EXTERIOR WALLS & COLUMNS



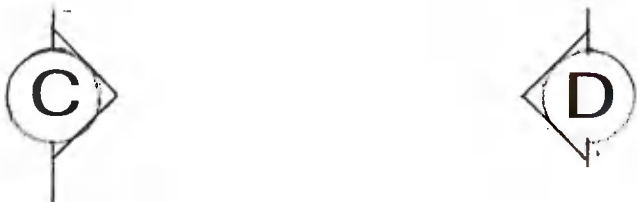
REV; June 4, 2025



PROPOSED ADDITION
46SHAKESPEARE AVE
NIAGARA-ON-THE-LAKE

**SITE
PLAN**

2a



TYPICAL PROPOSED ROOF ASSEMBLY
New asphalt shingles (to match)
on Ice & Water membrane (seal entire roof)
on new 1/2" P.T. ply sheathing
on 2x8 Rafters @ 16"o.c. w/5.5" (R40) closed-cell
spray foam insulation - w/ 1/2" GWB interior finish

PTD. 1x4 PINE TRIM on
1/2" PTD. CREZON BD
on 1/2" WD STRAP
on 1" R5 RIGID INSUL
on TYVEK
on 1/2" ply sheathing

PTD CEDAR SIDING
(to match EXISTING)
on air-barrier MATRIX
on 1/2"PT plywd
on 1"R5 rigid INSUL
on TYVEK
on 1/2" ply sheathing

New asphalt shingles (to match)
on Ice & Water membrane

PTD. BOARD &
BATTEN SIDING
(to match EXG)
on 1/2" WD STRAP
on 1" R5 RIGID INSUL
on TYVEK
on 1/2" ply sheathing

REMOVE EXG SHINGLES
SUPPLY & INSTALL
NEW ASPHALT ROOF SHINGLES
on ICE & WATER MEMBRANE
on new 1/2" PT PLY sheathing
on EXG 1/2" plywood roof sheath

NEW, double-glazed
DOUBLE-HUNG VINYL WINDOWS

2-2x8 LINTEL

12'-8" (Proposed OVERHANG)

5.5"x12" Glue-Lam Lintel

6x6 P.T. POST

EXISTING WOOD DECK

EXISTING HOUSE (N.I.C. - NOT IN CONTRACT)

VERANDAH OVERHANG (as built) see DWG #6a

PROPOSED ADDITION

18" diam. CONC. FTG.

Line of FTG. @ Proposed
ADDITION (behind)

THIS PART AS BUILT

THIS PART PROPOSED



PRIOR TO CONSTRUCTION ALL
DETAILS & DIMENSIONS TO BE
VERIFIED BY THE CONSTRUCTOR

DESIGNS, DRAWINGS & SPECIFICATIONS
SHOWN HEREIN ARE THE PROPERTY OF
VICTOR TARNOY ARCHITECT

PROPOSED ADDITION
46 SHAKESPEARE AVE
N I A G A R A - o n - t h e - L A K E

**PROPOSED ELEV
EAST**

7 REV 4
15/04/25

SEPTEMBER 2024

1/4" = 1'-0"



NEW ASPHALT SHINGLES (to match)
on ICE & WATER MEMBRANE
on new 1/2" PT PLY sheathing

PROPOSED ADDITION

22'-0" T.O. Proposed Roof
(6.70m)

PTD. 1x4 PINE TRIM on
1/2" PTD. CREZON BD
on 1/2" WD STRAP
on 1" R5 RIGID INSUL
on TYVEK
on 1/2" ply sheathing

RAINWATER LEADER
HEAD (to later detail)

PTD CEDAR SIDING
(to match EXISTING)
on air-barrier MATRIX
on 1/2" PT plywd
on 1" R5 rigid INSUL
on TYVEK
on 1/2" ply sheathing

PTD GABLE - 1x4 PINE TRIM
on 1/2" ACX PLY

OVERHANG TO MATCH
& BLEND w/ Exg. Porch

9'-6" T.O. 2nd FL
(2.90m)

5.5"x12" L Intel
NEW 6x6 POST

PTD. BOARD &
BATTEN SIDING
(to match EXG)
on 1/2" WD STRAP
on 1" R5 RIGID INSUL
on TYVEK
on 1/2" ply sheathing

2'-0" T.O. Grnd FL (0.61m)

0'-6" T.O. EXG. GARAGE (0.15m)

0'-00" EXG GRADE

18" (0.46m) diam
CONC FTG

4'-0"

PROPOSED CONC. FTG.

PROPOSED GAS METER
(relocated from SOUTH side
(see DWG 10))

EXG FDTN & FTG.

OVERHANG (beyond)
see DWG 6b

PROPOSED ADDITION

24'-0" (7.31m)

EXISTING HOUSE (N.I.C.)

4'-8"
(1.42m)

PROPOSED OVERHANG

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PROPOSED ADDITION

46 SHAKESPEARE AVE

NIAGARA-on-the-LAKE

PROPOSED ELEV
NORTH

8 REV 4

SEPTEMBER 2024

1/4" = 1'-0"

15/04/2025

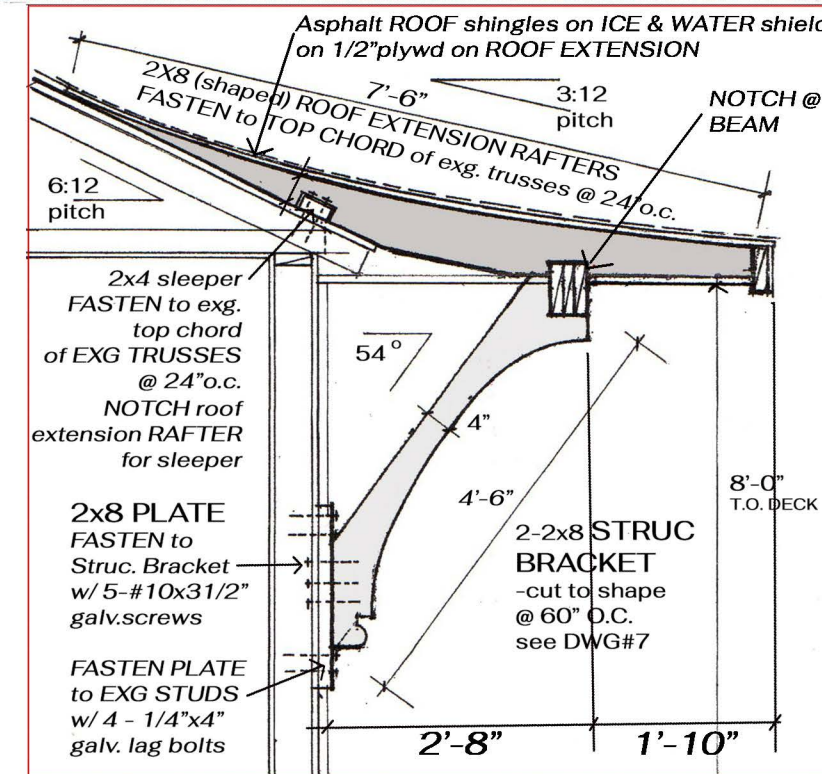


CONSTRUCTION PHOTO

New 25/11/24
NOTE: see
HALLEX ENG. Dwgs
for STRUCTURE
(under separate cover)

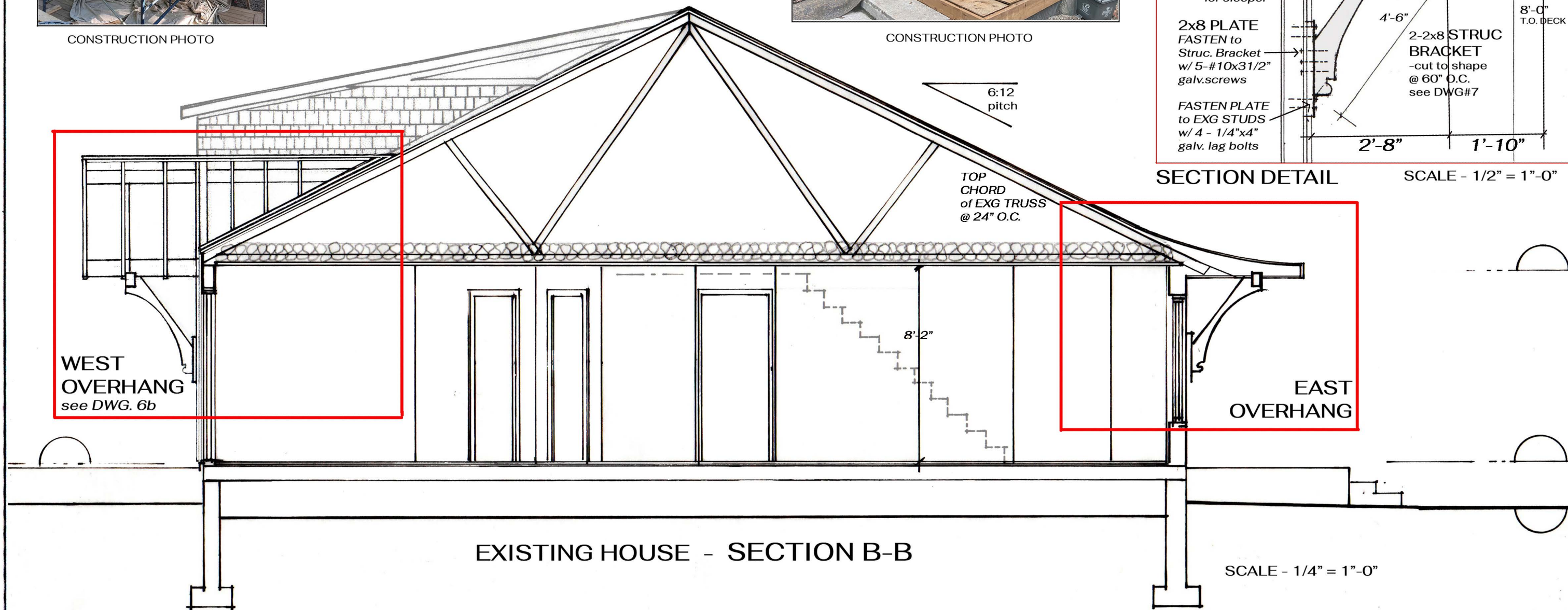


CONSTRUCTION PHOTO



SECTION DETAIL

SCALE - 1/2" = 1'-0"



NEW - 25/11/24

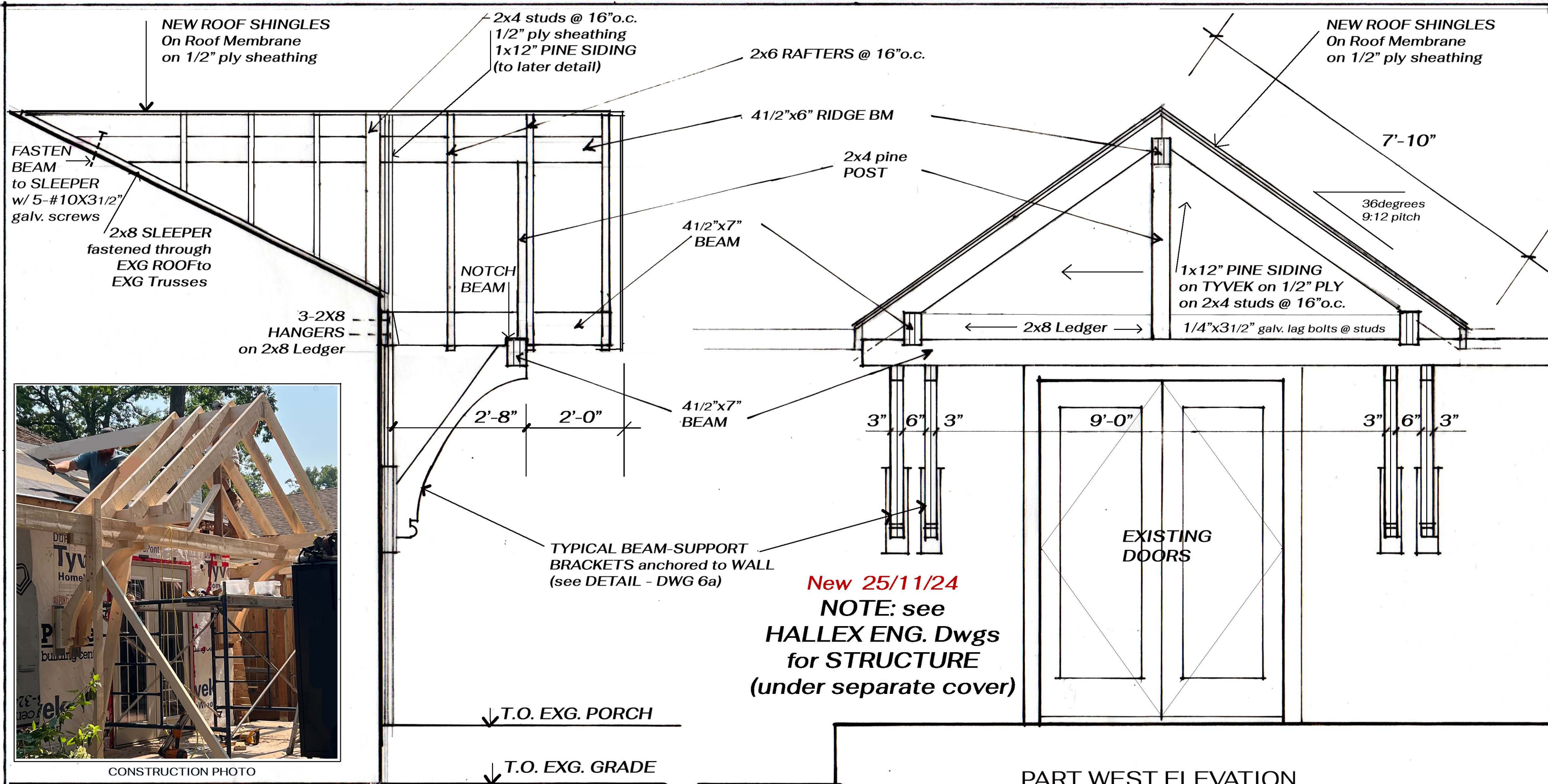
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PROPOSED ADDITION
46 SHAKESPEARE AVE
N I A G A R A - o n - t h e - L A K E

SECTION B-B
ROOF OVERHANGS
NOVEMBER 2024 NEW SCALE as noted

6a



New 25/11/24
NOTE: see
HALLEX ENG. Dwgs
for STRUCTURE
(under separate cover)



NEW - 25/11/24

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PROPOSED ADDITION
46 SHAKESPEARE AVE
N I A G A R A - o n - t h e - L A K E

WEST **DETAIL**
ROOF OVERHANGS **6b**
NOVEMBER 2024 **NEW** SCALE as noted