

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

DECISION: File No. Minor Variance A-21/25 – 310 Simcoe Street

Assessment Roll No. 2627010004078000000

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

Minor Variance Application A-21/25 requests relief as follows:

1. Minimum exterior side yard setback from 4.5 metres, as required in the Zoning By-law, to 4.22 metres for the proposed fireplace and chimney with foundation beneath.

This application is made to recognize the setback from the previously approved site plan of Minor Variance Application A-05/25.

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: September 19, 2025.

The last date for filing a notice of appeal is October 8, 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.

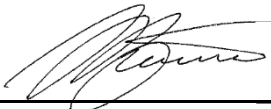
The appeal fee can be paid online through e-file or by certified cheque/money order and submitted to the Town (certified cheque/money order to be addressed to the Minister of Finance, Province of Ontario). Further information and the required forms are available on the OLT website at www.olt.gov.on.ca.

Further notice and appeal eligibility:

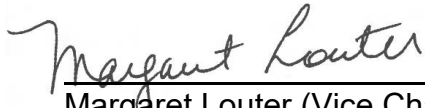
Please note neighbours and other interested parties not defined by the Planning Act are no longer eligible to file appeals for this application as per Bill 23, More Homes Built Faster Act, 2022. Planning Act appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a "specified 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 September 18, 2025 to insert electronic signatures of Committee members below;



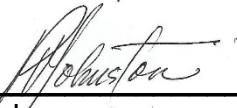
Steve Bartolini
Committee of Adjustment



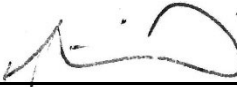
Margaret Louter (Vice Chair)
Committee of Adjustment



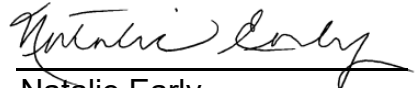
Eric Lehtinen (Chair)
Committee of Adjustment



Paul Johnson
Committee of Adjustment



Angelo Miniaci
Committee of Adjustment



Natalie Early
Committee of Adjustment



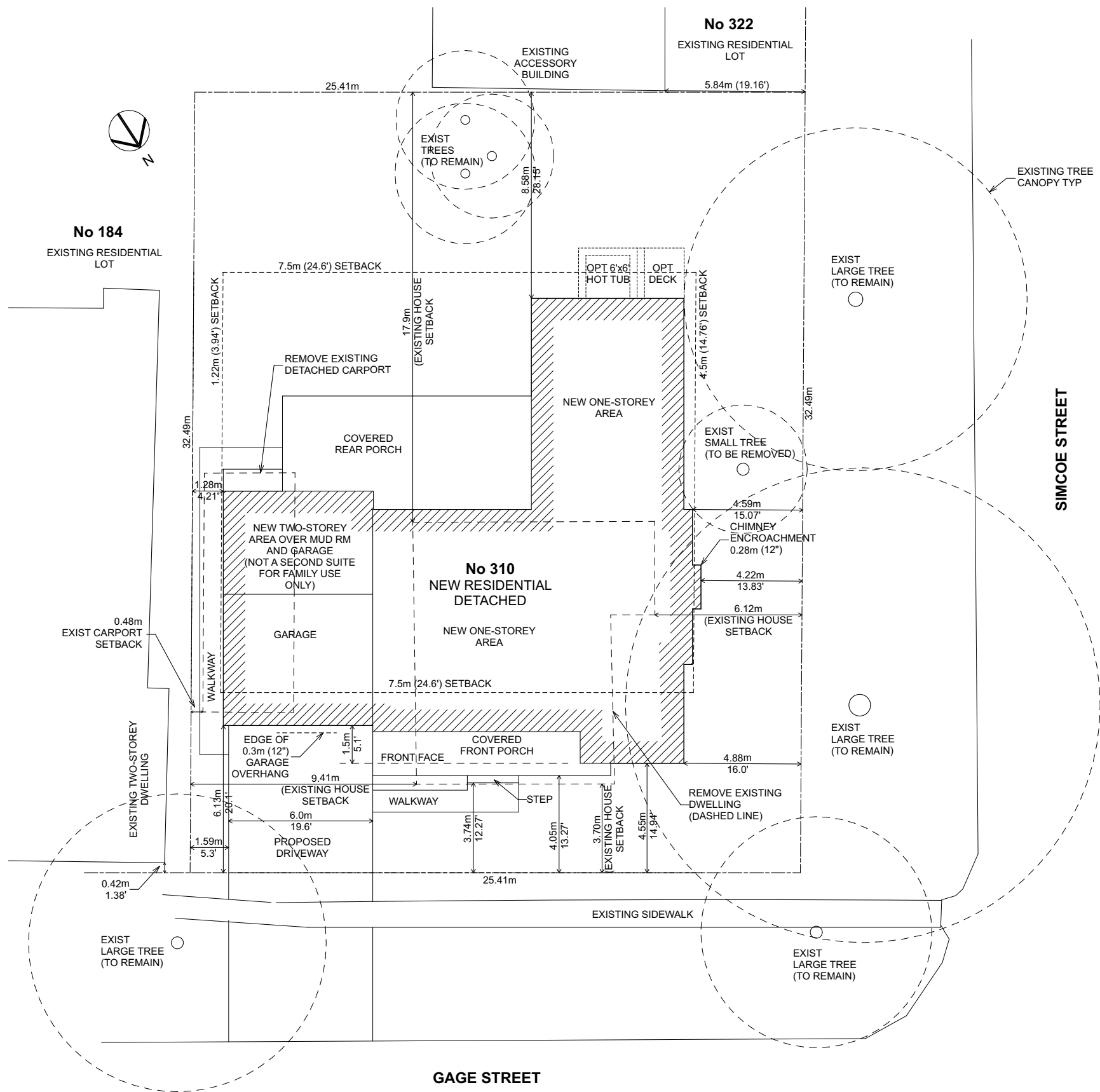
Chris Van de Laar
Committee of Adjustment

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 September 22nd, 2025.



Natalie Thomson, Secretary-Treasurer



SITE PLAN

SCALE: 1:200

All contractors and/or trades shall verify all dimensions, notes, site and report any discrepancies prior to construction. This drawing not to be scaled, all drawings, prints and related documents are the property of the designer and must be returned upon request. Reproduction of drawings and related documents in part or in whole is strictly forbidden without written consent. Drawings to be for the purpose for which they are issued.

PROJECT NAME & ADDRESS: NEALE RESIDENCE 310 SIMCOE STREET NOTL, ONTARIO		DESIGNS BY SANTY 43 Church Street Unit 607 • St Catharines • L2R 7E1 • 905.680.6891 inspired@designsbysanty.com • www.designsbysanty.com	DRAWN BY: SY	SCALE:	DESIGNER BCIN No: 21034	PROJ: 24-12-06
PG TITLE: SITE PLAN FOR MINOR VARIANCE			REV DATE: 2025-03-21	ISSUED FOR: CONSTR	FIRM BCIN No: 42520	PG:
			I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.			1 OF 3
		DESIGNER NAME: SANTY YEH DESIGNER SIGNATURE: _____				

ZONING INFORMATION

ESTABLISHED RESIDENTIAL (ER) ZONE

MINIMUM DEPTH	: AS EXISTING
MINIMUM LOT FRONTAGE	: AS EXISTING
MINIMUM FRONT YARD	: 7.5 m
MINIMUM GARAGE SETBACK FROM BUILDING FACE	: 1 m
MINIMUM REAR YARD	: 7.5 m
MINIMUM INTERIOR SIDE YARD	: 1.22 m
MAXIMUM EXTERIOR SIDE YARD	: 4.5 m
MAXIMUM COVERAGE	: 33 %
MINIMUM LANDSCAPED OPEN SPACE	: 30 %
MAXIMUM HEIGHT	: 10 m

LOT AREA	: 825.6 m ² (8886.4 sqft)
BUILDING AREA	: 307.5 m ² (3309.4 sqft)
LOT COVERAGE	: 37.3%
LANDSCAPED OPEN SPACE	: 458.0 m ² (4930.0 sqft)
LANDSCAPED COVERAGE	: 55.5 %
HEIGHT	: 9.07 m (29'-9")



NORTH (FRONT) - GAGE STREET

SCALE: 1:100



SOUTH (REAR)

SCALE: 1:100

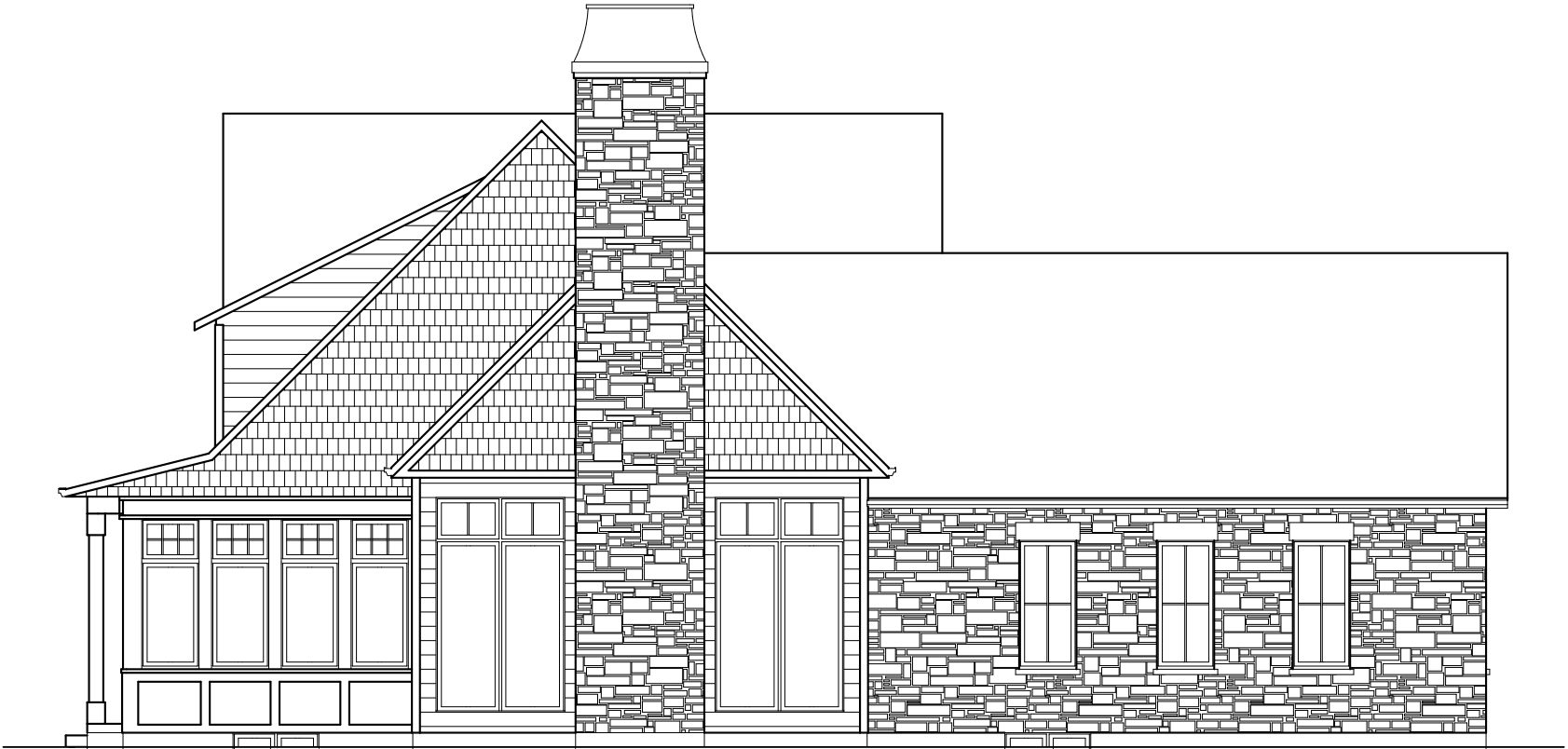
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			REV DATE:	2025-03-21	ISSUED FOR:	CONSTR	FIRM BCIN No:	42520	PG:
PG TITLE: ELEVATIONS			I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.						
		DESIGNER NAME:		SANTY YEH	DESIGNER SIGNATURE:				



EAST (LEFT)

SCALE: 1:100



WEST (RIGHT) - SIMCOE STREET

SCALE: 1:100

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