

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

DECISION: File No. Minor Variance A-18/25 – 1523 Niagara Stone Road

Assessment Roll No. 2627020013114000000

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

Minor Variance Application A-18/25 is made to recognize existing conditions on the outdoor amenity area and requests relief as follows:

1. Maximum outdoor patio area of 110% of the licensed capacity (66 seats) of the restaurant to a maximum of 107 square metres, whereas the By-law permits a maximum outdoor patio area of no more than 50 % of the licensed capacity of the restaurant with which the patio is associated to a maximum size of 90 square metres;
2. To permit an outdoor patio in a yard which abuts a residential zone, whereas the Zoning By-law does not permit outdoor patios in yards that abut a residential zone; and
3. To permit an outdoor patio restaurant to be located a minimum of 0 metres from an internal road or driveway located on the lot, whereas the By-law requires a minimum 3.0 metre setback.

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: October 16, 2025.

The last date for filing a notice of appeal is November 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:

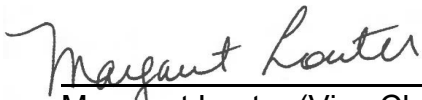
Please note neighbours and other interested parties not defined by the Planning Act are no longer eligible to file appeals for this application as per Bill 23, More Homes Built Faster Act, 2022. Planning Act appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a "specified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

Consent was obtained by the Secretary Treasurer on October 16, 2025 to insert electronic signatures of Committee members below;



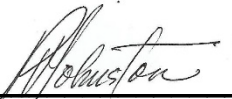
Steve Bartolini
Committee of Adjustment



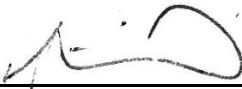
Margaret Louter (Vice Chair)
Committee of Adjustment



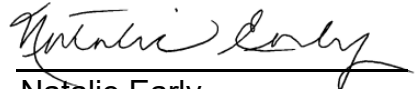
Eric Lehtinen (Chair)
Committee of Adjustment



Paul Johnson
Committee of Adjustment



Angelo Miniaci
Committee of Adjustment



Natalie Early
Committee of Adjustment

ABSENT

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.

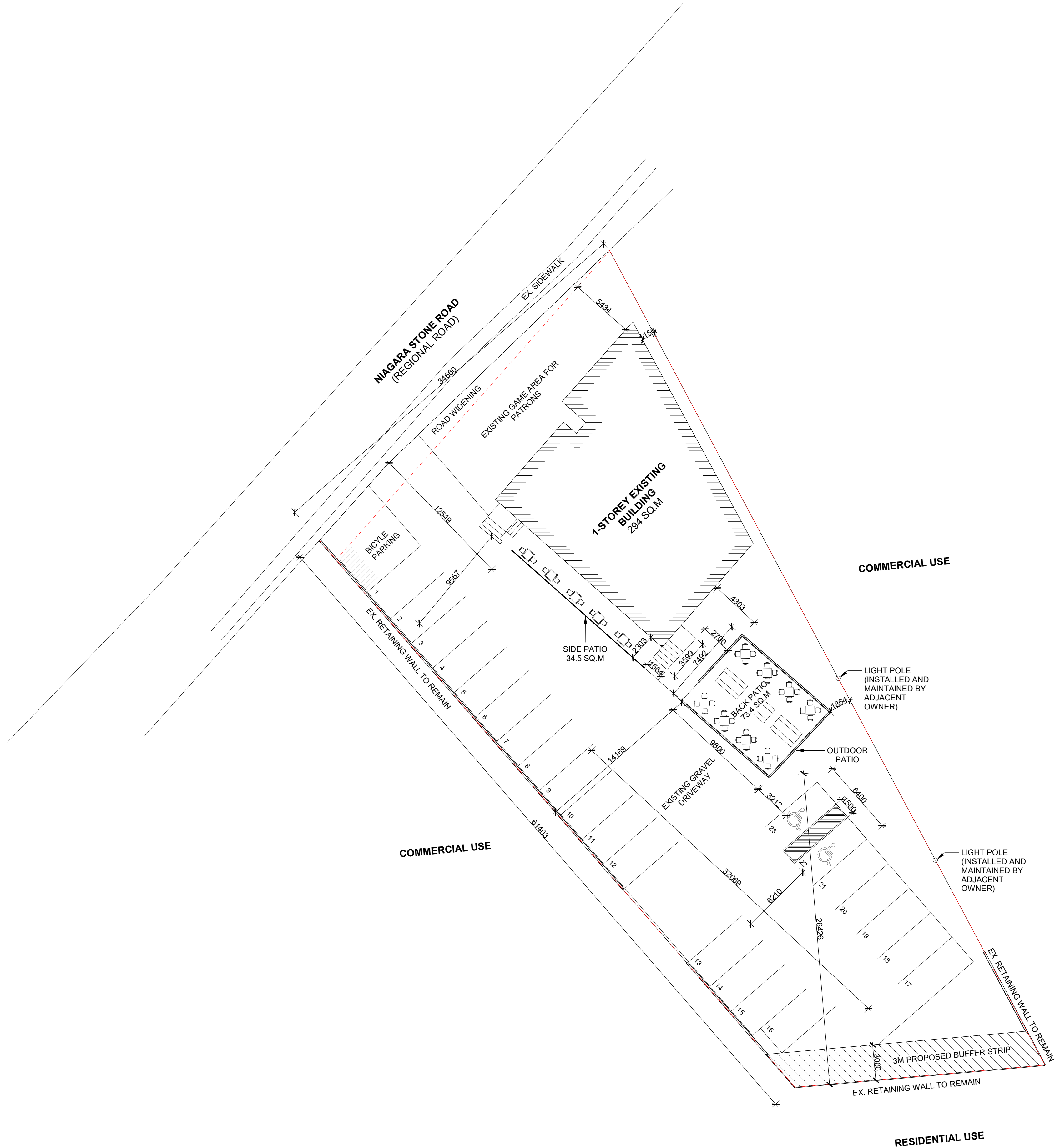
DATED at the Town of Niagara-on-the Lake on October 17th, 2025.



Natalie Thomson, Secretary-Treasurer

P:\2025 Projects\25071 Silversmith 1523 Niagara Stone Rd\Drawings\Architectural\25071 - SilversmithBrewery SitePlan 24 JUL 2025.rvt

1 SITE PLAN - MINOR VARIANCE ONLY
A1 1 : 200



KEY MAP



ADDRESS

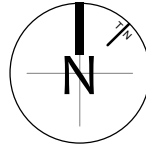
CIVIC ADDRESS	1523 NIAGARA STONE ROAD, NOTL, ON
LEGAL DESCRIPTION	NIAGARA TWP PT LOTS 112 AND;113

ZONING MATRIX

ZONING DESIGNATION:	VILLAGE COMMERCIAL ZONING	
BYLAW NUMBER	4316-09	
PERMITTED USES:	OUTDOOR PATIO - SECONDARY USE	
	REQUIRED:	PROPOSED:
LOT FRONTAGE (MIN AND MAX)	15M	34.6M
LOT AREA (MIN AND MAX)	700 SQ.M	1837 SQ.M
LANDSCAPE OPEN SPACE (MIN)	20%	20%
FRONT YARD (MIN AND MAX)	0M	5.4M (EXISTING)
SIDE YARD INTERIOR (MIN)	0M	0M
SIDE YARD EXTERIOR (MIN AND MAX)	6M	N/A
REAR YARD (MIN)	12M (RESIDENTIAL)	26.4M
BUILDING HEIGHT (MAX)	10.5M	N/A (OUTDOOR PATIO)
ACCESSORY BUILDING YARDS SETBACK	1.2M	N/A
MINIMUM ACCESSORY BUILDING EXTERIOR SIDE YARD SETBACK (MIN)	6M	N/A
LOT COVERAGE (MAX)	50%	16%
LANDSCAPE BUFFER TO RESIDENTIAL ZONE (MIN)	3 M	3M PROVIDED
PARKING (MIN)	_ STALLS	21 STALLS
EXISTING BUILDING	1 PER 18.5M2 GFLA	16 STALLS
OUTDOOR PATIO	1 PER 30M2 GFLA	5 STALLS
ACCESSIBLE PARKING (MIN)	1 FOR 1-25 PARKING STALLS	2 STALLS
BICYCLE PARKING (MIN)	8 STALLS	12 STALLS

OUTDOOR PATIO RESTAURANT PROVISIONS

a)	No outdoor patio restaurant shall accommodate more than fifty per cent (50%) of the licensed capacity of the restaurant or dining lounge with which the patio is associated to a maximum size of 90 m ² ;	NON-COMPLIANT (Minor Variance)
b)	No outdoor patio restaurant shall be permitted in a yard that abuts a residential zone;	NON-COMPLIANT (Minor Variance)
c)	An outdoor patio restaurant shall be located a minimum of 3.0 m (9.84 ft) from any loading area, parking spaces, internal road or driveway located on the lot;	NON-COMPLIANT (Minor Variance)
d)	No commercial cooking equipment is permitted on an outdoor patio restaurant;	COMPLIANT
e)	Any outdoor lighting shall be directed toward or onto the patio area and away from adjoining properties and streets;	COMPLIANT
f)	Despite Section 6.27, Loading Spaces Requirements, no additional loading space shall be required for an outdoor patio restaurant;	COMPLIANT
g)	Parking spaces shall be required for the gross leasable floor area associated with the outdoor patio restaurant at a rate of one (1) space for every 30 m ² of outdoor patio area;	COMPLIANT
h)	An outdoor patio restaurant shall be defined by a wall or fence with a minimum height of 0.8 m (2.62 ft) above the patio floor;	COMPLIANT
i)	No outdoor patio restaurants shall operate before 8:00 a.m. and after 11:00 p.m., and seasonally each calendar year before March 1 and after October 31;	COMPLIANT
j)	Outdoor entertainment, public address or music systems shall not be permitted in conjunction with an outdoor patio restaurant;	COMPLIANT
k)	The surface of an outdoor patio restaurant shall be limited to a maximum height of 1 m (3.28 ft) above grade.	COMPLIANT



A	MINOR VARIANCE	15AUG2025	ZK
Issue	Issued for	Date	Int.

Seal

Do not scale drawings. Report any discrepancies to Quartek Group Inc. before proceeding.
Drawings must be sealed by the Architect and / or Engineer prior to the use for any building permit applications and / or government approval. Seals must be signed by the Architect and / or Engineer before drawings are used for any construction.
All construction to be in accordance with the current Ontario Building Code and all applicable Ontario regulations.
All drawings and related documents remain the property of Quartek Group Inc., all drawings are protected under copyright and under contract.

Quartek
Architects Planners
Engineers Project Managers
T 905 984 8676
89 - 91 St. Paul Street, Suite 100,
St. Catharines, ON, L2R 3M3
www.quartekgroup.com

Project Title

SILVERSMITH BREWING COMPANY - OUTDOOR PATIO RESTAURANT

1523 NIAGARA STONE ROAD, NOTL., ON

Drawing Title

SITE PLAN

Drawn ZK Designed by ZK

Scale As indicated Date Created 03/28/11

Job Number 25071 Issue A

Drawing Number

A1