



Department of Community & Development Services  
 1593 Four Mile Creek Road  
 P.O. Box 100, Virgil, ON L0S 1T0  
 905-468-3266 • Fax: 905-468-0301

[www.notl.org](http://www.notl.org)

File No:	Date of Receipt:
Town Fee (\$):	Regional Fee (\$):
NPCA Fee (\$):	Other Fee (\$):

(Office Use Only)

## Application for Minor Variance, Fence Variance, Sign Variance or Legal Non-Conforming Use Permission

Under the *Planning Act, R.S.O. 1990 c. P.13, as amended*

A pre-consultation meeting with Community & Development Services Staff is required prior to applying for Minor Variance, Fence Variance, Sign Variance, or Legal Non-Conforming Use Permission.

Please complete all applicable sections of this application. All measurements are to be provided in metric units. The information requested on this application is required to review the proposal. An incomplete application will be returned to the Registered Owner/Authorized Agent. If you have questions regarding the information requested on this application, please contact the Community & Development Services Department.

*All information requested on this form is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. The requested information on this application and all accompanying plans, reports, and information is required in order to process this application and will form part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information. Questions about the collection of information can be made to the Town Clerk.*

<b>1. Type of Application</b>			
<input checked="" type="checkbox"/> Minor Variance <input checked="" type="checkbox"/> Fence Variance <input type="checkbox"/> Sign Variance <input type="checkbox"/> Legal Non-Conforming Use Permission			
<b>2. Details of the Subject Lands</b>			
Municipal Address 513 Gate Street, Niagara-on-the-Lake		Assessment Roll Number 2627010004204050000	
Legal Description PLAN 86 PT LOT 331 RP 30R15763 PART 1			
Date the subject lands were acquired 2024.11.05	Lot Area (metric) 884.8	Lot Frontage (metric) 44.28m	Lot Depth (metric) 19.98m
Description of easements, rights-of-way, or restrictive covenants applicable to the subject lands (if applicable):			
<b>3. Registered Owner</b> (as shown on the deed and title of the property)			
Name Andrew and Ceri Prowse		Company Name	Municipality NOTL
Mailing Address PO Box 544, Niagara-on-the-Lake		Unit Number	Postal Code LOS 1J0
Province Ontario	Email andrew.prowse@gmail.com	Telephone 905-510-4926	
<b>4. Authorized Agent</b> (if one has been authorized)			
Name		Company Name	Municipality
Mailing Address		Unit Number	Postal Code
Province	Email	Telephone	
Contact for all future correspondence (select one): <input checked="" type="checkbox"/> Registered Owner <input type="checkbox"/> Authorized Agent			

**5. Official Plan and Zoning Information**

Existing Niagara Regional Official Plan designation(s) of the subject lands:  
 Delineated Built-up Area

Existing Town of Niagara-on-the-Lake Official Plan designation(s) of the subject lands:  
 Established Residential

Existing Town of Niagara-on-the-Lake Zoning of the subject lands:  
 Established Residential (ER) Zone

**6. Details of the Proposal**

Identify the nature and extent of relief from the Zoning By-law, Fence By-law, or Sign By-law:  
 The reason for the application for a minor variance and fence variance is that according to the official plan, the construction of inground pool and fence appear to be in our front yard. In actual fact, due to changes to the property over the years, the pool will be constructed in the only available area, the side yard of the current house,

Explain why the proposed use cannot comply with the provisions of the Zoning By-law, Fence By-law, or Sign By-law:  
 Under current Zoning by-laws, the short side of a corner lot is considered the front yard. This is the only area within the property that could support the installation of a pool and pool equipment Any fence installed at the front yard cannot exceed 1 metre in height. A pool enclosed yard requires a 1.52 metre fence.

**7. Existing Buildings, Structures, and Uses**

Identify the existing use(s) of the subject lands and the length of time the existing use(s) have continued:

Type of building or structure	Dwelling	Detached garage		
Construction date	unknown	2020		
Existing use(s)	residential	residential		
Time the existing use(s) have continued	unknown	2020		
Front yard setback (m)	15.2m	n/a		
Rear yard setback (m)	11.6m	2.3m		
Side yard setback (m)	4.77m	7.1m		
Side yard setback (m)	2.2m	6.6m		
Height (m)	7.9m	3.1m		
Gross floor area (sq m)				
Lot coverage (sq m)				

**8. Proposed Buildings, Structures, and Uses (if applicable)**

Identify the proposed use(s) of the subject lands:  
 Residential

Type of building or structure	Pool	Fence		
Construction date				
Proposed use(s)	Recreation	Required for Pool		
Front yard setback (m)	4.58m	0m		
Rear yard setback (m)	5.54m	Existing fence		
Side yard setback (m)	4.88m	0m		
Side yard setback (m)	39.6m	House, existing fence		
Height (m)		1.52m		
Gross floor area (sq m)	47.85 m2			
Lot coverage (sq m)		308.8 m2		

**9. Access** (select all that apply)

Identify how the subject lands will be accessed:

- Public road maintained all year     
  Niagara River Parkway     
  Provincial highway  
 Public road maintained seasonally     
  Private easement/Right-of-way     
  Waterway

If the subject lands will be accessed by a waterway only, identify the parking and docking facilities to be used and the approximate distance of these facilities from the subject lands to the nearest public road:

**10. Servicing** (select all that apply)

Identify how the subject lands will be serviced:

**Water**

- Publicly owned and operated piped water system  
 Privately owned and operated individual well  
 Privately owned and operated communal well  
 Lake or other water body  
 Other: \_\_\_\_\_

**Sewage Disposal**

- Publicly owned and operated sanitary sewage system  
 Privately owned and operated individual septic system  
 Privately owned and operated communal septic system  
 Privy  
 Other: \_\_\_\_\_

**Storm Drainage**

- Sewers  
 Ditches/swales  
 Other: \_\_\_\_\_

**11. Sign Details** (for Sign Variance only)

Identify the type of work being proposed:

- Erect new sign     
  Alter existing sign     
  Repair existing sign     
  Relocate existing sign     
  Add electrical component to existing sign

Identify the material or finish of the proposed sign:

Length of proposed sign (m)		Minimum height above grade (m)	
Height of proposed sign (m)		Maximum height of proposed sign (m)	
Depth of proposed sign (m)		Projection of proposed sign, if applicable (m)	

Identify the type and number of signs to be erected:

Type	No.	Type	No.	Type	No.
<input type="checkbox"/> Awning		<input type="checkbox"/> Banner		<input type="checkbox"/> Canopy	
<input type="checkbox"/> Construction		<input type="checkbox"/> Directional		<input type="checkbox"/> Directory	
<input type="checkbox"/> Ground		<input type="checkbox"/> Mobile		<input type="checkbox"/> Neon (No Flashing)	
<input type="checkbox"/> Pole		<input type="checkbox"/> Projecting		<input type="checkbox"/> Sandwich	
<input type="checkbox"/> Subdivision		<input type="checkbox"/> Window		<input type="checkbox"/> Wall	

**12. Previous Applications**

Have the subject lands ever been the subject of an application under the *Planning Act, R.S.O. 1990, c. P. 13, as amended* for approval of a plan of subdivision or condominium, a consent, a minor variance, a site plan, an official plan amendment, or a zoning by-law amendment?  Yes  No  Unknown

If yes, provide the information requested below for each previous application:

Application Type	File Number	Status of the Application
Minor Variance	A-16/23	Approved
Severance	B-09/20	Approved

13. Concurrent Applications		
Application Type	File Number	Status of the Application

**14. Checklist of Requirements for a Complete Application** (all boxes must be checked)

The following plans, reports and, information must accompany this application in a digital format (pdf):

- One copy of the Pre-Consultation Agreement;
- All applicable application fees (payable by cheque, cash, or debit);
- A sketch of the subject lands;
- A sketch of the proposed fence/sign, (Fence and Sign Variances only);
- All required plans, reports and, information identified on the Pre-Consultation Agreement;

*This application will be circulated to various agencies for review and comment. Where the scope or nature of the application requires input from a large number of agencies, additional copies of this application and accompanying plans, reports, and information may be required.*

**15. Checklist of Drawing Requirements** (all applicable boxes must be checked)

Plans and drawings accompanying this application must show the following information, in metric units:

- North arrow;
- Metric scale;
- The boundaries and dimensions of the subject lands;
- The location, size, type, and setbacks of all existing and proposed buildings and structures on the subject lands;
- Natural and artificial features located within or adjacent to the subject lands, such as buildings, railways, roads/highways, pipelines, watercourses, drainage ditches, top of banks, wetlands, wooded areas, wells, septic tanks, and parking and docking facilities (if access to the subject lands is by waterway only), or any other features that may affect this application in the opinion of the Registered Owner/Authorized Agent;
- The existing use(s) of adjacent lands (for example, residential, agricultural, or commercial);
- The location, width and name any road/highway within or abutting the subject lands, and indicating whether it is an unopened road allowance, a public road, a private road, or a right-of-way; and
- The location and nature of any easement affecting the subject lands (if applicable).

*Community & Development Services Staff may request that additional information be provided in the plans and drawings that accompany this application, based on the scope and nature of the proposal.*

**16. Plans, Reports, and Information Submitted with this Application**

Identify all plans, reports, and information submitted with this application:

No.	Title	Date	Author
1	Arborist Report Tree Preservation Plan	2026/11/12	Noah Frigault
2	Prowse Pool Plan	2026/01/05	Andrew Prowse
3			
4			
5			
6			

### 17. Acknowledgement and Agreement of Registered Owner

I, Andrew Prowse AM THE REGISTERED OWNER OF THE SUBJECT LANDS AND  
(Name of Registered Owner/Company)

I ACKNOWLEDGE AND AGREE that all information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

I ACKNOWLEDGE AND AGREE that the Town of Niagara-on-the-Lake, its employees and agents may enter onto my property to view, photograph and survey my property as necessary for this application.

I ACKNOWLEDGE AND AGREE that all costs of processing this application shall be paid for by the Registered Owner. The Registered Owner shall reimburse the Town of Niagara-on-the-Lake, upon demand, for all costs incurred by the Town of Niagara-on-the-Lake in respect of this application. Without limiting the foregoing, the Registered Owner acknowledges and agrees to pay such expenses regardless of whether or not this application is approved or proceeded with and are not refundable. If costs are not paid by the due date imposed by the Town of Niagara-on-the-Lake, the Registered Owner understands and acknowledges that the costs will be added to the tax bill of the subject lands and collected in like manner as property taxes.

Andy Prowse  
(Signature of Registered Owner)

2026/01/19  
(Date)

### 18. Authorization of Registered Owner

If this application is being submitted by an Authorized Agent, the Registered Owner of the subject lands must complete this section. If there is more than one Registered Owner, a separate authorization from each individual or corporation is required. An additional copy of this page must be attached for each Registered Owner.

I, \_\_\_\_\_ AM THE REGISTERED OWNER OF THE SUBJECT LANDS  
(Name of Registered Owner/Company)

AND HEREBY AUTHORIZE \_\_\_\_\_  
(Name of Authorized Agent/Company)

TO SUBMIT THIS APPLICATION to the Town of Niagara-on-the-Lake, appear on my behalf at any hearing(s) of this application, and provide any information or material required by the Town of Niagara-on-the-Lake relevant to this application.

I UNDERSTAND that all information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

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\_\_\_\_\_  
(Signature of Registered Owner)

\_\_\_\_\_  
(Date)

### 19. Sworn Declaration

I, Andrew Prowse OF THE Niagara-on-the-Lake  
(Name of Registered Owner/Company or Authorized Agent/Company) (Name of City, Town, Township, etc.)

IN THE Niagara-on-the-Lake  
(Name of Regional Municipality or Province)

**DO SOLEMNLY DECLARE** that the information contained in this application and that the information contained in the documents that accompany this application is true and complete.

Declared before me in Niagara-on-the-Lake in the Niagara-on-the-Lake  
(Name of City, Town, Township, etc.) (Name of Regional Municipality or Province)

on this 19 day of January, 2026.  
(Month) (Year)

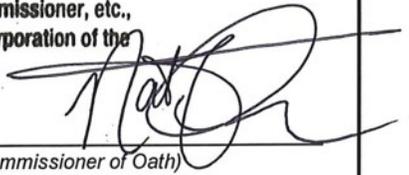
**Natalie Elora Thomson, a Commissioner, etc.,  
Province of Ontario, for the Corporation of the  
Town of Niagara-on-the-Lake.  
Expires April 25, 2027.**

*Andy Prowse*

(Signature of Registered Owner/Authorized Agent)



(Signature of Commissioner of Oath)



#### THIS APPLICATION MUST BE SUBMITTED TO:

Town of Niagara-on-the-Lake  
Community & Development Services  
1593 Four Mile Creek Road  
PO Box 100  
Virgil, ON L0S 1T0

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