

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

DECISION: File No. Consent B-01/26 – North Side East and West Line
Assessment Roll No. 2627020010046100000

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

Consent Application B-01/26 proposes to adjust the boundary through the conveyance of a 1329.7 square meter parcel (Part 2), which will be added to and merged with the abutting agricultural property municipally know as 228 East and West Line (Part 5).

Parts 4 and 5 currently operate as a single agricultural/vineyard operation, and the proposed adjustments are intended to reflect the existing farm use and improve parcel configuration. No new lots are being created.

Date of Notice: March 20, 2026

Decision: Granted subject to the modified conditions attached as Schedule A.

Reasons: The Committee of Adjustment considered all the written and oral submissions and agrees with the consent report analysis that, subject to the modified 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: April 9, 2026.

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: March 19, 2028

Consent was obtained by the Secretary Treasurer on March 19, 2026 to insert electronic signatures below;

ABSENT

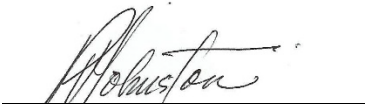
Steve Bartolini
Committee of Adjustment

CONFLICT


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 March 20, 2026

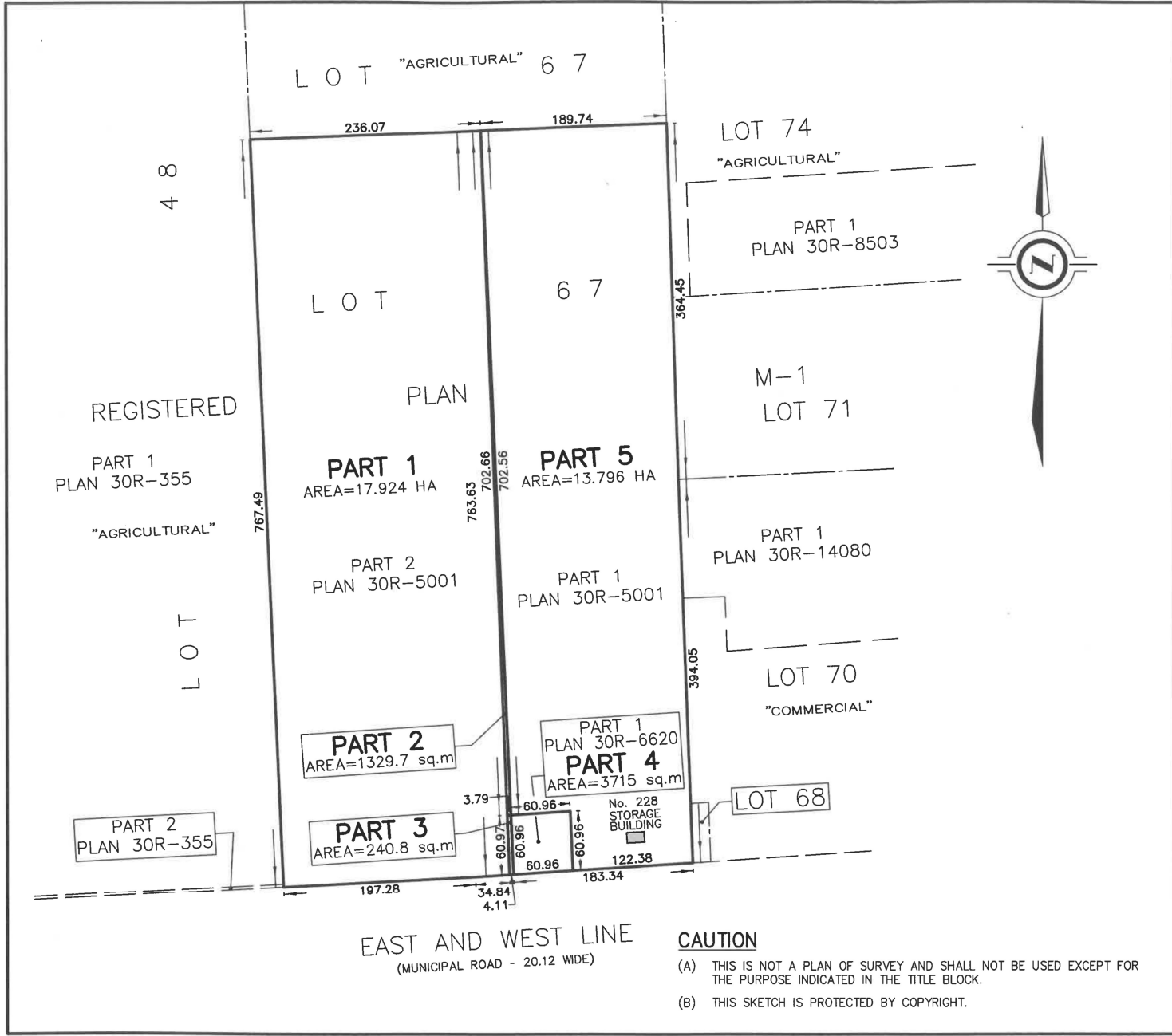


Natalie Thomson, Secretary Treasurer

SCHEDULE A

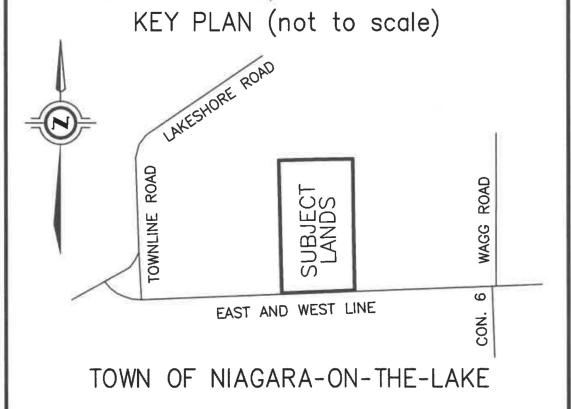
Conditions of Provisional Consent:

- 1.1.1 That the owner/applicant provides a legal description of Part 2, acceptable to the Registrar, together with 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 Director of Planning, Building and Development Services, for use in the issuance of the Certificates of Consent;
- 1.1.2 That pursuant to *Planning Act* Section 50 (12), it is hereby stipulated that Section 50 (3) or 50 (5) shall apply to any subsequent conveyance of, or other transaction involving the identical subject parcels of lands (Part 2); that Part 2 is merged in title with Part 5 and they become one parcel of land; and that the owner/applicant provides a lawyer's undertaking, to the satisfaction of the Director of Planning, Building and Development Services, that Part 2 shall be conveyed to the owner of Part 5 and to prepare and register the application(s) to consolidate the lands and forward a copy of receipted application(s) within two years of issuance of the consent certificates; and
- 1.1.3 That the owner/applicant provides a lawyer's undertaking, to the satisfaction of the Director of Planning, Building and Development Services, to forward a copy of documentation confirming the transaction, i.e. transfer of Part 2, has been carried out, the documentation to be provided within two years of issuance of the consent certificates, or prior to the issuance of a building permit, whichever occurs first;



NOTE: THIS SKETCH IS NOT A PLAN OF SURVEY
 SKETCH FOR PLANNING PURPOSES ONLY
228 EAST AND WEST LINE
 TOWN OF NIAGARA-ON-THE-LAKE
 REGIONAL MUNICIPALITY OF NIAGARA
 SCALE 1 : 4000

 J.D. BARNES LIMITED
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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



LEGAL DESCRIPTION
 PART OF LOT 67, REGISTERED PLAN M-1, TOWN OF NIAGARA-ON-THE-LAKE
 BOUNDARY INFORMATION HAS BEEN COMPILED FROM AVAILABLE RECORDS AND HAS NOT BEEN VERIFIED BY ACTUAL FIELD MEASUREMENTS. THIS IS NOT A PLAN OF SURVEY

NOV. 6, 2025
 DATE

 DASHA PAGE
 ONTARIO LAND SURVEYOR

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.

J.D. BARNES LIMITED
 SURVEYING
 MAPPING
 GIS
 LAND INFORMATION SPECIALISTS
 4318 PORTAGE ROAD - UNIT 2, NIAGARA FALLS, ON L2E 6A4
 T: (905) 338-3693 F: (905) 338-9225 www.jdbarnes.com

TW	DRAWN
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16-16-328-01	Ref. No.

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