

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

DECISION: File No. Consent B-03/26 – 765 Four Mile Creek Road
Assessment Roll No. 2627020020116000000

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

Consent Application B-03/26 proposes the severance of a residence surplus to a farming operation as a result of a farm consolidation.

The agricultural portion (Part 2), with an area of 7.22 hectares (17.86 acres) is to be retained and merged with the existing abutting farm parcel, known municipally as 916 Line 7 Road. The residential portion (Part 1) contains a single-detached dwelling, garage and shed, and has a proposed area of 0.63 hectares (1.57 acres).

Date of Notice: April 17, 2026

Decision: Granted subject to the 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: May 7, 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: April 16, 2028

Consent was obtained by the Secretary Treasurer on April 16, 2026 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



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.

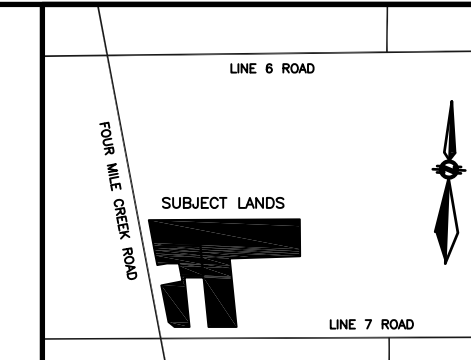
DATED at the Town of Niagara-on-the Lake on April 17, 2026.



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 one (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 Town, for use in the issuance of the Certificate of Consent;
- 1.1.2 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. merging of Part 2 with 916 Line 7 Road, has been carried out, the documentation to be provided within two years of issuance of the consent certificate, or prior to the issuance of a building permit, whichever occurs first;
- 1.1.3 That the Owner/applicant have the septic tank servicing Part 1 pumped out and the system be reinspected to confirm proper operation under normal conditions to the satisfaction of Niagara Regional staff; and
- 1.1.4 That Minor Variance A-04/26 be approved to recognize the lot frontage deficiency.



KEY PLAN
 NOT TO SCALE

SCALE 1:500 METRIC
 10m 5m 0 10m 20m



TOWNSHIP LOT 83

PIN 46377-0008(LT)
 EXISTING AGRICULTURAL

N8723'10"E 443.987

EXISTING AGRICULTURAL
 PIN 46377-0119(LT)
 PART 2, 3DR-4902

PART 2
 AREA = 72,285.4 m²

N24'50"W 108.238

N85'45'10"E 206.858

PIN 46377-0012(LT)
 EXISTING AGRICULTURAL

TOWNSHIP LOT 83

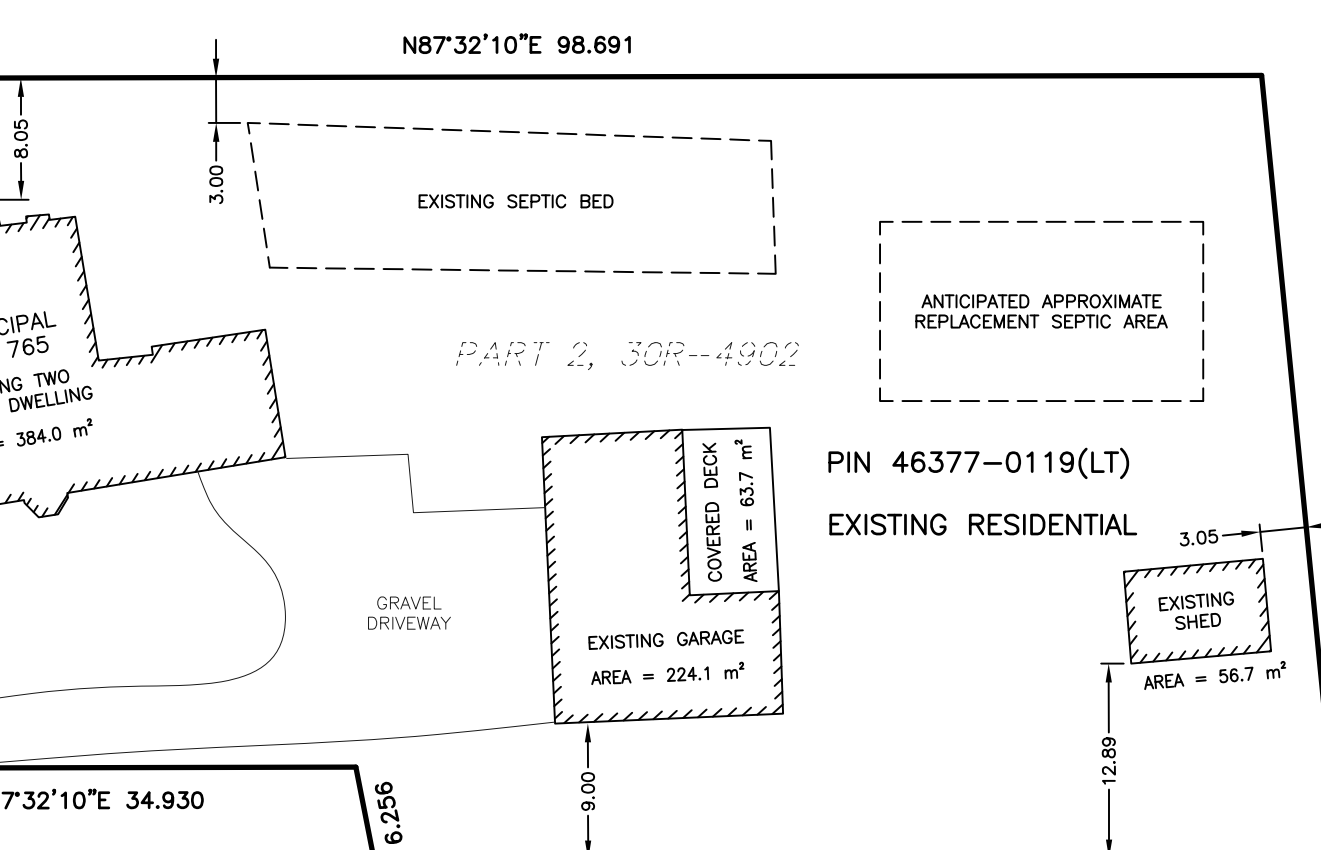
PART 2, 3DR-4902

PIN 46377-0119(LT)

PART 2
 AREA = 72,285.4 m²

PIN 46377-0011(LT)
 EXISTING AGRICULTURAL

N89'00"W 302.333



AREA = 6,364.0 m²
PART 1

MUNICIPAL No. 705
 EXISTING 3-STOREY DWELLING
 AREA = 346.0 m²

EXISTING SEPTIC BED

ANTICIPATED APPROXIMATE REPLACEMENT SEPTIC AREA

EXISTING RESIDENTIAL

EXISTING GARAGE
 AREA = 224.1 m²

EXISTING SHED
 AREA = 58.7 m²

EXISTING RESIDENTIAL
 PART 1, 3DR-4902
 PIN 46377-0009(LT)

N78'00'10"E 29.307

N87'32'10"E 34.930

N87'32'10"E 63.823

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