



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

DECISION: File No. Consent B-04/26 – 28 Clarence Street
Assessment Roll No. 262702002206000000

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

Consent Application B-04/26 proposes a boundary adjustment through the conveyance of a 161.7 square meter parcel of land (Part 2) with 6 metres of frontage on Queenston Street to be merged with the abutting lands known as 4 Queenston Street (Part 3). The existing single-family dwelling is to remain on the retained lands (Part 1) known municipally as 28 Clarence Street.

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 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)).

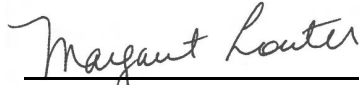
Information regarding the Local Planning Appeals Tribunal can be found at;
<https://www.ontario.ca/document/citizens-guide-land-use-planning/ontario-land-tribunal>

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;



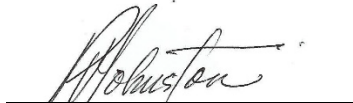
Steve Bartolini
Committee of Adjustment



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.

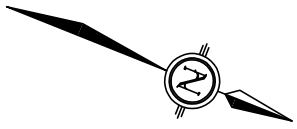
DATED at the Town of Niagara-on-the Lake on April 17, 2026



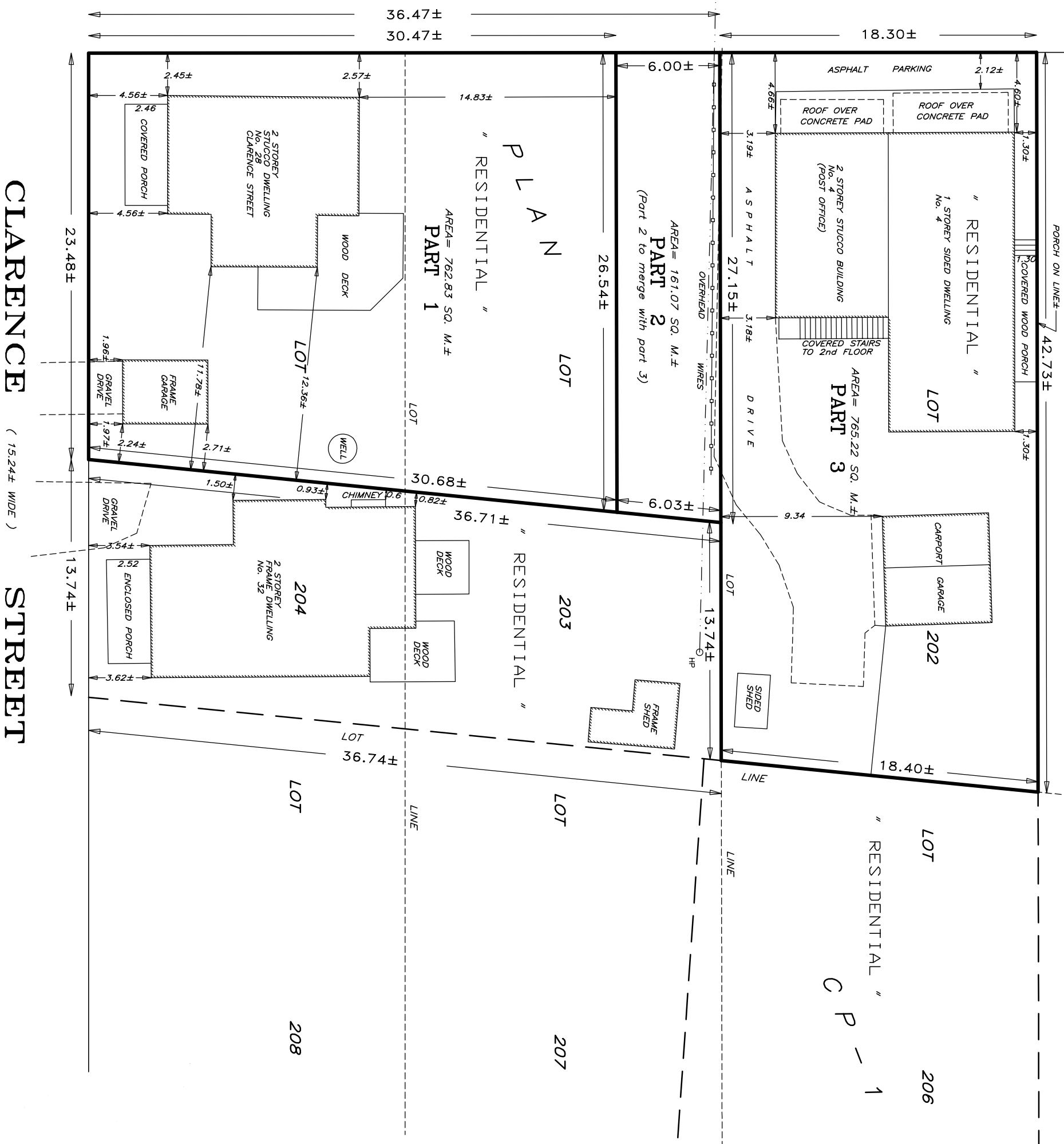
Natalie Thomson, Secretary Treasurer

SCHEDULE A
Conditions of Provisional Consent:

- 1.1.1 That the owner/applicant provides a legal description of Part 3, 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 Certificate 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 3); that Part 3 is merged in title with Part 2 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 3 shall be conveyed to the owner of Part 2 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;
- 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 3, 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; and
- 1.1.4 That Minor Variance Application A-06/26 be approved.



QUEENSTON (18.29± WIDE) STREET



CLARENCE (15.24± WIDE)

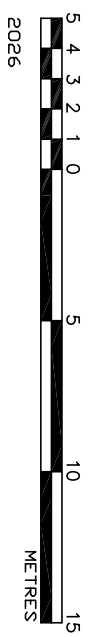
STREET

FILE: 26-13 JOB No: 6938

SUDA & MALESZYK SURVEYING INC.
 ONTARIO LAND SURVEYORS
 26 EAST MAIN STREET, SUITE 2
 WELLAND, ONTARIO L3B 3W3
 TEL: (905) 732-7651

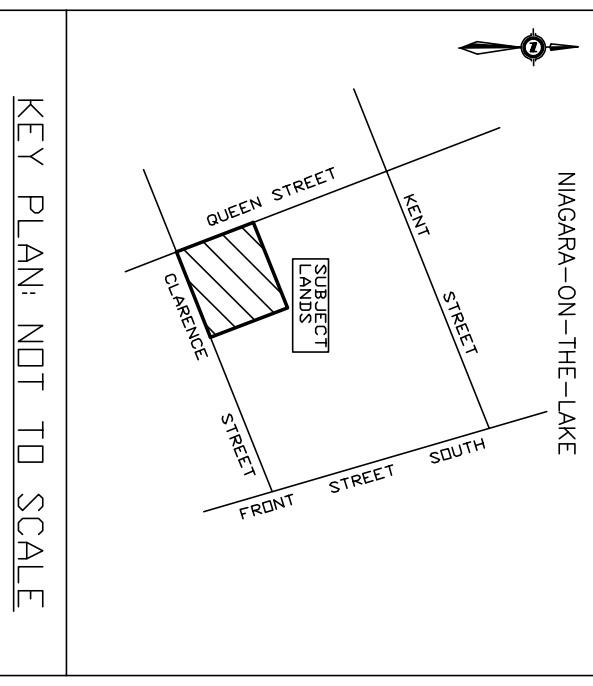
PHILIP S. SUDA
 PHILIP S. SUDA O.L.S.
 February 26, 2026
 DATE

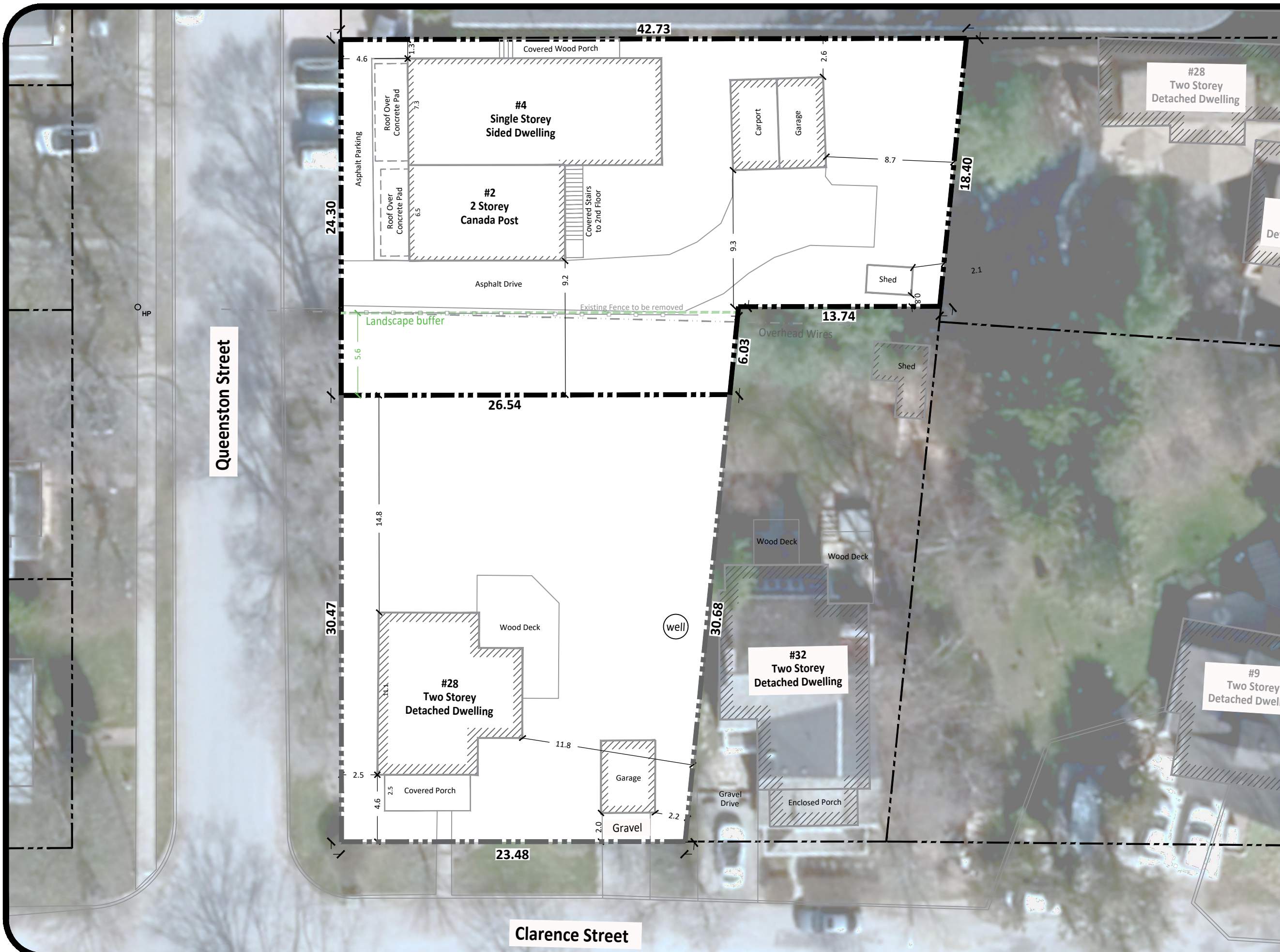
CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR ANY OTHER PURPOSE EXCEPT AS STATED IN THE TITLE BLOCK
 THIS SKETCH IS NOT VALID UNLESS EMBOSSED BY A SURVEYOR'S SEAL.



COMMITTEE OF ADJUSTMENT APPLICATION
 PART OF LOTS 203 AND 204,
 CORPORATION PLAN No. 1

IN THE
 TOWN OF NIAGARA-ON-THE-LAKE
 REGIONAL MUNICIPALITY OF NIAGARA
 SCALE: 1 : 250

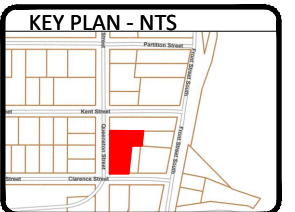
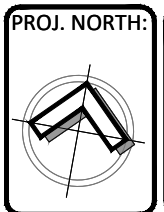




Land Use Schedule		
4 Queenston Street		
Lot coverage	286.9 m ²	31.5 %
Landscape open space	432.5 m ²	47.5 %
Asphalt/Pavement	193.2 m ²	21 %
Lot area	926.26 m ²	100 %
28 Clarence Street		
Lot coverage	163.1 m ²	21 %
Landscape coverage	599.78 m ²	79 %
Lot area	762.88 m ²	100 %

*Existing Lot area 4 Queenston: 765.2 m²
Addition of 161.07 m² from 28 Clearance through boundary adjustments.

PRELIMINARY



SCALE = 1:250

PROJECT TITLE:
4 Queenston &
28 Clarence Street,
Niagara on the lake, ON

DRAWING TITLE:
SITE PLAN

DATE OF ISSUE:
2026 02 27

DRAWING No: 0525-CP-0	REV No: 00
--------------------------	---------------