

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

DECISION: File No. Minor Variance A-08/26 – 28 Nelles Street
Assessment Roll No. 262701000115700000

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

Minor Variance Application A-08/26 is made to facilitate construction of an addition and attached garage and requests relief as follows:

1. Maximum lot coverage from 33%, as required in the Zoning By-law, to 36% to accommodate the proposed addition;
2. Minimum side yard setback from 1.22 metres, as required in the Zoning By-law, to 0.88 metres for the proposed addition;
3. Minimum driveway setback from 1.0 metres, as required in the Zoning By-law, to 0.31 metres for the proposed driveway;
4. Minimum front yard setback from 7.5 metres, as required in the Zoning By-law, to 4.12 metres for the proposed covered porch; and
5. Minimum front yard setback from 7.5 metres, as required in the Zoning By-law, to 6.3 metres for the proposed garage and second-storey dormer.

Decision: Granted, subject to the conditions in Appendix I.

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: May 21, 2026.

The last date for filing a notice of appeal is June 10, 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)).

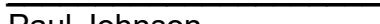
Information regarding the Local Planning Appeals Tribunal can be found at; <https://www.ontario.ca/document/citizens-guide-land-use-planning/ontario-land-tribunal>

Consent was obtained by the Secretary Treasurer on May 21, 2026 to insert electronic signatures of Committee members below;

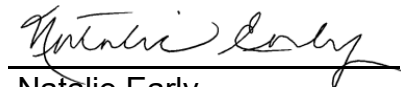

 Steve Bartolini
 Committee of Adjustment



 Margaret Louter (Vice Chair)
 Committee of Adjustment


 Eric Lehtinen (Chair)
 Committee of Adjustment


 Paul Johnson
 Committee of Adjustment

ABSENT
 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 May 22, 2026.


 Natalie Thomson, Secretary-Treasurer

Appendix I Conditions of Approval

- 1.1.1 That the detached shed is removed and the owner/applicant obtain any required building permit for the demolition;
- 1.1.2 That a Stage 1 and 2 archaeological assessment be completed, by a consultant archaeologist licensed by the Ministry of Citizenship and Multiculturalism under the provisions of the Ontario Heritage Act (R.S.O. 1990), on the whole subject lands and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The results of the Stage 1 and 2 archaeological assessment will determine the need for further studies. No demolition, grading or other soil disturbances shall take place on the subject property prior to the Ministry of Citizenship and Multiculturalism confirming to the Town that all archaeological resources concerns have met licensing and resource conservation requirements, and that a copy of all archaeological assessment reports and Ministry Compliance Letters are submitted to the Town, to the satisfaction of the Town; and
- 1.1.3 That the owner/applicant submits and obtains approval from the Town for the removal of any tree on the subject property, including any compensation, to the satisfaction of the Town's Urban Forestry Officer.

INFORMATION TAKEN FROM SURVEY BY:
RICHARD LAROCQUE LIMITED
DATED JUNE 25, 2025

LOT 20, REG. PLAN 237
CITY OF NIAGARA ON THE LAKE
REGIONAL MUNICIPALITY OF NIAGARA

28 NELLES STREET, NIAGARA ON THE LAKE, ON, L0S 1J0

REQUIRED VARIANCES:

GARAGE SIDE YARD SETBACK

REQUIRED: 1.22m
PROPOSED: 0.88m

DRIVEWAY SETBACK FROM SIDE PROPERTY LINE

REQUIRED: 1m
PROPOSED: 0.31m

FRONT PORCH FRONT YARD SETBACK

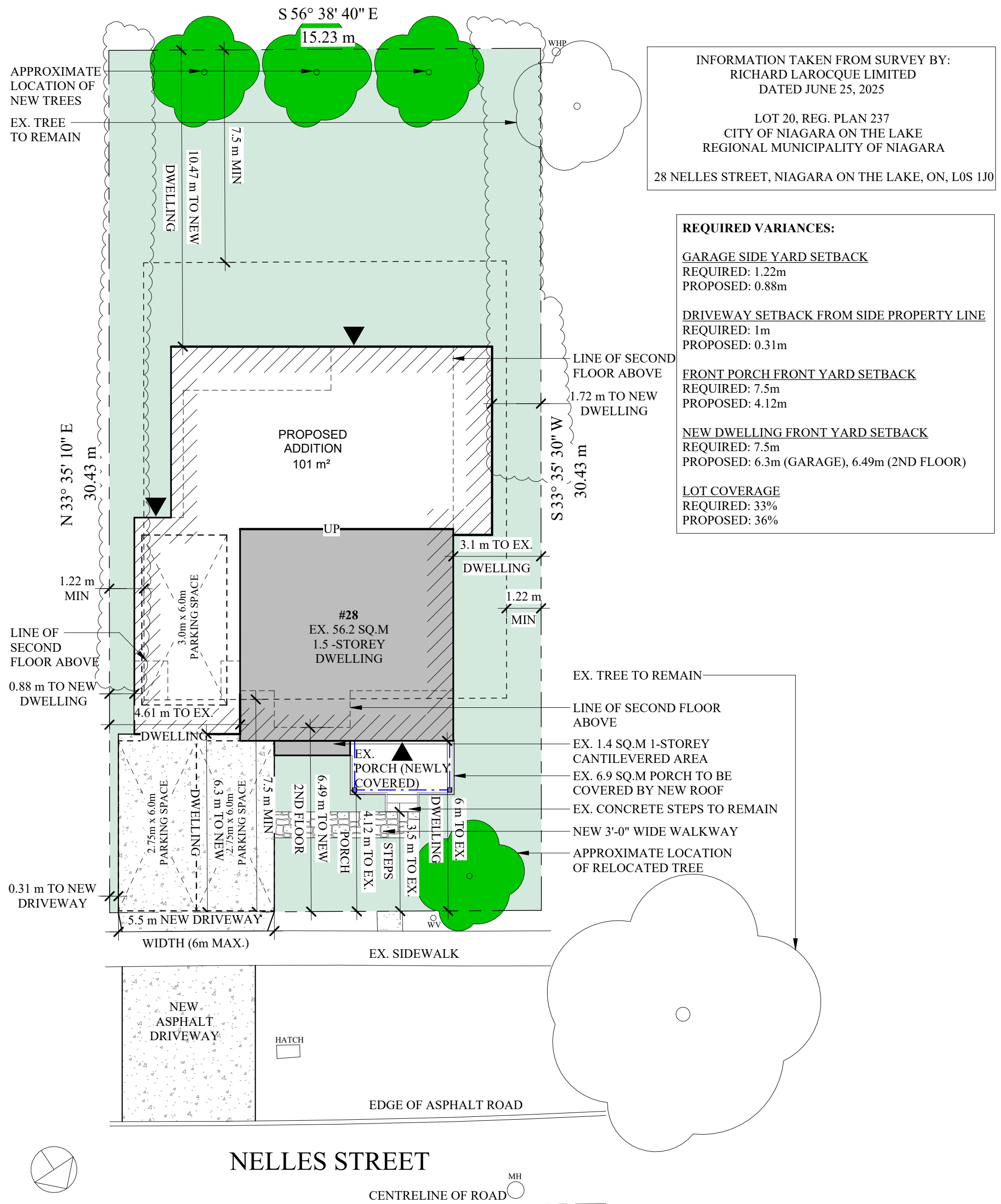
REQUIRED: 7.5m
PROPOSED: 4.12m

NEW DWELLING FRONT YARD SETBACK

REQUIRED: 7.5m
PROPOSED: 6.3m (GARAGE), 6.49m (2ND FLOOR)

LOT COVERAGE

REQUIRED: 33%
PROPOSED: 36%



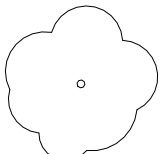
NELLES STREET

CENTRELINE OF ROAD

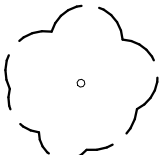
1 PROPOSED SITE PLAN
Scale: 3/32" = 1'-0"

TREE LEGEND

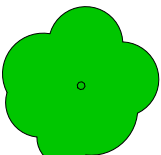
EXISTING



DEMOLISHED



PROPOSED



SITE PLAN AND BUILDING STATISTICS			
Zoning:	ER - ESTABLISHED RESIDENTIAL		
	Required	Existing	Existing + Propose
Lot Area	AS EXISTING	463.8 sq.m.	463.8 sq.m.
Lot Frontage	AS EXISTING	15.24 m	15.24 m
Lot Coverage	33%	17.53% 81.3sq.m.	35.64% 165.3sq.m.
Front Setback	7.5m	6m	4.12m
Rear Setback	7.5m	16.92m	10.19m
Int.Side Setback	1.22m	3.1m / 4.61m	1.72m / 0.88m
Ex. Side Setback	4.5m	N/A	N/A
Building Height	10m	6.5m	8.13m
Landscaped	30%	64.7%	56.7% (263.1m)
Parking Req'd	2	2	3
Additional Requirements:			



info@jordanstationdesignco.ca

Residential Addition & Renovation

28 Nelles Street, Niagara-on-the-Lake, ON, L0S 1J0

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