

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

DECISION: File No. Minor Variance A-09/26 – 245 King Street (Irish Harp)

Assessment Roll No. 262701000317200000

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

Minor Variance Application A-09/26 is made to facilitate the use of a 60 square meter outdoor patio restaurant at the rear of the property and requests relief as follows:

1. To permit an outdoor patio restaurant to be located a minimum of 0 metres from a loading area, parking space or driveway, whereas the By-law requires a minimum 3.0 metre setback; and
2. Minimum 2 parking spaces, as required in the Zoning By-law, to 0 parking spaces for the proposed outdoor restaurant patio.

Decision: Granted, subject to the condition listed 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.

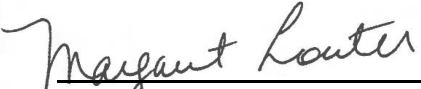

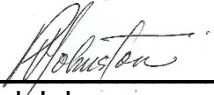
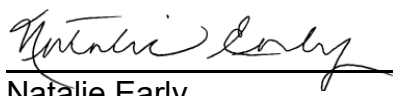

The appeal fee can be paid online through e-file or by certified cheque/money order and submitted to the Town (certified cheque/money order to be addressed to the Minister of Finance, Province of Ontario). Further information and the required forms are available on the OLT website at www.olt.gov.on.ca.

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;

<u>CONFLICT</u> Steve Bartolini Committee of Adjustment	 Margaret Louter (Vice Chair) Committee of Adjustment	 Eric Lehtinen (Chair) Committee of Adjustment
 Paul Johnson Committee of Adjustment	<u>ABSENT</u> 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.

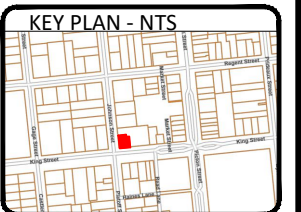
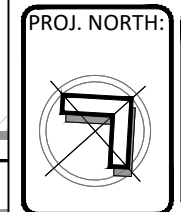

Natalie Thomson, Secretary-Treasurer

Appendix I
Condition of Approval

- 1.1.1 That the applicant obtains approval for the removal of the three (3) existing parking spaces through a subsequent Cash-in-Lieu of Parking Removal process, pursuant to By-law No. 3093-97, to the satisfaction of the Town.

NOTES:

	Sq Ft.	Sq m.
Patio		
Existing Patio	136	12.6
Proposed Patio	646	60
Total Patio	782	72.6
Gross Floor Area		
Ground Floor	2670	248
Second Floor	1830	170
Total GFA	4500	418
Parking		
Existing : 3		
Proposed : 0		
Total Site Area :	4603	427.6



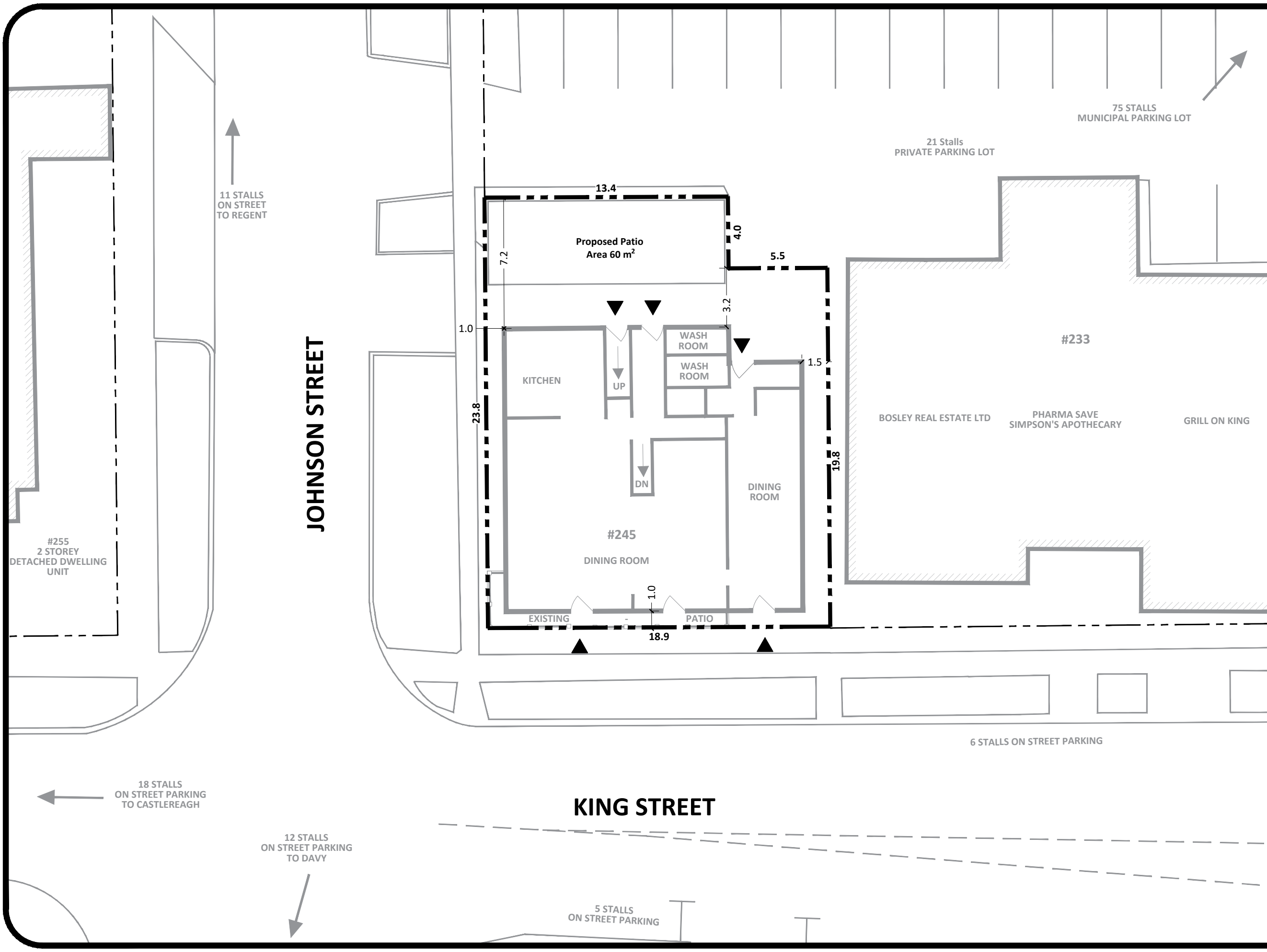
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PROJECT TITLE:
Irish Harp 245 King Street,
Niagara-On-The-Lake, ON

DRAWING TITLE:
PROPOSED SITE PLAN

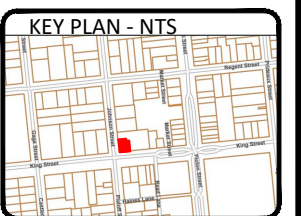
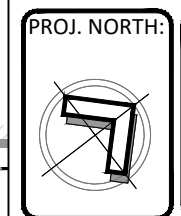
DATE OF ISSUE:
2026 04 10

DRAWING No: 0410-PSP-1	REV No: 00
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NOTES:

	Sq Ft.	Sq m.
Patio		
Existing Patio	136	12.6
Proposed Patio + Service Area	646	60
Total Patio	782	72.6
Gross Floor Area		
Ground Floor	2670	248
Second Floor	1830	170
Total GFA	4500	418
Parking		
Existing : 3		
Proposed : 0		
Total Site Area :	4603	427.6



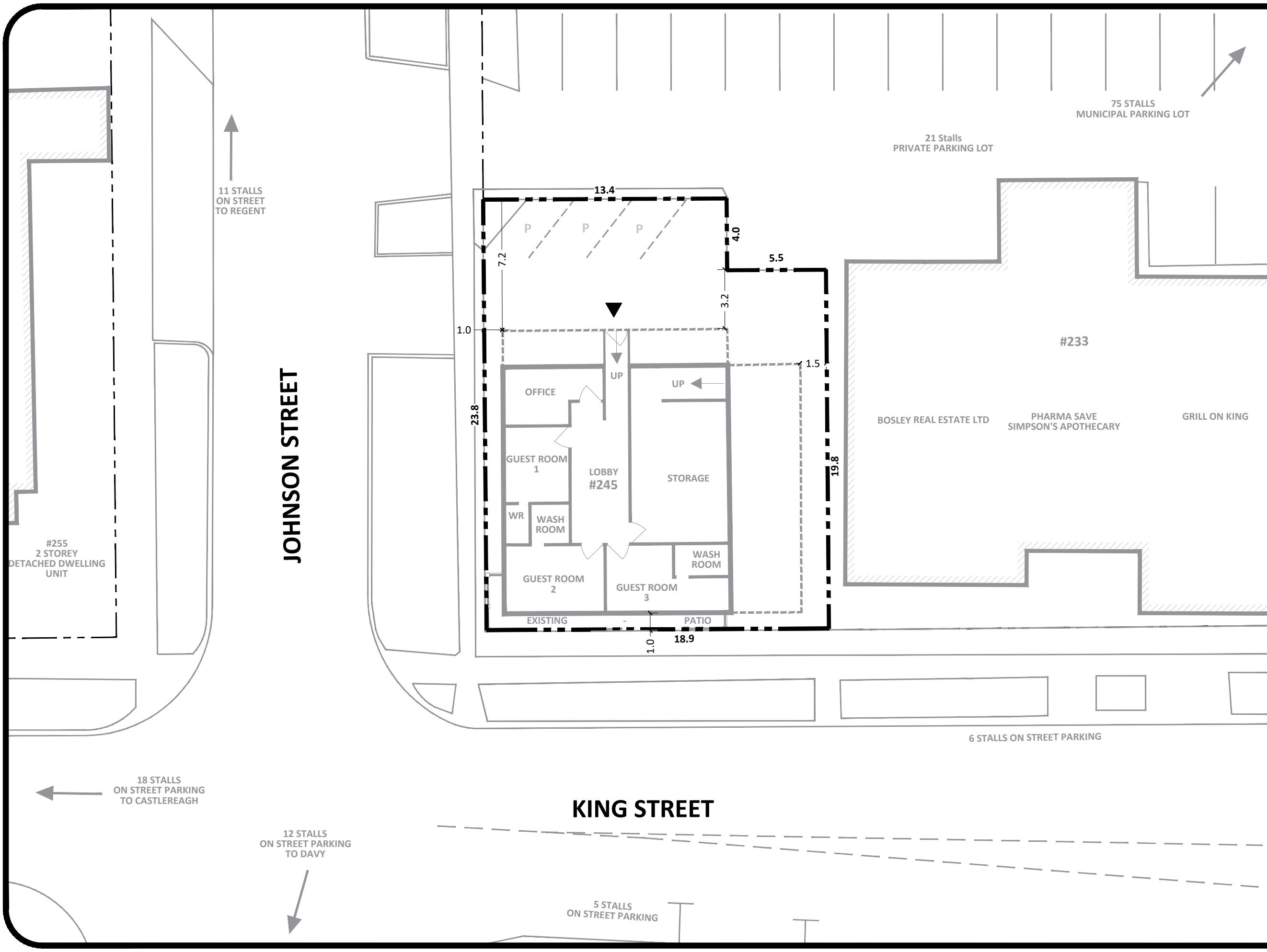
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PROJECT TITLE:
Irish Harp 245 King Street,
Niagara-On-The-Lake, ON

DRAWING TITLE:
EXISTING SECOND FLOOR

DATE OF ISSUE:
2026 04 10

DRAWING No: 0410-ESF-1	REV No: 00
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JOHNSON STREET

KING STREET