

In the matter of the Planning Act, R.S.O. 190, c. P.13, s. 45 (2):

DECISION: File No. Legal Non-Conforming Use LNCU-01/26 – 33 Paxton Lane
Assessment Roll No. 2627020025019000000

Description of the Land and Purpose and Effect of the Proposed Legal Non-Conforming Use:

Legal Non-Conforming Use Application LNCU-01/26 is made to permit the proposed short-term rental “bed and breakfast” use in an existing single-detached dwelling that is an existing non-conforming use in the 'Open Space (OS) Zone' of Zoning By-law 4316-09.

Decision: Granted.

Reasons: The Committee of Adjustment considered oral and written submissions with the legal non-conforming use report analysis and recommendation that this applicant meets the four Planning act tests for legal non-conforming use;

1. The use was lawfully established,
2. The land or building was used for a purpose that became prohibited by the zoning by-law on the day the by-law was passed,
3. The use of the land or building has continued from the day the by-law was passed, until the date of the application to the Committee and
4. The proposed enlargement or extension to the existing building is not beyond the limits of the land owned and used in connection therewith on the day the by-law was passed.

Date of Decision: June 18, 2026.

The last date for filing a notice of appeal is July 8, 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.

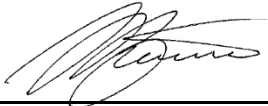
The appeal fee can be paid online through e-file or by certified cheque/money order and submitted to the Town (certified cheque/money order to be addressed to the Minister of Finance, Province of Ontario). Further information and the required forms are available on the OLT website at www.olt.gov.on.ca.

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 June 18, 2026 to insert electronic signatures of Committee members below;



Steve Bartolini
Committee of Adjustment



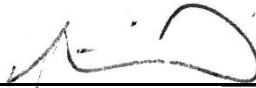
Margaret Louter (Vice Chair)
Committee of Adjustment



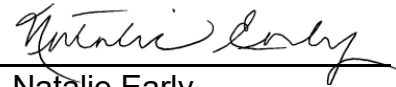
Eric Lehtinen (Chair)
Committee of Adjustment



Paul Johnson
Committee of Adjustment



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 June 19, 2026.

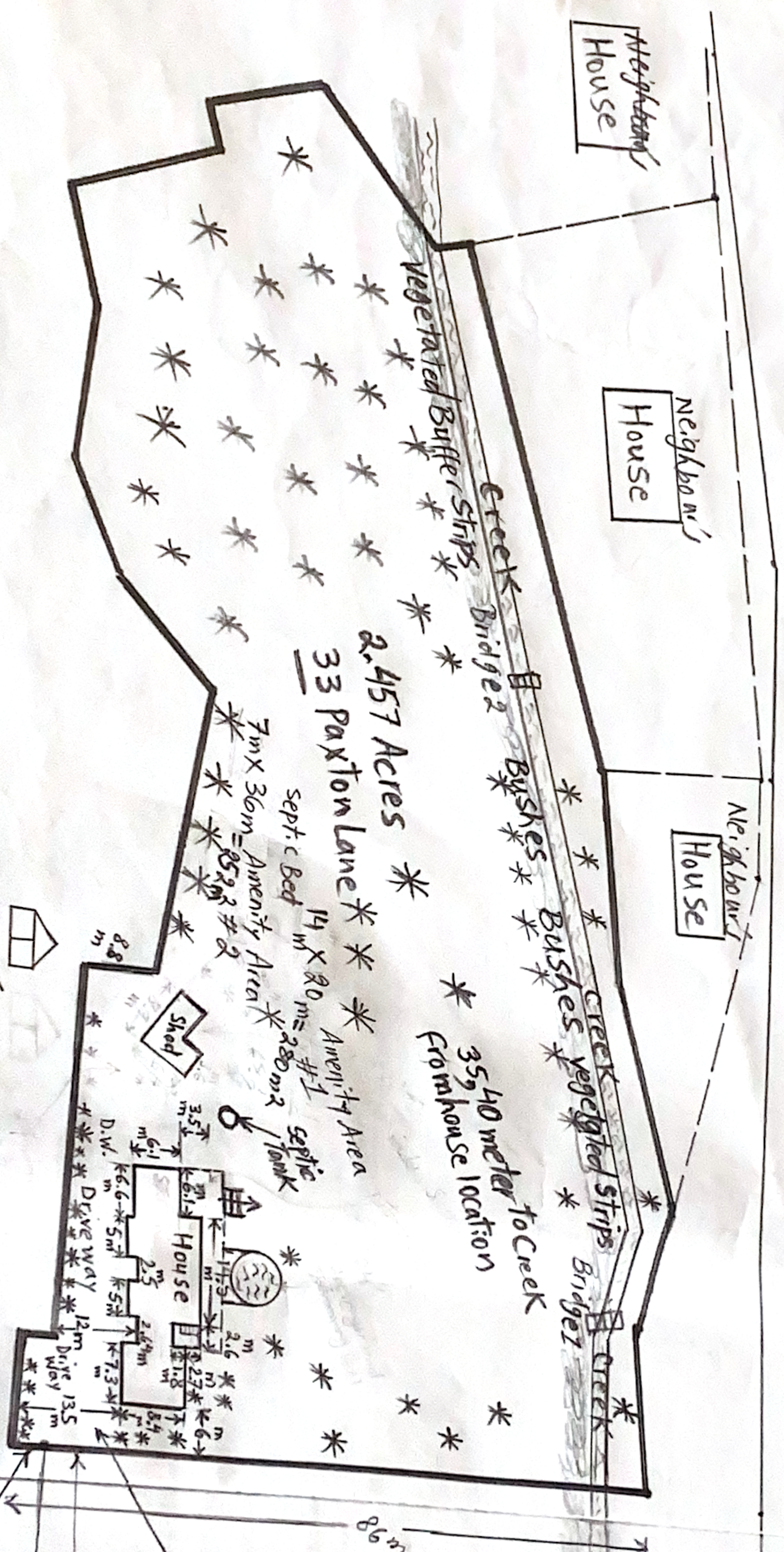


Natalie Thomson, Secretary-Treasurer

Four Mile Creek Rd.

Four Mile Creek Rd.

Property that will be Sub Division
46 Paxton Lane

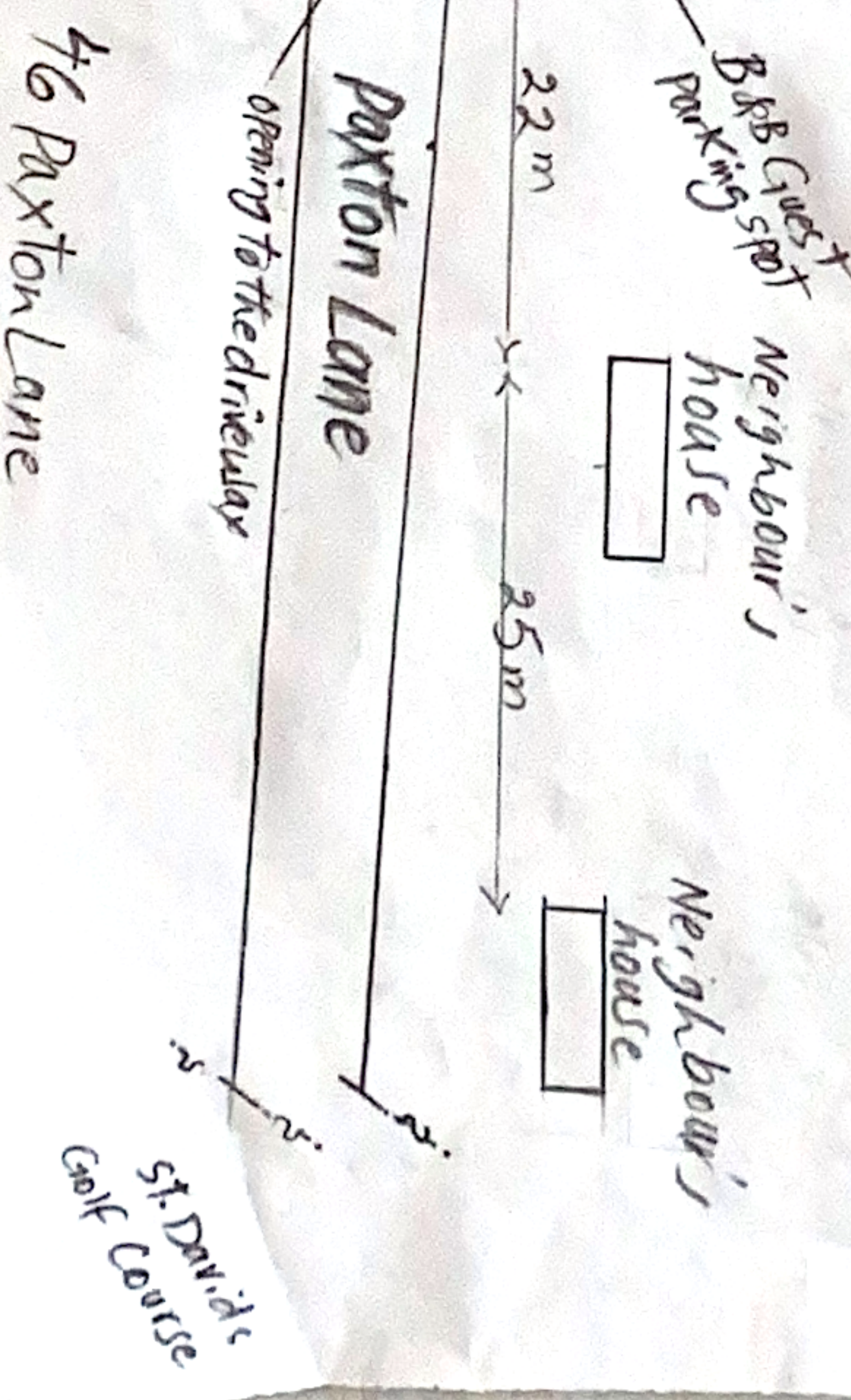


Fire Hydrant
distance to our house is 135m

Scale:
2.5 cm = 18.28 m



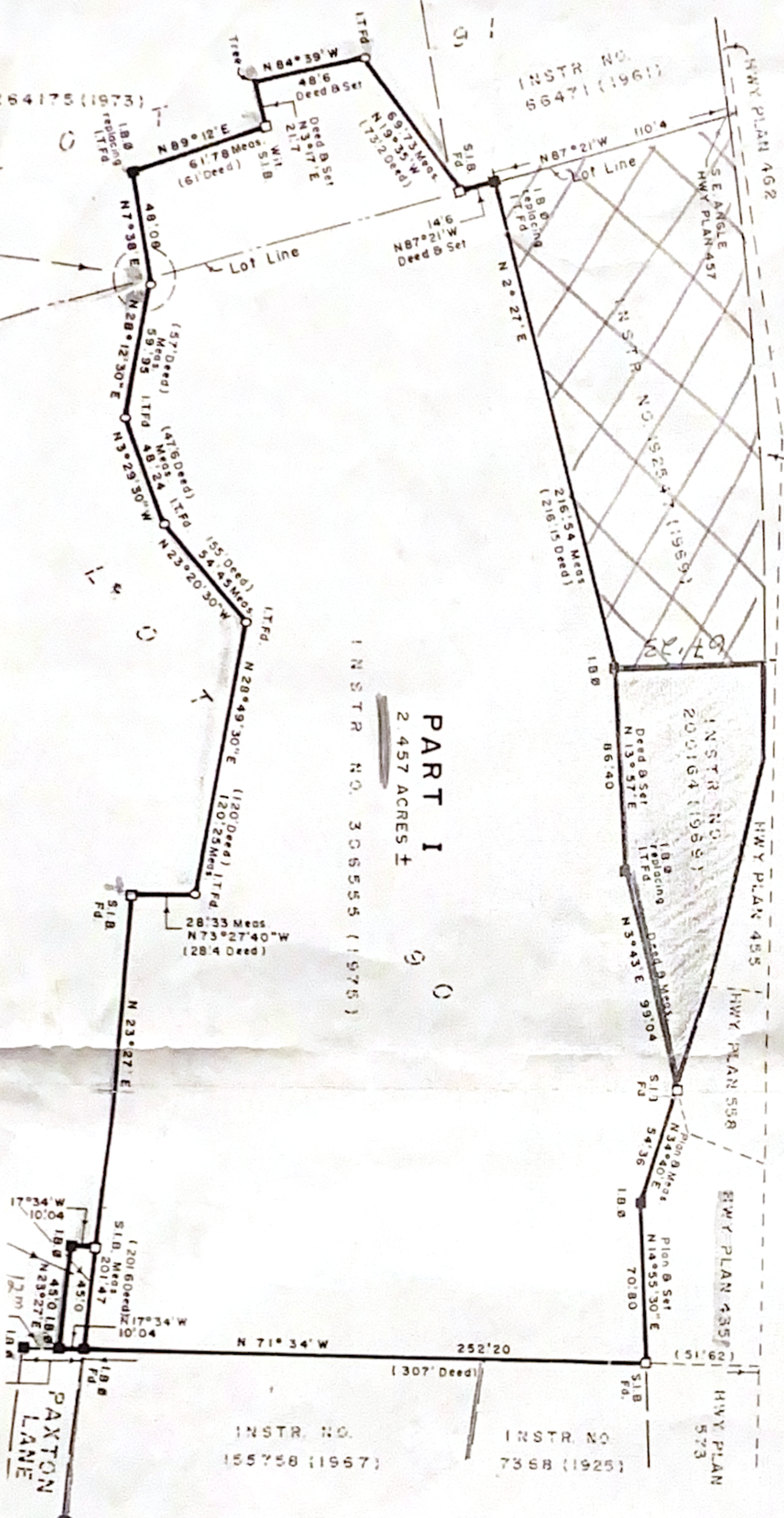
- * Tree
- ▨ Vegetated Buffer Strip along the Creek - Protected



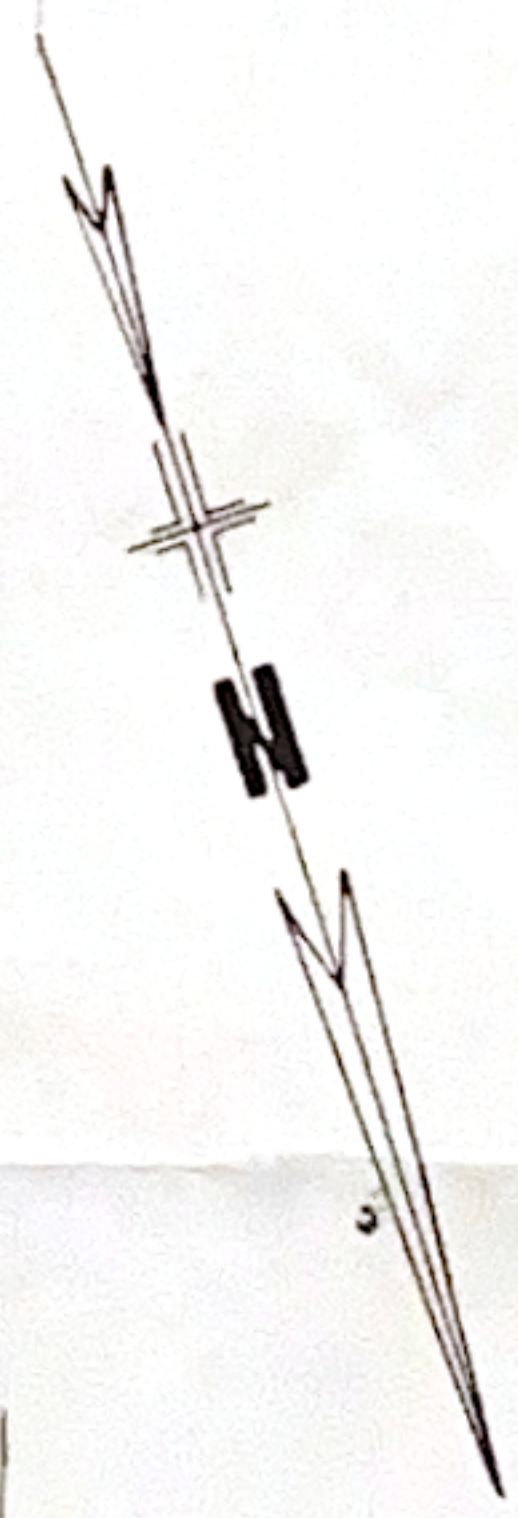
St. David's
Golf Course

PLAN AND FIELD NOTES OF SURVEY OF
PART OF LOTS 90 & 91
 FORMERLY IN THE TOWNSHIP OF NIAGARA, COUNTY OF LINCOLN, NOW IN THE
TOWN OF NIAGARA-ON-THE-LAKE
REGIONAL MUNICIPALITY OF NIAGARA
 SCALE: 1 IN. = 60 FT.
 1977
 F.A. URE O.L.S.

REGIONAL ROAD NO. 100 (FORMERLY HWY. NO. 8)



PART I
 2.457 ACRES ±
 INSTR. NO. 306555 (1976)



RECEIVED AND DEPOSITED AS

PLAN 30R-1960

DATE **JUNE 7, 1977**

S.R. DEP. **L.A. D. Registrar** FOR
 THE REGISTRY DIVISION
 OF NIAGARA NORTH
 NO. 30.

I REQUIRE THIS PLAN TO BE
 DEPOSITED UNDER PART II
 OF THE REGISTRY ACT

DATE **JUNE 2, 1977**

F.A. Ure O.L.S.
 F.A. URE O.L.S.

Surveyor's Certificate

I HEREBY CERTIFY:
 1. That this survey and plan are correct and in accordance with the Surveyor's Act and the Registry Act and the regulations made thereunder.
 2. That this survey was completed on the 2nd day of JUNE 1977.

DATED JUNE 2, 1977
F.A. Ure O.L.S.
 F.A. URE O.L.S.

Note

Bearings hereon are assumed astronomic and referred to the Easterly Limit of Regional Road No. 100, formerly Highway No. 8, as shown on Hwy Plan 435.
 — All hanging lines have been verified.
 — There are no other field notes except as shown on this plan.

Legend

- S.I.B. denotes Standard Iron Bar
- I.B. denotes Iron Bar
- I.B.Ø denotes Round Iron Bar
- I.T. denotes Iron Tube
- Fd. — denotes Found

Caution