

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

**DECISION:** File No. Consent B-07/26 – 1895 Concession 4 Road  
Assessment Roll No. 2627020009190500000

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

Consent Application B-07/26 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 27,189.9 square metres (6.7 acres) and 103.4 metres of frontage on Concession 4 Road, is to be retained for continued agricultural use. The residential portion (Part 1), containing a single-family dwelling with an area of 4627.6 square metres (1.1 acre) and 72.30 metres of frontage on Concession 4 Road, is to be severed.

**Date of Notice: July 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: August 6, 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](mailto: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](http://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: July 16, 2028**

Consent was obtained by the Secretary Treasurer on July 16, 2026 to insert electronic signatures below;

**ABSENT**

Steve Bartolini  
Committee of Adjustment



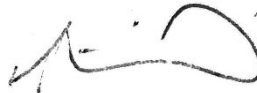
Margaret Louter (Vice Chair)  
Committee of Adjustment



Eric Lehtinen (Chair)  
Committee of Adjustment

**ABSENT**

Paul Johnson  
Committee of Adjustment



Angelo Miniaci  
Committee of Adjustment

**ABSENT**

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 July 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 1, 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 Director of Planning, Building, and Development Services, 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, being the transfer of Part 1, 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 obtain final approval of Zoning By-law Amendment Application ZBA-05-2026, to the satisfaction of the Director of Planning, Building and Development Services, to rezone Part 1 to "Rural (A) Site-Specific Zone" with site-specific provisions for the proposed reduced accessory structure setbacks to the existing pool house and pool shed, and to rezone Part 2 to "Agricultural Purposes Only (APO) Site-Specific Zone" with provisions for the proposed lot configuration, and to preclude a residential dwelling in perpetuity.