

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

DECISION: File No. Consent B-08/26 – 1236 Line 1 Road
Assessment Roll No. 2627020011068000000

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

Consent Application B-08/26 proposes a partial discharge of mortgage and 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 4.5 hectares (11.12 acres) containing 71.96 meters of frontage on Concession 2 Road and 147.86 metres of frontage on Line 1 Road, is to be retained for continued agricultural use. The residential portion (Part 1), containing a single-family dwelling, a barn, detached garage and sheds with an area of 5247.6 square metres (1.29 acres) and 68.19 metres of frontage on Line 1 Road, is to be severed.

Date of Notice: September 18, 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: October 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>

Last date to fulfil all conditions: September 17, 2028

Consent was obtained by the Secretary Treasurer on September 17, 2026 to insert electronic signatures below;



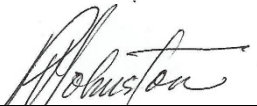
Steve Bartolini
Committee of Adjustment

CONFLICT

Margaret Louter (Vice Chair)
Committee of Adjustment



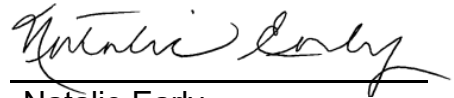
Eric Lehtinen (Chair)
Committee of Adjustment



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 September 18, 2026.



Natalie Thomson, Secretary Treasurer

SCHEDULE A
Conditions of Provisional Consent:

- 1.1.1 That the owner/applicant provides a legal description of Parcel 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 provide, to the satisfaction of the Director of Planning, Building and Development Services, a fully executed Agreement of Purchase and Sale for the lands identified as proposed Parcel 2 on the consent sketch, demonstrating the proposed conveyance of the lands to George Lepp for the purpose of farm consolidation, together with a lawyer's undertaking confirming that Parcel 2 will be conveyed to George Lepp contemporaneously with, or immediately following, registration of the consent, and that confirmation of the conveyance, including a copy of the registered transfer/deed, will be submitted to the Director within 30 days of registration.
- 1.1.3 That the owner/applicant obtain final approval of a zoning by-law amendment to change the zoning on Parcel 2 to Agricultural Purposes Only (APO), to the satisfaction of the Director of Planning, Building and Development Services, to prohibit the construction of a residential dwelling in perpetuity;
- 1.1.4 That the owner/applicant contact the Town's Environmental Services Department to confirm the locations of the existing water service, and disconnect and cap it at the boundary between Parcels 1 and 2 if necessary.

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RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS

CONCESSION 2 ROAD ALSO KNOWN AS PROGRESSIVE AVENUE
(ROAD ALLOWANCE BETWEEN TWP LOTS 25 AND 66)

PART 1 PLAN 30R-7653
PIN 46409 - 0075 (LT)

PIN 46409 - 0014 (LT)

TOWNSHIP

PIN 46409 - 0015 (LT)

80.47

PARCEL 2
4.50 Ha.±

A G R I C U L T U R A L

U S E S

PIN

LOT

PIN 46409 - 0020 (LT)
LINE 1 ROAD ALSO KNOWN AS PLUM STREET
(ROAD ALLOWANCE BETWEEN TWP LOTS 25 AND 26)

PIN 46409 - 0020 (LT)

LOT COVERAGE

TOTAL LOT AREA:	5247.6	s.m.	
2 STOREY HOUSE:	116.2	s.m.	(2.2%)
GARAGE #1:	17.2	s.m.	(0.3%)
GARAGE #2:	108.2	s.m.	(2.1%)
BARN:	126.1	s.m.	(2.4%)
SHED #1:	11.2	s.m.	(0.2%)
SHED #2:	13.0	s.m.	(0.3 %)

METRIC NOTE:

DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND & NOTES

PIN	DENOTES	PROPERTY IDENTIFIER NUMBER
BF	DENOTES	BOARD FENCE
HM	DENOTES	HYDRO METER
	DENOTES	CONIFEROUS TREE (CANOPY NOT TO SCALE)
	DENOTES	DECIDUOUS TREE (CANOPY NOT TO SCALE)
	N=NORTH, S=SOUTH, E=EAST, W=WEST	
	DISTANCES AND AREAS ARE APPROXIMATE	

BOUNDARY NOTE

BOUNDARIES HAVE BEEN DERIVED FROM REGISTRY
OFFICE RECORDS AND ACTUAL FIELD WORK.

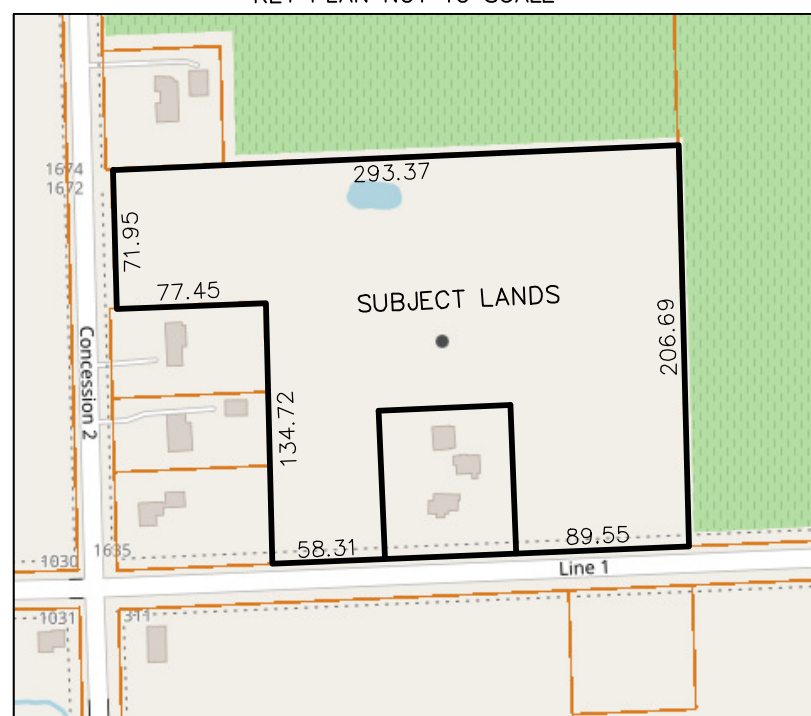
PROPERTY DESCRIPTION

PART OF TWP LOT 25
GEOGRAPHIC TOWNSHIP OF NIAGARA
TOWN OF NIAGARA-ON-THE-LAKE
REGIONAL MUNICIPALITY OF NIAGARA
ALL OF PIN 46409-0013 (LT)

CAUTION

1. THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.
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4. ALL DIMENSIONS AND AREAS ARE APPROXIMATE.

KEY PLAN NOT TO SCALE



JUNE 15, 2026
DATE

Harold D. Hyde
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

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RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT. N1A 2Y1

HAROLD D. HYDE O.L.S.

SCALE 1 : 500

SURVEY :	26F011
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DRWN BY : T. Matheson
