Planning, Building & Development Services
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 • Fax: 905-468-0301
www.notl.com

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

DECISION: File No. Minor Variance A-17/26 – 412 Four Mile Creek Road
Assessment Roll Number: 2627020024092000000

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

Minor Variance Application A-17/26 is made to permit a day care centre use on the property, where a day care centre is not identified as a permitted use in the current Zoning.

Decision: Refused.

Reasons: The Committee of Adjustment considered the oral and written submissions and agrees with the minor variance report analysis and recommendation that this application does not meet two of the four Planning Act tests for minor variance:

a. The general intent and purpose of the Zoning By-law is not maintained.
b. The general intent and purpose of the Official Plan is not maintained.

Date of Decision: November 19, 2026.

The last date for filing a notice of appeal is December 9, 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 alex.boekestyn@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 November 19, 2026 to insert electronic signatures of Committee members below;

ABSENT
Steve Bartolini
Committee of Adjustment

Margaret Louter
Margaret Louter (Vice Chair)
Committee of Adjustment

ABSENT
Eric Lehtinen (Chair)
Committee of Adjustment

ABSENT
Paul Johnson
Committee of Adjustment

Angelo Miniaci
Committee of Adjustment

Natalie Early
Committee of Adjustment

Chris Van de Laar
Committee of Adjustment

I, Alex Boekestyn, Acting 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 November 20, 2026.

Alex Boekestyn, Acting Secretary-Treasurer