Planning, Building & Development Services
1593 Four Mile Creek Road
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In the matter of the Planning Act, R.S.O. 190, c. P.13, s. 45:

DECISION: File No. Minor Variance A-21/26 – 342 William Street
Assessment Roll Number: 2627010005050000000

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

Minor Variance Application A-21/26 is made to facilitate the construction of a new single-detached dwelling and requests relief as follows:

1. Minimum front yard setback from 7.5 metres, as required in the Zoning By-law, to 3.86 metres to the proposed dwelling façade;
2. Minimum front yard setback from 7.5 metres, as required in the Zoning By-law, to 3.30 metres to the covered front porch;
3. Maximum lot coverage from 33%, as required in the Zoning By-law, to 36.5 % for the proposed dwelling; and
4. Maximum step encroachment from 1.5 metres, as required in the Zoning By-law, to 4.5 metres for the unenclosed and uncovered front steps.

Decision: Granted, subject to the conditions 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: 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 December 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

Appendix I
Conditions of Approval

1.1.1 That a Stage 1 and 2 archaeological assessment be completed, by a consultant archaeologist licensed by the Ministry of Citizenship and Multiculturalism under the provisions of the Ontario Heritage Act (R.S.O. 1990), on the whole subject lands and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The results of the Stage 1 and 2 archaeological assessment will determine the need for further studies. No demolition, grading or other soil disturbances shall take place on the subject property prior to the Ministry of Citizenship and Multiculturalism confirming to the Town that all archaeological resources concerns have met licensing and resource conservation requirements, and that a copy of all archaeological assessment reports and Ministry Compliance Letters are submitted to the Town, to the satisfaction of the Town; and,

1.1.2 That the owner/applicant submits and obtains approval from the Town for the removal of any tree on the subject property, including any compensation, to the satisfaction of the Town's Urban Forestry Officer.