



**NOTICE OF PUBLIC COMMITTEE OF  
ADJUSTMENT HEARING**  
**Tuesday, December 19, 2023, 4:00 p.m.**  
**Niagara Falls City Hall**  
**4310 Queen Street, Niagara Falls**

Public input on applications is invited. Pursuant to Section 45 of the Planning Act, the Committee of Adjustment for the City of Niagara Falls invites you to participate in a public hearing to consider an application for minor variances and/or to forward written comments prior to the hearing. Written comments are the preferred method of receiving public input and may be sent by mail or email. You can also provide oral input by joining the hearing in-person or electronically.

All interested persons are invited to attend this meeting to find out more about this application and offer comments. The public meeting is scheduled to take place on Tuesday December 19, 2023 at 4:00 pm, in Committee Room 2 at City Hall for the Committee of Adjustment to consider this application.

To participate in the remote electronic public hearing and to provide input orally, please pre-register with the Secretary-Treasurer by sending an email to [sanderson@niagarafalls.ca](mailto:sanderson@niagarafalls.ca) or calling 905-356-7521 (Ext. 4281) before 12 noon on December 19, 2023. All registrants will be provided with instructions on how to use their computer, tablet or phone to participate in the remote electronic public hearing.

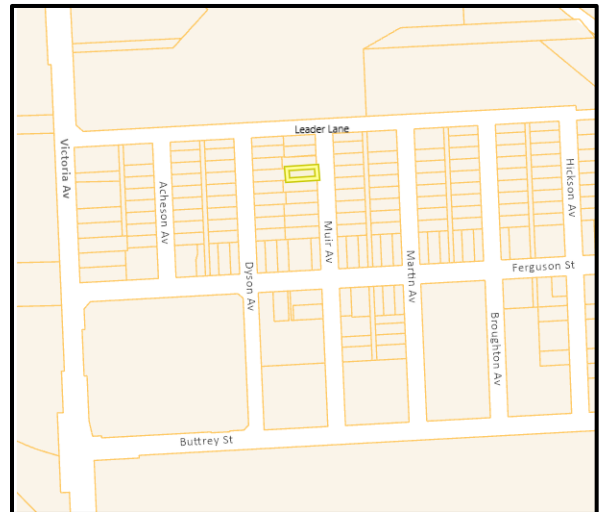
**File:** A-2023-039

**Owner:** Ngoc Danh Pham

**Location:** The subject property known as 4097 Muir Avenue is located on the west side of Muir Avenue between Leader Lane and Ferguson Street.

The applicant is requesting the Committee of Adjustment to consider minor variances from provisions of Zoning By-law No 79-200, as amended, through a process permitted by Section 45(1) of the Planning Act (R.S.O. 1990, c.P.13).

**Proposal:** The application was to be heard at the November 28<sup>th</sup>, 2023, however the Committee of Adjustment decided to defer the application to ensure all questions could be answered during the meeting time. The same application has been requested where the applicant has constructed several additions on the subject property, which includes a front yard addition, rear sunroom addition and detached shed without building permits. The subject property is zoned Residential Two Zone (R2) Zone in Accordance with zoning By-law No. 79-200



By-law Section	By-law Requirement	Proposed	Extent of variance
5.7 – Special Building Setback (Front yard depth)	An average of the neighbouring properties:  4093 Muir St – 1.93 metres  4105 Muir St – 6.19 metres  Special Building Setback = <b>4.06 metres</b>	2.84 metres	1.22 metres
7.7.2 (m) – Minimum landscaped open space	30% of the lot area	23%	7%

4.13 (d) – Accessory buildings	An accessory building may be erected in a rear yard of a lot provided that it shall not be less than 0.45 metres from any lot line and no overhanging roof, eaves or gutter shall project more than 0.3 metre into any required yard or be less than 0.15 metres from any lot line.	The building is setback 0.3 metres from the rear property line.  The eaves of the building are 0.10 metres from the rear lot line.	0.15 metres (rear yard/west)  0.05 metres
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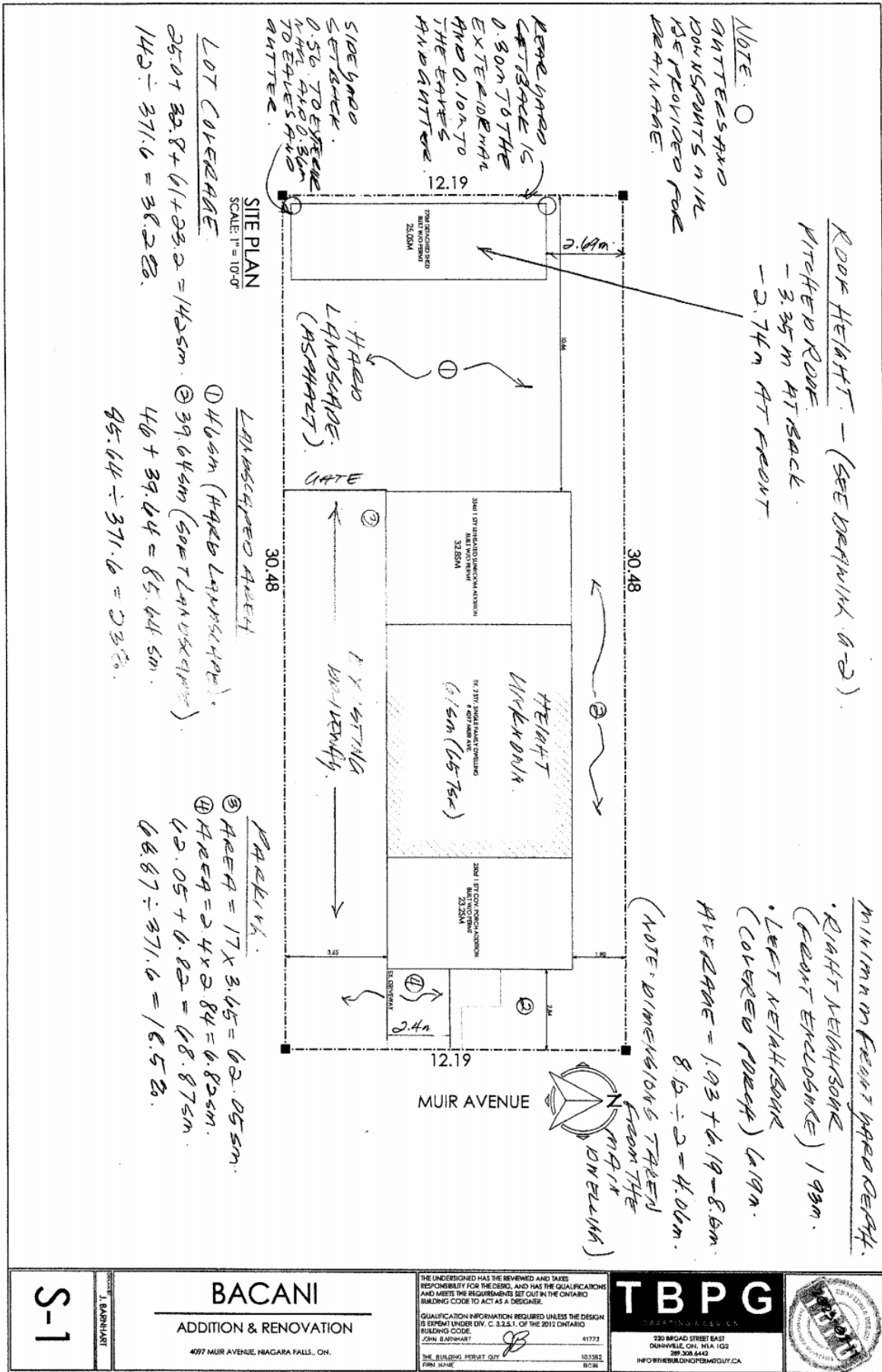
**See the sketch on the back for more information.**

If a specified person or public body that files an appeal of a decision of the Committee of Adjustment for the City of Niagara Falls in respect of the proposed minor variance does not make written submissions to the Committee before it gives or refuses approval, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer, Committee of Adjustment, Planning & Development, City Hall, P.O. Box 1023, and 4310 Queen Street, Niagara Falls, Ontario, L2E 6X5.

Additional information is available from Planning & Development or by telephoning Suzanne Anderson, Secretary-Treasurer Committee of Adjustment at 905-356-7521 ext. 4281 between 8:30 a.m. and 4:30 p.m. Monday to Friday or email [sanderson@niagarafalls.ca](mailto:sanderson@niagarafalls.ca).

**SCHEDULE 1**



NOTE: ○  
GUTTERS AND DOWNSPANTS IN LANE PROVIDED FOR DETAILING.

ROOF HEIGHT - (SEE DRAWING 0-2)  
PITCHED ROOF - 3.35m AT BACK - 2.74m AT FRONT

MINIMUM FRONT YARD SETBACK.  
RIGHT NEIGHBOUR (FEET ENCLOSED) 1.93m.  
LEFT NEIGHBOUR (COVERED PORCH) 0.19m.  
AREA = 1.93 x 6.19 = 8.8m.  
8.8 ÷ 2 = 4.4m.  
(NOTE: DIMENSIONS TAKEN FROM THE MUIR DWELLING)

SITE PLAN  
SCALE: 1" = 10'-0"

LOT COVERAGE  
25.0 + 39.8 + 61 + 33.2 = 148.8m  
148.8 ÷ 371.6 = 38.2%

LANSCAPED AVENUE  
① 4.6m (HARBOR LANDSCAPED)  
② 39.64m (SOFT LANDSCAPED)  
4.6 + 39.64 = 85.64m  
85.64 ÷ 371.6 = 23%

PARKING  
③ AREA = 17 x 3.45 = 62.05m.  
④ AREA = 2.4 x 2.84 = 6.82m.  
62.05 + 6.82 = 68.87m.  
68.87 ÷ 371.6 = 18.5%

S-1

**BACANI**  
ADDITION & RENOVATION  
4077 MUIR AVENUE, NIAGARA FALLS, ON.

THE UNDERSIGNED HAS REVIEWED AND TAKEN RESPONSIBILITY FOR THE DESIGN AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO ACT AS A DESIGNER.  
QUALIFICATION INFORMATION REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C. 3.2.2.1. OF THE 2012 ONTARIO BUILDING CODE  
22nd Bldg. Dept.  
THE BUILDING PERMIT OFF.  
FIRM NAME

**TBP G**  
220 BROAD STREET EAST  
DUNNVILLE, ON. N1A 1G2  
905.308.6442  
INFO@REBA.DUNNVILLE.ONTARIO.CA



