



## NOTICE OF REMOTE ELECTRONIC PUBLIC COMMITTEE OF ADJUSTMENT HEARING

Tuesday, July 25, 2023, 4:00 p.m.  
Niagara Falls City Hall  
4310 Queen Street, Niagara Falls

Public input on applications is invited. Pursuant to Section 53 and 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 consent and 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 July 25, 2023 at 4:00 pm, in Committee Room 2 at City Hall for the Committee of Adjustment to consider this application.

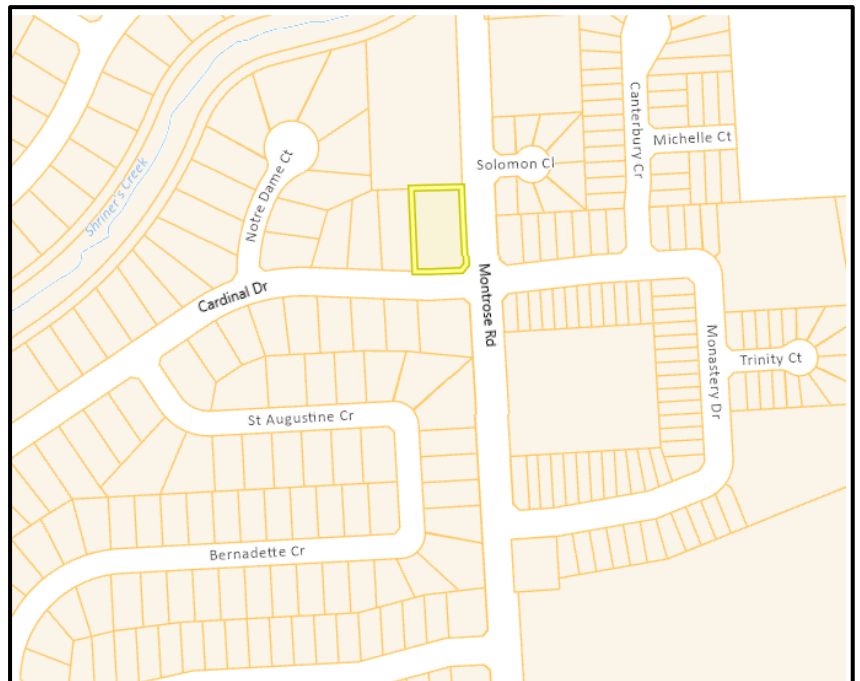
To participate in the remote electronic public hearing and to provide input orally, please pre-register with the Secretary-Treasurer by sending an email to [sanderson@niagarafalls.ca](mailto:sanderson@niagarafalls.ca) or calling 905-356-7521 (Ext. 4281) before 12 noon on July 25, 2023. All registrants will be provided with instructions on how to use their computer, tablet or phone to participate in the remote electronic public hearing.

**File:** A-2023-023, A-2023-024 and B-2023-007

**Owner:** Giovana Butera

**Location:** The subject property known as 3409 Cardinal Drive located on the north side of Cardinal Drive, west of Montrose Road.

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) and to consider a consent under Section 53 of the Planning Act (R.S.O. 1990, c.P.13).



**Proposal:** The application is made for consent to partial discharge of mortgage and to convey a parcel (Part 1) of land to construct a future detached dwelling. Part 2 is to be retained for continued detached residential use. Part of the 0.3 metre reserve in front of Part 1 will be required to be lifted for access onto Montrose Road.

A concurrent minor variance application has been submitted requesting relief from several requirements. The subject property is zoned Residential 1A Density (R1A-195), in accordance with Zoning By-law No. 79-200, as amended by site specific By-law No. 1988-184. To facilitate the consent, the applicant has requested the following variances to Part 1 and Part 2 once the lot line between the two parcels is established:

Date of Mailing: July 11, 2023

**Part 1 (conveyed parcel) will require the following variances:**

<b>By-law Section</b>	<b>By-law Requirement</b>	<b>Proposed</b>	<b>Extent of variance</b>
Minimum lot frontage for an interior lot (By-law 1988-184)	27 metres	23.41 metres	3.59 metres
Minimum front yard depth (By-law 1988-184)	9.9 metres +13.1 metres from the original centerline of Montrose Road	9.10 +13.1 metres from the original centerline of Montrose Road	0.8 metres
Minimum rear yard depth (By-law 1988-184)	9.9 metres	8.53 metres	1.37 metres
Minimum interior side yard width on each side (By-law 1988-184)	2.7 metres	1.23 metres (south)	1.47 metres (south)
4.19.3 (a)(ii) Maximum width of driveway or parking area in the front yard of a lot	60% of the lot frontage but in no case more than 9 metres	12.5 metres	3.5 metres

**Part 2 (retained parcel) will require the following variances:**

<b>By-law Section</b>	<b>By-law Requirement</b>	<b>Proposed</b>	<b>Extent of variance</b>
Minimum rear yard depth (By-law 1988-184)	9.9 metres	7.33 metres	2.57 metres
4.19.3 (a)(iv) Maximum area of an exterior side yard which can be used as a parking area	67% of the yard up to a maximum of 50 square metres	77% and 237.5 square metres	10% and 187.5 square metres

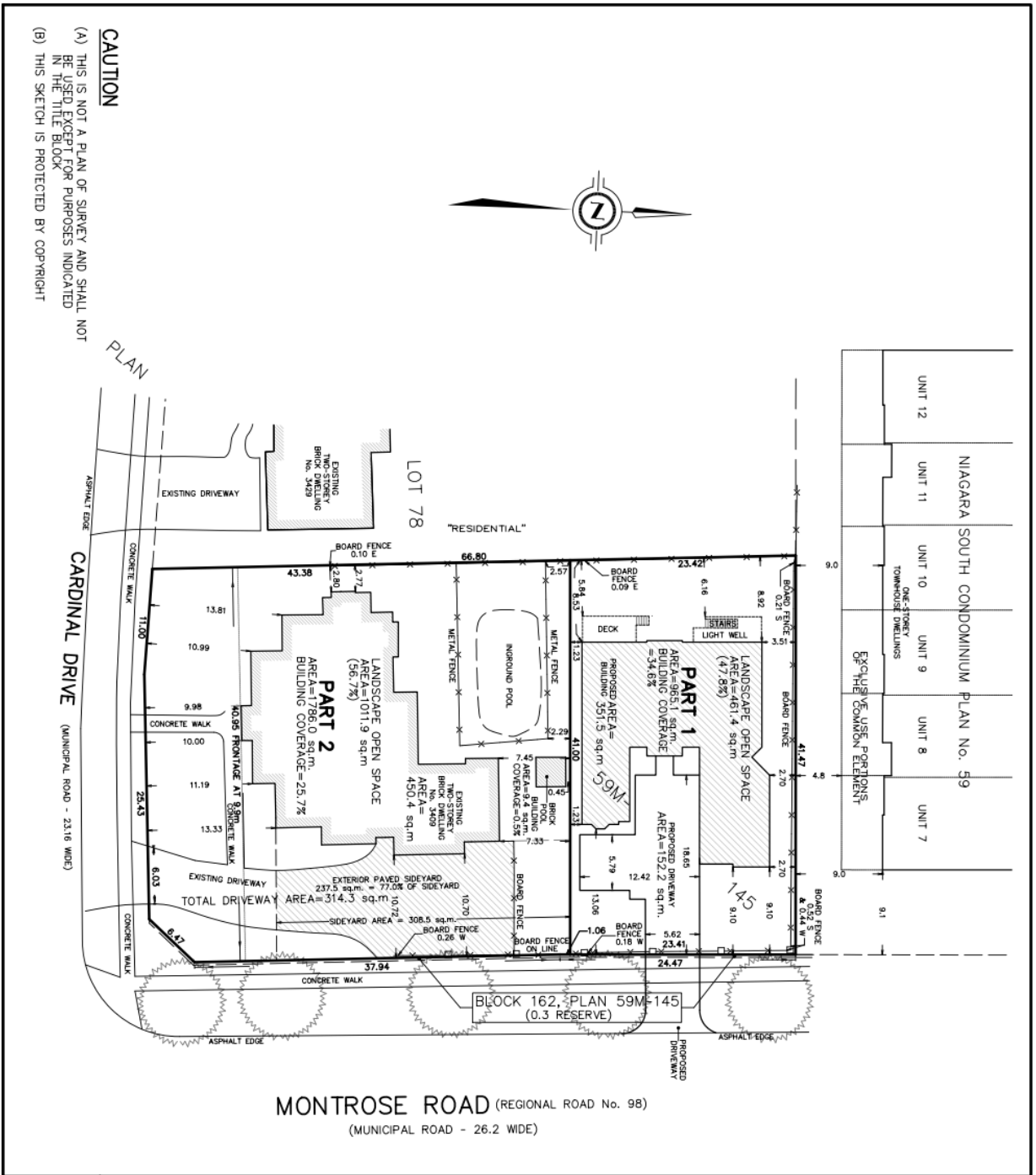
**See the sketch on the next page for more information.**

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 consent and 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



UNIT 12	UNIT 11	UNIT 10	UNIT 9	UNIT 8	UNIT 7
NIAGARA SOUTH CONDOMINIUM PLAN No. 59					
ONE-STORY TOWNHOUSE DWELLINGS					
EXCLUSIVE USE PORTIONS OF THE COMMON ELEMENTS					

**CAUTION**

(A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR PURPOSES INDICATED IN THE TITLE BLOCK

(B) THIS SKETCH IS PROTECTED BY COPYRIGHT

**MONTROSE ROAD** (REGIONAL ROAD No. 98)  
(MUNICIPAL ROAD - 26.2 WIDE)

**NOTE: THIS SKETCH IS NOT A PLAN OF SURVEY**

SKETCH FOR PLANNING PURPOSES ONLY

**3409 CARDINAL DRIVE**

**CITY OF NIAGARA FALLS**

REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 400

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**METRIC NOTE**

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

**KEY PLAN (not to scale)**

**LEGAL DESCRIPTION**

LOT 77, PLAN 59M-145

BOUNDARY INFORMATION HAS BEEN DERIVED FROM AVAILABLE RECORDS AND/OR FIELD MEASUREMENTS. THIS IS NOT A PLAN OF SURVEY.

SOME FEATURES SHOWN ON THIS SKETCH HAVE BEEN DIGITIZED FROM AERIAL PHOTOGRAPHY - LOCATION IS APPROXIMATE.

**DATE** JULY 10, 2023

**ALL IN THE MIND OF**

*John J. Howard*

ONTARIO LAND SURVEYOR

**J.D. BARNES LIMITED**

LAND INFORMATION SPECIALISTS  
1018 PATERSON ROAD - UNIT 2, NIAGARA FALLS, ONTARIO L2K 1K4  
TEL: (905) 352-9899 FAX: (905) 352-9828 WWW.JDBARNES.COM

DATE: JUL 10/23

PREPARED BY: AH

CHECKED BY: JWB

DATE: JUL 10/23

SCALE: 1:400

PROJECT NO: 21-16-317-00