



COMMITTEE OF ADJUSTMENT

Planning and Development Services Department
3540 Schmon Parkway, P.O. Box 1044
Thorold, ON L2V 4A7
905-227-6613

April 8, 2021

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Minor Variance Application D13-08-2021
80 Ivy Crescent (Lot 6), Thorold, Ontario

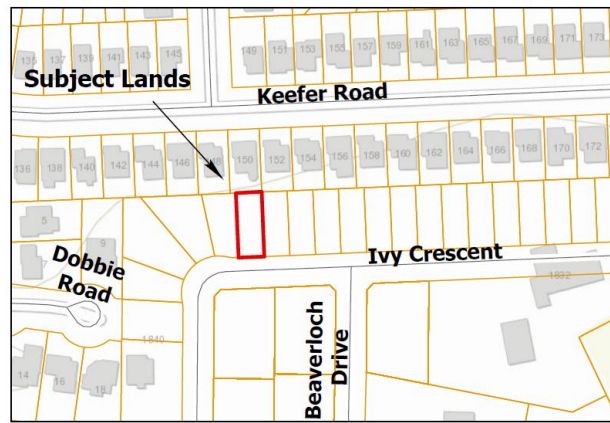
LOT 6, PLAN 59M-478
273100002313412

RECOMMENDATION:

That the minor variances requested in application D13-08-2021 be approved.

PROPOSAL:

The subject lands are designated Urban Living Area with Greenfield Overlay in the City of Thorold Official Plan and zoned Residential First Density (R1C-4) in accordance with Comprehensive Zoning Bylaw 2140(97). The applicant is proposing the construction of a single detached dwelling with an attached covered, unenclosed rear porch as shown on the drawing submitted. In order to facilitate the development, as per Comprehensive Zoning Bylaw 2140(97), the following variances from the R1C-4 zone provisions are being requested:



KEY MAP

1. To increase the maximum lot coverage from 45% to 50%; and
2. To reduce the rear yard setback to the attached covered porch from 5.0 metres to 4.46 metres.

CITY OF THOROLD OFFICIAL PLAN:

The subject property is designated as 'Urban Living Area' with Greenfield Overlay within the City's Official Plan. Single-detached dwellings and additions to them are permitted in the Urban Living Area designation.

COMPREHENSIVE ZONING BY-LAW 2140 (97):

The subject property is zoned 'R1C-4' (Residential First Density) in accordance with Zoning By-law 2140 (97). Single detached dwellings are permitted in the R1C-4 zone.

PLANNING REVIEW:

1. Are the variances minor from the provisions of the By-law?

The increase in the maximum lot coverage from 45% to 50% is considered minor as it will allow for the construction of a rear covered porch that will not have a negative impact on the subject land or neighbouring properties.

The permission for the rear covered porch to have a rear yard setback of 4.46m metres instead of the permitted 5.0 metres is minor as it retains a suitable rear yard for the property and does not hinder drainage on the lot. There is no negative impact to the subject land or neighbouring properties.

Planning staff are of the opinion that the variances are minor from the provisions of the By-law.

2. Are the variances appropriate for the development of the land?

The increases for maximum lot coverage and for minimum rear yard setback are to facilitate the construction of a rear covered porch to provide a covered amenity space for the occupants of the dwelling. The covered porch is an appropriate development for the land as it is suitably sized and does not negatively impact on neighbouring properties.

Planning staff are of the opinion that the variances are appropriate for the development of the land

3. Is the general intent and purpose of the By-law maintained?

The intent of the regulations in the site specific Residential First Density (R1C-4) zone was to provide for dwellings that are suitably sized in relation to the surrounding neighbourhood and to allow for usable covered porches. The requested variances maintain the intention of the By-law as the dwelling is suitably sized and the covered porch maintains a suitable rear yard and maintains the side yard setback.

Planning staff are of the opinion that the variances will maintain the intent and purpose of the Zoning By-law.

4. Is the general intent and purpose of the Official Plan maintained?

The subject land is designated Urban Living Area with Greenfield Overlay in the Official Plan. Single-detached residential dwellings are permitted. The variances will facilitate the construction of a permitted use that is contemplated in the Official Plan.

Planning staff are of the opinion that the variances would maintain the general intent and purpose of the Official Plan.

CIRCULATION COMMENTS:

The following comments on the application were received from internal departments and external agencies.

Building Division

- No concerns.

Cogeco

- Cogeco has no issues or concerns with this application.

CN Rail

- No comments or concerns.

Engineering Division

- Please be advised that engineering has no comments to offer on the application.

Niagara Region

- No comments or concerns.

NEC

- No comments or concerns as the property falls outside the NEC area.

Finance Department

- There are no outstanding taxes for the subject property.

PUBLIC COMMENTS:

As of the completion of this Report, no public comments have been received.

CONCLUSION:

It is the opinion of Planning staff that the proposed variances meet the prescribed tests set out in the Planning Act, being that:

1. The variances are minor in nature from the provisions of the By-law;
2. The variances are appropriate for the development of the land;
3. The general intent and purpose of the By-law is maintained; and
4. The general intent and purpose of the Official Plan is maintained.

Prepared by:

Respectfully submitted by:

ORIGINAL SIGNED

Brynne O'Neill, MCIP, RPP
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Manager of Planning Services