



COMMITTEE OF ADJUSTMENT

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

May 7, 2021

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Minor Variance Application D13-10-2021
1 Crompton Boulevard, Thorold, ON

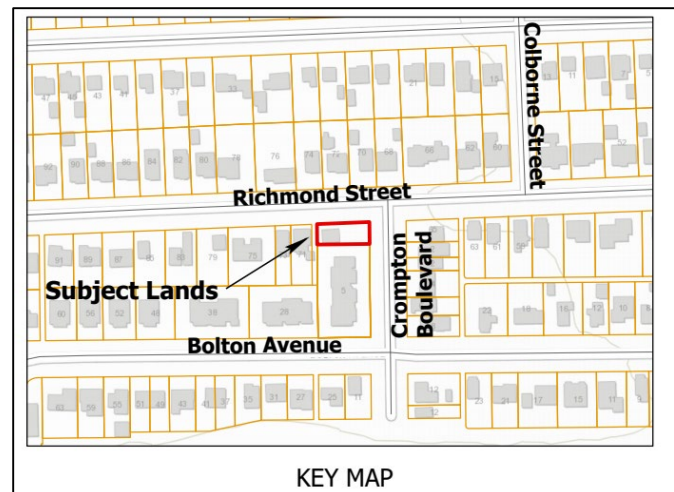
PLAN 26 LOT 32 Pt Lot 31
2731 000 019 04201 0000

RECOMMENDATION:

That the minor variance requested in application D13-10-2021 be approved.

PROPOSAL:

The subject lands are designated Urban Living Area in the City of Thorold Official Plan and are zoned Residential Second Density (R2) in accordance with Comprehensive Zoning By-law 2140(97). The applicant is proposing the construction of a single detached dwelling as shown on the drawing submitted. In order to facilitate the development, as per Comprehensive Zoning By-law 2140(97), the following variance from the R2 zone provision is being requested:



Section 11 R2 zone provisions:

1. 11.2.1(c) - To reduce the front yard setback from 7.5 metres to 4.5 metres.

CITY OF THOROLD OFFICIAL PLAN:

The subject property is designated as 'Urban Living Area' within the City's Official Plan. Single-detached dwellings are permitted in the Urban Living Area designation.

COMPREHENSIVE ZONING BY-LAW 2140 (97):

The subject property is zoned 'R2' (Residential Second Density) in accordance with Zoning By-law 2140 (97). Single detached dwellings are permitted in the R2 zone.

PLANNING REVIEW:

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

The variance proposes a compatible reduced front yard setback that would pose no impact on the streetscape or surrounding residential properties.

As such, staff are of the opinion that the requested variance is minor in nature.

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

The variance for a reduced front yard setback would facilitate safe and harmonious development of a property that is subject to space constraints. The reduction in the front yard is appropriate as it will not impact the surrounding residential properties and there is still adequate amenity space in the rear yard and exterior side yard.

As such, staff are of the opinion that the requested variance is appropriate for the development of the land.

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

Minimum front yard setback requirements in residential zones are intended to ensure that there is adequate separation between buildings and the public right-of-way. Front yard setbacks also ensure a consistent alignment of the built form along the streetscape. Numerous existing dwellings in the surrounding neighbourhood are generally very close to the street line; a front yard setback of 4.5 m would not be out of character with existing residential development in the area. The proposed reduced setback is appropriate and compatible with surrounding development in this context.

As such, staff are of the opinion that the requested variance would maintain the general intent and purpose of the zoning by-law.

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

Section A2.4.2 of the Official Plan outlines objectives for urban character in the City, which include:

- To respect the character of stable residential areas and only support applications for new development that are physically compatible with the character of the surrounding neighbourhood; and
- To maintain and enhance the character and stability of existing and well-established residential neighbourhoods by ensuring that development and redevelopment is compatible with the scale and density of existing development.

The requested variance would not negatively impact the character of the area. The variance would allow established conditions to continue and facilitate compatible residential development.

Staff are of the opinion that the requested variance 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

- Building Division has no issues or concerns with this application.

Canada National Railway

- CN Rail does not have any comments with regards to this application.

Cogeco

- Cogeco has no issues or concerns with this application.

Engineering Division

- Engineering staff see an issue with the reduction of the setback due to possible site-line issues with parking and any front yard plantings in the future. If the owner provides the City of Thorold with a Daylighting of 4.5m x 4.5m at the corner of the Crompton and Richmond This issue would not be a problem.
- Please provide a survey plan showing the new day light triangle conveyed to the City of Thorold.
- Please note the driveway must be a minimum of 15m from the intersection.

Hydro One

- No comments or concerns.

NEC

- 1 Crompton Blvd is not within the NEC's Development Control Area or Niagara Escarpment Plan Area and as such NEC staff have no comment.

NPCA

- NPCA have no regulated features at this location, therefore no concerns with this application.

Niagara Region

Not of regional interest, therefore no comments.

CONCLUSION:

It is the recommendation of Planning staff that minor variance application D13-10-2021 be approved subject to the following conditions:

1. That the owner dedicates to the City of Thorold with a sight/daylighting triangle of 4.5m by 4.5m at the corner of Crompton Blvd and Richmond St. All expenses to facilitate the dedication of the sight triangle are to be paid by the applicant.

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

1. The variance is minor in nature from the provisions of the By-law;
2. The variance is 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:

ELECTRONICALLY SIGNED

Sarah Burjaw
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Respectfully submitted by:

Electronically signed

Denise Landry, MCIP, RPP
Manager of Planning Services