

## MINOR VARIANCE APPLICATION

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

### NOTICE OF DECISION – JUNE 17, 2021

In the matter of an application for a minor variance by:

**FILE NO.:** D13-12-2021  
**ROLL NO:** 2731 000 023 58225 0000  
**SUBJECT LAND:** 57 COMMERFORD STREET, THOROLD  
PLAN M42 LOT 407  
**APPLICANT:** Dodany Orozco  
**AGENT:** N/A

### PURPOSE OF APPLICATION:

The subject lands are designated Urban Living Area in the City of Thorold Official Plan and are zoned Residential First Density (R1C) in accordance with Comprehensive Zoning Bylaw 2140(97). The regulations of Zoning Bylaw 60-2019 are applicable to accessory building. The applicant seeks to legalize an existing accessory building that was constructed in the exterior side yard of the property. In order to facilitate the development, as per Comprehensive Zoning Bylaw 60-2019, the following variances are being requested:

### Part 3 | General Regulations

1. Section 3.2 b) – To permit an existing accessory building to be located 0.51 m from any other building on the property
2. Table 3.1 – To reduce the minimum exterior lot line setback for an existing accessory building from 3.0 m to 0.7 m

This application was heard at a Public Hearing of the Committee of Adjustment on June 17, 2021 by virtual means and the decision on the variance requested was made pursuant to the provisions of Section 45 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, as follows:

**DECISION:** **NOT GRANTED**

### REASONS:

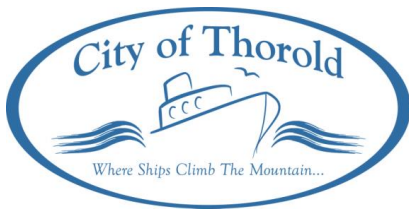
The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that the requested variances of this application do not meet the *Planning Act* tests for minor variance being:

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

**The last day to file for appeal of this decision is July 7, 2021.**

**TAKE NOTICE THAT THE ABOVE DECISION** is subject to your right to appeal to the Local Planning Appeal Tribunal and may be commenced by filing with the Secretary-Treasurer of the Committee a Notice of Appeal setting out the objection to the decision and outlining the reasons. The fee is \$400.00 and may be paid by cheque or money order payable to the Minister of Finance. Appeals must be received within twenty (20) days from the date of the decision.

**NOTE:** Only individuals, corporations and public bodies may appeal a Committee of Adjustment decision to the Local Planning Appeal Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.



## MINOR VARIANCE APPLICATION

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

---

### **NOTICE OF DECISION – D13-12-2021**

Electronically Signed By J. Theisen  
Chair/Member

Electronically Signed By G. Ravenek  
Member

Electronically Signed By E. Pizzo  
Member

Electronically Signed By G. Jackson  
Member

Electronically Signed by H. D'Angela  
Member

**Date of Decision:** June 17, 2021  
**Date of Decision Notice:** June 21, 2021  
**Last date to file a notice of appeal:** July 7, 2021

I, Angela Nesbitt, Secretary Treasurer of the Committee of Adjustment of the City of Thorold certify that the above is a true copy of the Decision of the Thorold City Council:

**ORIGINAL SIGNED**

---

Angela Nesbitt  
Secretary-Treasurer of the Committee of Adjustment