

COMMITTEE OF ADJUSTMENT

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

NOTICE OF DECISION – MAY 19, 2022

FILE NO.: D10-10-2022
ROLL NO: 2731 000 026 21200 0000
SUBJECT LAND: 2015 ALLANPORT ROAD, Thorold
UNIT 12 INDEX PLAN D-5
APPLICANT: KATHLEEN AND RICHARD FISCHUK
AGENT: UPPER CANADA CONSULTANTS – CRAIG ROHE

In the Matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13, and in the Matter of an Application for Consent.

The Committee of Adjustment considered all the written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the City of Thorold Official Plan.

In compliance with the Planning Act the City of Thorold Committee of Adjustment decision is enclosed. The last date of filing an appeal to the Ontario Land Tribunal (OLT) under Section 53 of the Planning Act is June 15, 2022.

Type of Transaction for which application for consent is being made:

Conveyance Mortgage or Charge Partial Discharge of Mortgage Other:

DECISION: GRANTED WITH CONDITIONS

CONDITION(S): SEE SCHEDULE “A” ATTACHED

REASONS:

The Committee of Adjustment considered all the written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the City of Thorold Official Plan.

1. The application complies with the requirements of the zoning by-law and conforms to the policies of the Official Plan.
2. This decision is rendered having regard to the provisions of Section 51(24) of the Planning Act, R.S.O. 1990 as amended.
3. The application is considered desirable within the existing neighbourhood.
4. For reasons as outlined in the Planning Report.

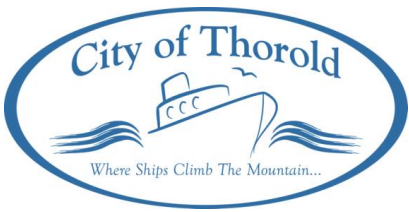
Electronically Signed By J. Theisen
Chair/Member

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



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SCHEDULE "A"

This is Schedule "A" attached to and forming part of the decision regarding Consent Application D10-10-2022, 2015 Allanport Road, Unit 12 Index Plan D-5, Thorold, ON;

CONDITIONS:

The above decision is subject to the following condition(s):

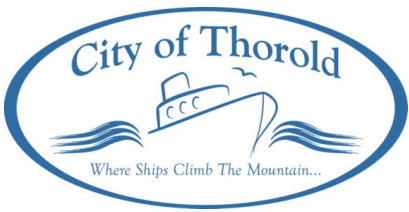
- 1) That the applicant provide the Secretary Treasurer with a legal description, acceptable to the Registrar, of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent; and
- 2) That the owner provides a lawyer's undertaking, to the satisfaction of the City, to forward a copy of documentation confirming the transaction has been carried out, the document to be provided within two (2) years of issuance of the consent certificate, or prior to the issuance of a building permit, whichever occurs first; and
- 3) That a final certification fee of \$190, payable to the City of Thorold, be submitted to the Secretary Treasurer and that all conditions of consent be fulfilled; and
- 4) That the payment of 2% of the value of the new lot, being Part 1, of the submitted severance sketch be made to the City of Thorold in lieu of dedication of land for park purposes pursuant to Section 53(13) of the *Planning Act, R.S.O. 1990*, as amended; and
- 5) That the applicant/owner receive final City Council approval of a site specific Official Plan Amendment prior to deed endorsement.

Date of Decision:	MAY 19, 2022
Date of Decision Notice:	MAY 24, 2022
Last date to file a notice of appeal:	JUNE 15, 2022
Last date to fulfill all conditions:	MAY 19, 2023

TAKE NOTICE THAT THE DECISION is subject to your right to appeal to the Ontario Land 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.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

NOTE: Only individuals, corporations and public bodies may appeal a Committee of Adjustment decision to the Ontario Land 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.



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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 Committee of Adjustment.

ORIGINAL SIGNED _____

Angela Nesbitt

Secretary Treasurer to the Committee of Adjustment

Date of Decision: MAY 19, 2022 Date of Mailing: MAY 26, 2022