

## MINOR VARIANCE APPLICATION

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

### NOTICE OF DECISION – APRIL 21, 2022

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

**FILE NO.:** D13-10-2022  
**ROLL NO:** 2731 000 031 04500 0000  
**SUBJECT LAND:** 1459 Merrittville Highway, Thorold  
Plan Twp Pt Lot 211  
**APPLICANT:** William (Dave) Robinson  
**AGENT:** Wayne Robinson

#### PURPOSE OF APPLICATION:

The subject lands are designated Specialty Crops in the City of Thorold Official Plan and are zoned AS Specialty Crop with EP1 Environmental Protection 1 and Natural Heritage Feature Buffer Area in accordance with Zoning Bylaw 60-2019. The applicant is proposing the construction of a single detached dwelling and retain the existing dwelling as an accessory building as shown on the drawing submitted. In order to facilitate the development, as per Zoning Bylaw 60-2019, the following variances from Part 9 Agricultural & Rural Zones Part 9.4 Table 9.4 zone provisions are being requested:

#### Bylaw 60-2019 – Part 9.4 Accessory Building and Structure to Residential Uses:

1. Minimum Front Yard – To permit an existing accessory structure to be closer to the street than the front wall of the dwelling; and
2. Maximum Height – To increase the maximum height of an accessory building and structure from 4.5 metres to 9.1 metres.

This application was heard at a Public Hearing of the Committee of Adjustment on April 21, 2022 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:** **GRANTED**

#### REASONS:

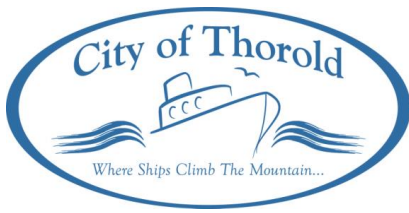
The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance being:

1. The requested variance is considered minor in nature;
2. The variance is appropriate for the development or use of the land, building or structure;
3. The general intent and purpose of the Zoning 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 May 11, 2022.**

**TAKE NOTICE THAT THE ABOVE 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.

**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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### NOTICE OF DECISION – D13-10-2022 – 1459 MERRITTVILLE HIGHWAY

Absent - J. Theisen  
Chair/Member

Electronically Signed By G. Ravenek  
Acting Chair/Member

Electronically Signed By E. Pizzo  
Member

Electronically Signed By G. Jackson  
Member

Absent - H. D'Angela  
Member

**Date of Decision:** April 21, 2022  
**Date of Decision Notice:** April 27, 2022  
**Last date to file a notice of appeal:** May 11, 2022

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