

COMMITTEE OF ADJUSTMENT

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

August 12, 2021

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Minor Variance Application D13-20-2021 (concurrent with D13-19-2021 and D10-04-2021)
27 McMann Drive, Thorold, ON

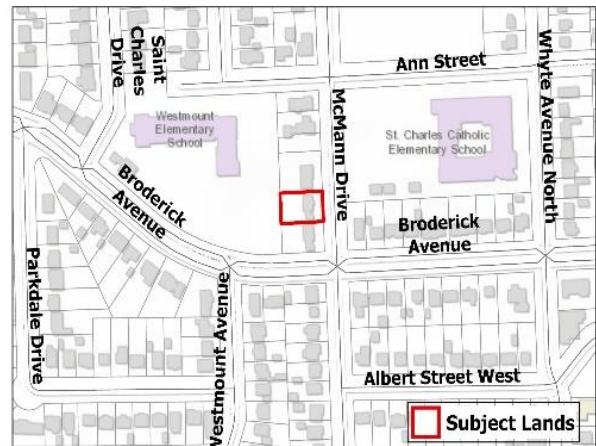
Plan 28 Lot 19 Lot 20
2731 000 016 04400 0000

RECOMMENDATION:

That the minor variances requested in application D13-20-2021 be approved subject to the condition identified below.

PROPOSAL:

The subject lands are designated Urban Living Area in the City of Thorold Official Plan and are zoned Residential First Density (R1B) in accordance with Comprehensive Zoning Bylaw 2140(97). The applicant is proposing the construction of a single detached dwelling on Part 2 as shown on the drawing submitted. In order to facilitate the development for Part 2, as per Comprehensive Zoning Bylaw 2140(97), the following variances from the R1B zone provisions are being requested:



KEY MAP

1. Provision 8.2 (a) – To reduce minimum lot area from 460 square metres to 420 square metres; and
2. Provision 8.2 (b) – To reduce minimum lot frontage from 15 metres to 11.5 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 'R1B' (Residential First Density) in accordance with Zoning By-law 2140 (97). Single detached dwellings are permitted in the 'R1B' zone.

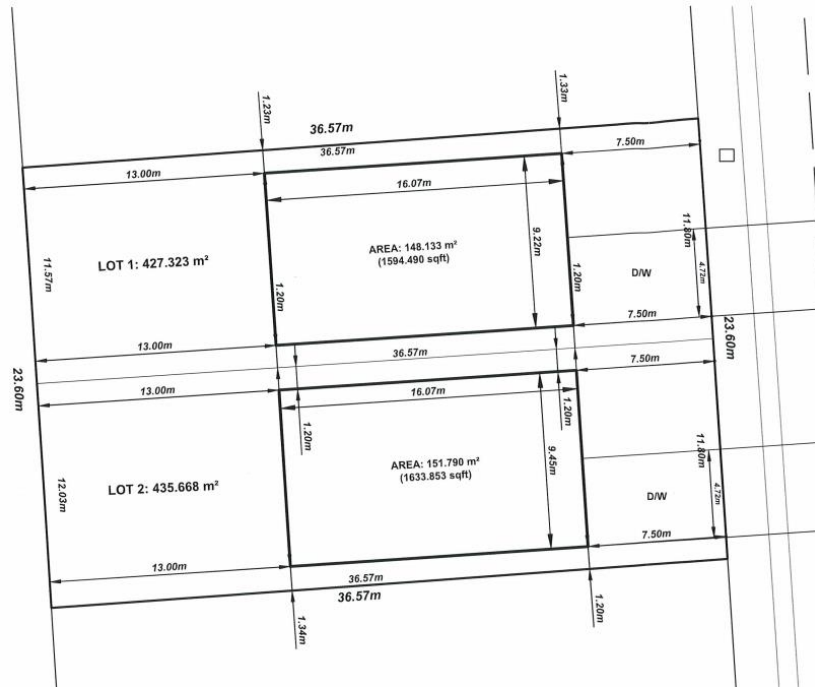


Figure 2 – Proposed Severance Sketch

PLANNING REVIEW:

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

Variance 1 –The proposed reduced lot area is an adequate size for a single detached dwelling, and will not adversely impact the surrounding area.

Variance 2 - The variance proposes a compatible reduced minimum lot frontage from 15.0m to 11.5m that would pose no impact on the streetscape or surrounding residential properties. The surrounding neighbourhood contains a variety of lot frontages, both larger and smaller than the proposed 11.5 m.

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

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

Variance 1 – The reduced minimum lot area is necessary for the severance of the lands. The reduced lot area is necessary for the development of the Part 2 and is an appropriate lot area for the neighbourhood.

Variance 2 - The variance for a reduced minimum lot frontage would facilitate a consent that is compatible with the surrounding neighbourhood, and allow for the development of a single detached dwelling on Part 2.

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

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

Variance 1 – The purpose of minimum lot area requirements in residential zones are intended to ensure that there is adequate space for parking, landscaping and amenity areas on the property. They are also intended to ensure that the character of the surrounding neighbourhood is maintained. The proposed reduced lot area maintains the purpose of lot area requirements by providing adequate area for a dwelling, parking, landscaping and any accessory structures. The character of the area is also maintained and not negatively impacted.

Variance 2 - Minimum lot frontage requirements in residential zones are intended to ensure that there is adequate separation between dwellings and surrounding properties. Side yard setbacks also ensure a consistent separation between adjacent buildings. The proposed reduced lot frontage is appropriate and compatible with surrounding development, and still maintains the appropriate side yard setbacks.

As such, staff are of the opinion that the requested variances 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 variances would not negatively impact the character of the surrounding area. The variances would allow established conditions to continue and facilitate compatible residential development.

Staff are of the opinion that the requested 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

- Building Division has no concerns with this application.

Cogeco

- Cogeco has no concerns with this application.

Engineering Division

- Provide a grading plan to receive and contain drainage to the satisfaction of the engineering department.

Finance Division

- A balance of \$1,583.58 is outstanding for the property.

Ministry of Transportation (MTO)

- The property is located outside of the MTO Permit Control Area, and therefore, an MTO Building & Land Use Permit from this office is not required. At this time, this office has no further comments.

Niagara Escarpment Commission (NEC)

- The subject property is outside of the Niagara Escarpment Plan Area or Development Control Area. NEC staff have no comment.

Niagara Peninsula Conservation Authority (NPCA)

- NPCA have no objections to the application.

CONCLUSION:

It is the recommendation of Planning staff that minor variance application D13-20-2021 be approved subject to the following condition:

1. That the owner provides a grading plan to receive and contain drainage to the satisfaction of the engineering department.

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:

Electronically signed _____

Sarah Burjaw
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Respectfully submitted by:

Electronically signed _____

Denise Landry, MCIP, RPP
Manager of Planning Services