



July 19, 2021

UCC FILE NO. 1973

To: Denise Landry, MCIP, RPP
Manager of Development Approvals
City of Thorold
PO Box 1044,
3540 Schmon Parkway
Thorold ON L2V 4A7

**Re: Revision One (R1) to Applications for Draft Plan of Vacant Land Condominium and Zoning By-law Amendment
City File Nos. D14-02-2020 & D07-01-2020
205 St. David's Road, Thorold**

On behalf of our client Mr. Anthony DiFruscia, please accept this letter and revised materials pertaining to City Files D14-02-2020 & D07-01-2020, being applications for Zoning By-law Amendment and Draft Plan of Vacant Land Condominium at 205 St. David's Road in Thorold.

The applications have previously been subject to public and agency review, with the required Open House having been held on June 26, 2020 and the Statutory Public Meeting held on July 7, 2020.

Changes to the originally submitted plan have been informed by discussions with City staff and public, agency and Council comments throughout the review process. In response to the feedback received, our client has directed that certain changes to the Plans be undertaken.

The modified submission materials include:

- Revised Site Plans (Zoning By-laws 2140 (97) & 60 (2019))
- Revised Draft Plan of Vacant Land Condominium
- Revised Zoning By-law Amendments (Zoning By-laws 2140 (97) & 60 (2019))

Changes to the Plan

The modified design continues to propose 15 bungalow/bungalow Townhouse units along a private roadway.

1. T-Turnaround / Visitor Parking

The turnaround and visitor parking has been located at the rear of the development in an effort to provide additional setback between Units 8 & 9 and the properties to the south.

The building setbacks from the southern lot line have been increased from 3.065 metres to 7.06 metres for Unit 8 and increased from 3.05 metres to 18.9 metres for Unit 9.

As a result of these changes, the relocated parking/turnaround area now requires relief for a landscape buffer strip of 0.7 metres whereas 1.5 and 3.0 metres are required in the two by-laws. This reduction is minor and will not have any significant impact on adjacent lands.

2. Flaring/Staggering of Units 1-4 and 12-15

At the request of City staff, units on the east side of the private roadway have been flared to bring them slightly closer to the eastern lot line.

3. Architectural Enhancement along St. David's Road

Units 1 and 15 have been subject to additional design considerations with the goal of providing additional architectural detailing along St. David's Road. Covered porches have been added with doors to provide more visual interest. The Draft Plan of Condominium Unit boundaries have been adjusted to accommodate these projections. A minimum 4.5 metre setback from St. David's Road has been identified in the revised Zoning Amendments to facilitate this design element.

4. Garage Locations

Garages for Units 5-11 have been reoriented to the north sides of the building at the direction of the client.

5. Unit 8 Design

Unit 8 has been subject to some additional design changes at the request of the client.

6. Additional Direction in Draft Zoning By-law Amendment re: By-law 2140 (97)

By-law 2140 (97) does not contain clear provisions related to vacant land condominium developments. Accordingly, the revised Zoning By-law Amendment provides more specific detail to assist in the building permit review process, if the development is constructed under the provisions of By-law 2140 (97).

These additional provisions do not facilitate development that has not been generally proposed through the original application submissions, but rather more specifically outlines methods for measuring setbacks or area. For example, citing the front yard setback from St David's Road, as well as from the private roadway in By-law 2140 (97).

This additional content inclusion has been explained to, and supported by the City's Planning Department.

Explanatory charts outlining the changes in Zoning are provided on the following pages.

Changes to Zoning By-law Amendments

The requested change in Zoning Category from R1 to R3 (By-law 2140 (97)) and R3D (By-law 60 (2019)) remains the same, however, through design adjustments the number and degree of site-specific exceptions has been reduced.

Zoning By-law 2140 (97) – R3 Zone

BY-LAW SECTION	PROVISION	BY-LAW REQUIREMENT	ORIGINAL REQUEST	MODIFIED REQUEST
13.2.3 (a) (ii)	Minimum Lot Area	270 square metres per dwelling unit for a block townhouse dwelling or a fourplex dwelling.	259 square metres for Units 1, 4, 5, 8, 9, 11, 12, 15 236 square metres for Units 2, 3, 6, 7, 10, 13, 14	REVISE: 214 square metres for Units 2, 3, 4, 7 & 10
13.2.3 (b) (ii)	Minimum Lot Frontage	30 metres for a Block Townhouse	-	ADD: 8 metres for a Condominium Unit along a private roadway.
13.2.3 (c)	Front Yard Setback	6 metres	-	ADD: 6 metres from St. David's Road to a dwelling unit, and 4.5 metres to a covered porch. 4.5 metres to a dwelling and 6 metres to an attached garage measured from a private roadway.
13.2.3 (d)	Minimum Rear Yard Setback	6 metres	3 metres to Unit 8 and Unit 9	NO LONGER REQUIRED
13.2.3 (i) (i)	Minimum Landscape Open Space	where the lot abuts any R1A, R1B, R1C, R1D, R2 or R2S Zone, a strip of land	-	ADD: where the lot abuts any R1A, R1B, R1C, R1D, R2

BY-LAW SECTION	PROVISION	BY-LAW REQUIREMENT	ORIGINAL REQUEST	MODIFIED REQUEST
		having a width of not less than 1.5 metres shall be provided and maintained on the lot adjacent to the abutting lot line(s) as landscaped open space,		or R2S Zone, a strip of land having a width of not less than 0.7 metres shall be provided and maintained on the lot adjacent to the abutting lot line(s) as landscaped open space, 0.7 metres
6.15.7 d)	Location of Parking Spots	(d) parking areas required in a Residential Third Density Zone or a Residential Fourth Density Zone shall be located not closer than 3.0 metres to any: (i) street line, (ii) window of a habitable room, except for parking space and driveway for the occupant of that room; or (iii) Residential First Density or Residential Second Density Zone.	Notwithstanding provision 6.15.7 d) of By-law 2140 (97), that visitor parking spaces can be located 1.0 metres from the window of a habitable room in Unit 12.	NO LONGER REQUIRED
Section 6.2.2.3	Decks	-	"Subject to compliance Section 6.2.2.3 of By-law 2140 (97), covered decks are permitted for all Units."	REQUEST REMAINS: "Subject to compliance Section 6.2.2.3 of By-law 2140 (97), covered decks are

BY-LAW SECTION	PROVISION	BY-LAW REQUIREMENT	ORIGINAL REQUEST	MODIFIED REQUEST
				permitted for all Units.”

Zoning By-law 60 (2019) – R3D Zone

BY-LAW SECTION	PROVISION	BY-LAW REQUIREMENT	ORIGINAL REQUEST	MODIFIED REQUEST
Table 6.3 b Lot, Building, and Structure Requirements for Townhouses (Street or Stacked), Triplex, Fourplex and Private Street Development	Minimum Distance from Private Street or Condominium Roadway	4.5 m to dwelling 6.0 m to private garage or rear wall	2.2 metres to dwelling for Unit 11	REVISE: 2.9 metres to dwelling for Unit 8.
Table 6.3 b Lot, Building, and Structure Requirements for Townhouses (Street or Stacked), Triplex, Fourplex and Private Street Development	Minimum Planting / Buffer Strip	1.5 m where abutting R1A, R1B, R1C, R1D, R2A and R2B zones	-	ADD: 0.7 m where abutting R1A, R1B, R1C, R1D, R2A and R2B zones
Table 6.3 b Lot, Building, and Structure Requirements for Townhouses (Street or Stacked), Triplex, Fourplex and Private Street Development	Minimum Dwelling Unit Area	160.0 m ² per interior unit and 200.0 m ² per end unit	-	ADD: 113 m ² for an interior unit. 131 m ² for an end unit.
4.4.2 b)	Driveways	b) In any zone where a dwelling is permitted, the maximum driveway width shall be 7.0 m or 50% of the frontage or the exterior side lot line distance; whichever is less, for the	Notwithstanding Policy 4.4.2 b), that a driveway width of 5.65 metres, or 54% is permitted for all Units.	REVISE: Notwithstanding Policy 4.4.2 b), that a driveway width of 7.0 metres, or 55% is permitted for all Units.

BY-LAW SECTION	PROVISION	BY-LAW REQUIREMENT	ORIGINAL REQUEST	MODIFIED REQUEST
		entire length of the driveway.		

Planning Position

The changes to the plan have been discussed with City staff and are considered to acceptable and consistent with the intent of the original submission. The modifications accepted by our client are made in good faith with the intent of satisfying staff concerns and those of the neighbours. It is my opinion that, as modified, the Applications remain consistent with the 2020 Provincial Policy Statement and conform with the 2019 Growth Plan, Niagara Region Official Plan and City of Thorold Official Plan. The applications remain representative of good planning, compatible design and are in the public interest.

We respectfully request that modified plan and draft amendment be reviewed by both Planning and Building staff and that a confirmation of compliance be provided prior to consideration by Council.

Respectfully submitted,



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 Upper Canada Consultants

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 Martin Heikoop, President, Upper Canada Consultants