



## COMMITTEE OF ADJUSTMENT

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

July 14, 2023

**TO:** Chairperson and Members of the Committee of Adjustment

**SUBJECT:** Minor Variance Application D13-16-2023  
Clara Street, Thorold, Ontario  
Roll #024 05600 0000  
Lot 67 RP662

**PROPOSAL:** An application has been submitted for a minor variance to permit the construction of a single detached dwelling with covered patio. The variances requested are:

1. Relief from Section 11.2.1(f) Residential Second Density R2 to permit an exterior side yard setback of 1.2 metres rather than 4.5 metres.
2. Relief from Section 11.2.1(g) to permit a maximum lot coverage of 42% rather than 40%.

**RECOMMENDATION:**

1. THAT, the Minor Variance applications for a reduction in the exterior side yard setback to 1.2 metres and an increase in lot coverage to 42%, **BE APPROVED.**



Figure 1: Location Map

### Site Description

The subject lands are located on the north side of Clara Street at the northeast intersection of Ontario Street and Clara Street. The lands are currently vacant and a one storey single-detached dwelling with rear covered porch is proposed to be constructed on the subject lands.

### Background

The existing site is designated Urban Living Area and zoned Residential Second Density 'R2' under Zoning Bylaw 2140 (97). The property is currently vacant and proposed to be developed with a one storey single-detached dwelling with a rear covered porch. Adjacent land uses are predominantly single-detached residential dwellings in a range of sizes. A consent for severance was previously approved to create the lot that meets all other requirements of the zoning bylaw.



Figure 2: Street View from Clara Street

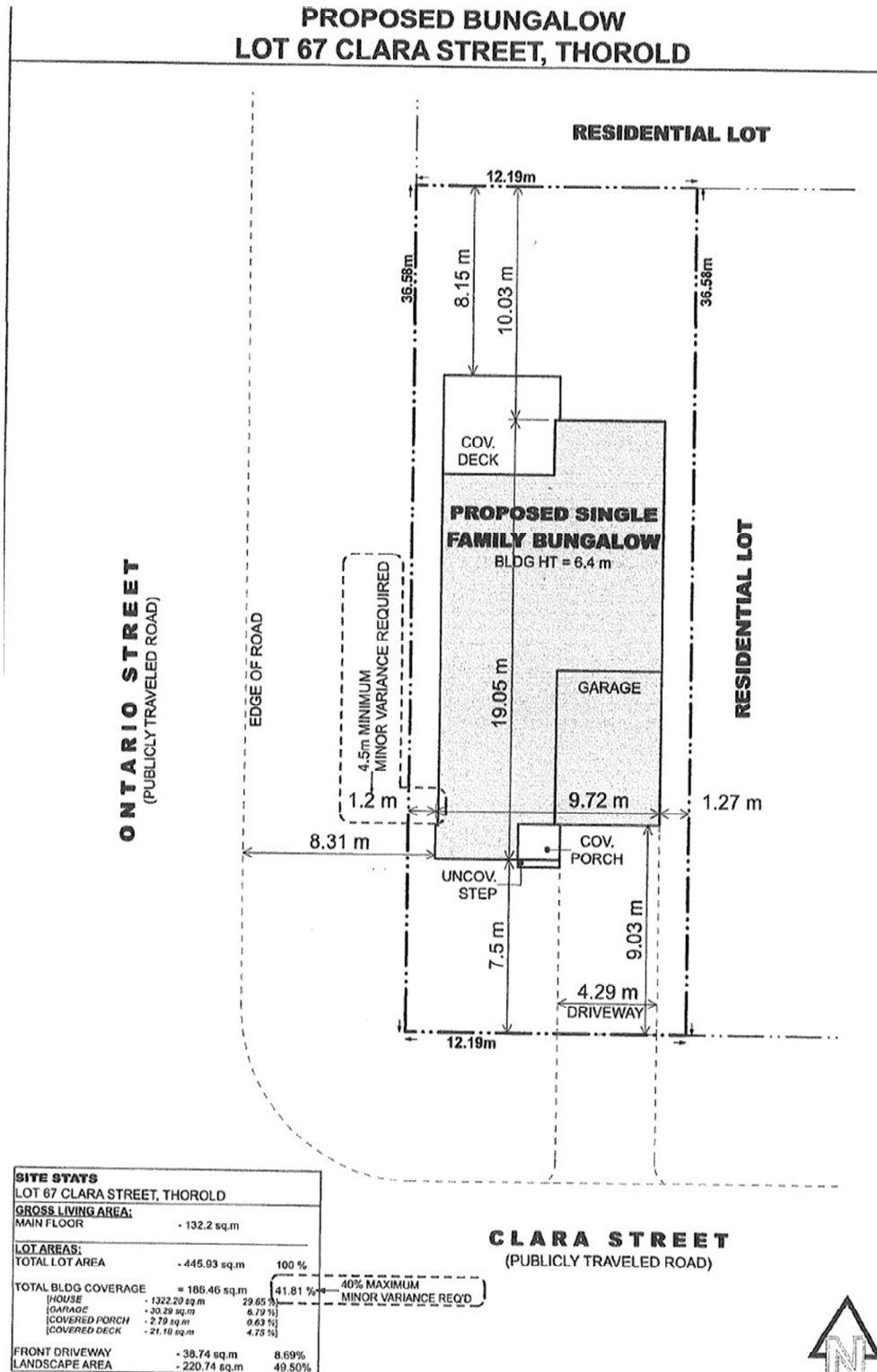


Figure 3: Site Plan

## **MINOR VARIANCE PLANNING ANALYSIS:**

### **Is the general intent and purpose of the Official Plan maintained?**

The property is designated as Urban Living Area within the City's Official Plan. In addition to being designated Urban Living Area, it also is subject to two Official Plan overlays: Urban Area Boundary and Built Boundary.

The Built-Up Area comprises all lands within the Urban Area Boundaries of Thorold that have been developed into urban uses as of June 2006. Lands designated Urban Living Area are intended for existing and planned residential development and complementary uses on full municipal services.

The existing property is approximately 445 square metres in size and has a frontage of approximately 12 metres, which meets the minimum requirements for lot area and frontage of the R2 Zoning applying to the property. The requested reductions for a reduced exterior side yard setback along Ontario Street frontage and increased lot coverage from 40% to 42 % do not compromise the intent of the Official Plan which directs development to built up areas to be compatible with the established character of the neighbourhood.

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 proposed variances would allow for development of a lot for a bungalow style home in an existing established neighbourhood that contains a variety of low rise residential dwellings built forms. There are no negative impacts to the existing neighbourhood as a result of the proposed addition.

### **Is the general intent and purpose of the Zoning By-law maintained?**

The subject property is zoned Residential Second Density 'R2' in the City of Thorold's Zoning By-law 2140 (97), as amended, and meets the lot width and size requirements of the R2 zone. The R2 zone permits single detached dwellings and their associated accessory buildings.

The proposed variance is requesting a reduction to the exterior side yard setback from 4.5 metres to 1.2 metres and an increase in lot coverage from 40% to 42% to accommodate the proposed 1 storey enclosed porch at the rear of the dwelling. The site continues to have ample rear yard outdoor amenity space. Additionally, the site is on a corner lot and there is no sidewalk, therefore an 8.3 metre setback from the actual

roadway is being maintained. The rural cross-section of Ontario Street is intended to remain. As such, staff is of the opinion that requested variance would maintain the general intent and purpose of the zoning by-law.

**Are the variances appropriate for the development of the land?**

The variances are required to facilitate the construction of a single storey detached dwelling with a 3 season enclosed porch addition at the rear of the dwelling. In Planning Staff's opinion, the variance is appropriate for the development of the lot, as there are no adverse impacts anticipated and all other requirements of the bylaw are being met. The development of the site with a bungalow style single-detached home is compatible with the existing neighbourhood. As such, staff is of the opinion that the requested variances are appropriate for the development of the land.

**Are the variances minor?**

The variance is requesting an increase in lot coverage from 40% to 42% as illustrated in the attached Site Plan provided as Figure 3. The proposed increase in lot coverage provides for sufficient setback from the existing dwelling on the property to the east and does not compromise privacy of adjacent lands.

The variance requesting a reduced exterior side yard setback along Ontario Street will not have any negative impacts to adjacent properties as the dwelling is proposed to be oriented to Clara Street with the driveway situated along the Clara Street frontage and the 8.3 meter distance to travelled section of the road is not impacted by the proposed addition which is located at the rear of the house.

As such, staff is of the opinion that the requested variance is minor.

**FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this application.

The application was circulated in accordance with the requirements of the Planning Act to property owners within 60 metres of the subject lands. The application was also circulated to internal departments and external agencies for comments, which are summarized below.

**PUBLIC COMMENTS:**

No comments received.

**AGENCY COMMENTS:**

Building Division

- A building permit is required for the proposed dwelling unit.

Bell Canada

- No comments or concerns.

Cogeco

- No comments or concerns.

Engineering Division

- No comments or concerns.

Hydro One

- No comments or concerns.

MTO

- No comments or concerns.

Tax Division

- No comments or concerns.

Niagara Region

- No comments or concerns.

**PREPARED BY:**



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**REVIEWED AND SUBMITTED BY:**



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