

COMMITTEE OF ADJUSTMENT

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

NOTICE OF DECISION – APRIL 18, 2024

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

FILE NO.: D13-10-2024 **ROLL NO:** 2731 000 027 09100 0000
SUBJECT LAND: 1961 Kottmeier Road, Thorold
Thorold Pt Twp Lot 147 RP59R-6855 Part 1 RP 59R13856 Part 2
APPLICANT: Rolling Meadows Farms Limited
AGENT: Upper Canada Consultants

PURPOSE OF APPLICATION:

The subject lands are designated Rural Highway Commercial in the City of Thorold Official Plan and zoned Highway Commercial (C5) in accordance with Part 7 – Commercial Zones of the City of Thorold Comprehensive Zoning Bylaw 60-2019.

The applicant, in partnership with Feed Niagara, is proposing the construction of a warehouse/storage facility to store food donations from the community, as shown on the drawing submitted. In order to facilitate the development as proposed, application is made for relief from the following provisions of Part 7 – Commercial Zones Table, 7.3b: Lot, Building and Structure Requirements for the Neighbourhood, General, Mixed Use and Highway Commercial Zones of Bylaw 60-2019:

- To permit a minimum interior side yard setback (south side) of 1.2 metres whereas the bylaw permits a minimum interior side yard setback of 7.5 metres;
- To permit a maximum lot coverage of 18.5% whereas the bylaw permits a maximum lot coverage of 15%; and
- To permit a minimum planting/buffer strip abutting any front or side lot line of 0.0 metres whereas the bylaw permits a minimum planting/buffer strip abutting any front or side lot line of 5.0 metres.

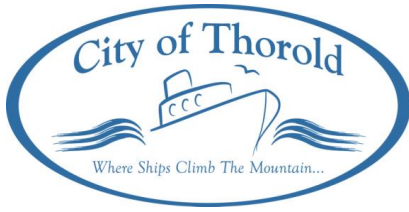
This application was heard at a Public Hearing of this Committee held on April 18, 2024 at City Hall, Thorold and the decision on the variance requested was made pursuant to the provisions of Section 45 of the *Planning Act, R.S.O. 1990, c.P. 13*, as amended, as follows:

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.



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NOTICE OF DECISION – D13-10-2024 – 1961 KOTTMEIER ROAD, THOROLD

The last day for appeal of this decision is May 8, 2024.

Notice of appeal must be filed with the Secretary Treasurer for the City of Thorold Committee of Adjustment, must set out the reasons for the appeal and must be accompanied by the fee required by the Ontario Land Tribunal (OLT). <https://olt.gov.on.ca/appeals-process/fee-chart/>

Please note neighbours and other interested parties not defined by the *Planning Act* are no longer eligible to file appeals for this application as per Bill 23, More Homes Building Faster Act, 2022.

Planning Act appeals may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by *Planning Act* 1(1)), and any “public body” (as defined by *Planning Act* 1(1)).

Information regarding the Ontario Land Tribunal (OLT) can be found at:
<https://www.ontario.ca/document/citizens-guide-land-use-planning/ontario-land-tribunal>

Electronically Signed By J. Theisen, Chair/Member	In favour
Electronically Signed By E. Pizzo, Member	In favour
Electronically Signed By G. Jackson, Member	In favour
Electronically Signed By K. Daniels, Member	In favour
Electronically Signed By P. DiPaola, Member	In favour
Electronically Signed By G. Ravenek, Member	In favour

Date of Decision: April 18, 2024

Date of Decision Notice: April 22, 2024

Last date to file a notice of appeal: May 8, 2024

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 of the Committee of Adjustment