

MINOR VARIANCE APPLICATION

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

NOTICE OF DECISION – January 19, 2023

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

FILE NO.: D13-40-2022 (concurrent with D10-22-2022 & D13-41-2022)
ROLL NO.: 2731 000 008 00600 0000
SUBJECT LAND: 13 Sullivan Avenue, Thorold ON
Plan Mittleberger Pt Lot 1 Pt Lot 2 Pt Lot 6 Pt Blk A NP892
APPLICANT: John Nasato
AGENT: Morgan Young

PURPOSE AND EFFECT OF THE PROPOSED MINOR VARIANCE:

The subject lands are designated Urban Living Area, along with Centre Community Improvement Area, in the Built Boundary in the City of Thorold Official Plan, and are zoned R3 Residential Third Density R3-1 in accordance with Comprehensive Zoning Bylaw 2140(97). The minor variance is required due to the unintentional merging of 13 Sullivan Avenue and 39 Pine Street South.

This minor variance application has been submitted to request recognition of the existing setbacks regarding the existing dwelling and accessory structure. No changes are proposed for the existing buildings, as a result of this Minor Variance. The Minor Variance is required for technical and legal reasons.

PUBLIC

This application was heard at a Public Hearing of the Committee of Adjustment on January 19, 2023 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:

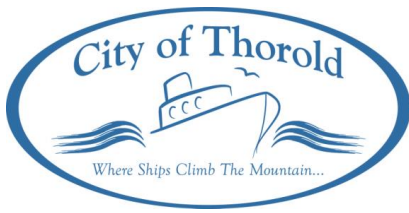
The Committee of Adjustment considered the written and oral comments and does not agree with the minor variance report analysis and recommendation that a modification is required for this application to meet the Planning Act tests for minor variance being:

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 February 8, 2023.

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 – D13-40-2022 – 13 Sullivan Avenue

Electronically Signed By J. Theisen, Chair/Member

Electronically Signed By G. Ravenek, Member

Electronically Signed By E. Pizzo, Member

Electronically Signed By G. Jackson, Member

Electronically Signed by H. D'Angela, Member

Date of Decision: January 19, 2023

Date of Decision Notice: January 26, 2023

Last date to file a notice of appeal: February 8, 2023

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