

## COMMITTEE OF ADJUSTMENT

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

### NOTICE OF DECISION – JUNE 20, 2024

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

**FILE NO.:** D13-17-2024 **ROLL NO:** 2731 000 030 11100 0000  
**SUBJECT LAND:** 1201 Egerter Road, Thorold  
Pt Twp Lot 214 BF PT RD RP59R3665  
**APPLICANT:** ES Fox Limited  
**AGENT:** Raimondo+Associates Architects Inc.

#### PURPOSE OF APPLICATION:

The subject lands are designated Open Space/Environmental and Employment/Commercial in the City of Thorold Official Plan and zoned Future Development (FD), Environmental Protection One (EP1) and Environmental Protection Two (EP2) in accordance with Zoning Bylaw 60-2019, Part 11 – Environmental Zones and Part 12 – Other Zones.

The applicant is proposing to expand the existing industrial manufacturing facility use on the property, through the construction of an 1,109 square metre building addition, as shown on the drawing submitted. Industrial uses are not a permitted use within the FD zone under the City's 60-2019 Zoning Bylaw. The existing industrial manufacturing facility, however, was established prior to the current zoning, and was permitted under the previous Light Industrial (LI-3) zoning under the City's 2140(97) Zoning Bylaw. As such, the existing industrial manufacturing facility is considered a legal non-conforming use under the City's 60-2019 Zoning Bylaw. In order to facilitate the further development, a minor variance under Section 45(2) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, to permit the expansion of the legal non-conforming use is required.

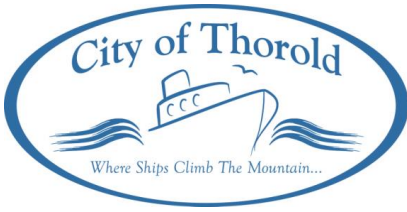
This application was heard at a Public Hearing of this Committee held on June 20, 2024 at City Hall, Thorold and the decision on the variance requested was made pursuant to the provisions of Section 45 of the *Planning Act, R.S.O. 1990, c.P. 13*, as amended, as follows:

**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 proposed expansion is appropriate; and
2. It will not result in undue adverse impacts on the surrounding neighbourhood.



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**NOTICE OF DECISION – D13-17-2024 – 1201 EGERTER ROAD, THOROLD**

**The last day for appeal of this decision is July 10, 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
K. Daniels, Member - Absent	No vote
Electronically Signed By P. DiPaola, Member	In favour
Electronically Signed By G. Ravenek, Member	In favour

<b>Date of Decision:</b>	<b>June 20, 2024</b>
<b>Date of Decision Notice:</b>	<b>June 24, 2024</b>
<b>Last date to file a notice of appeal:</b>	<b>July 10, 2024</b>

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