



## COMMITTEE OF ADJUSTMENT

Department of Planning and Building Services  
3540 Schmon Parkway, P.O. Box 1044  
Thorold, ON L2V 4A7  
905-227-6613 ext. 252

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**DATE:** May 18, 2023

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

**FILE NO:** D13-07-2023 (Minor Variance)

**SUBJECT: Recommendation Report**  
Application for Minor Variance made by Jeff Udall on behalf of the owner Donald Cosoletto

**LOCATION:** 31 Sugar Maple Road  
Lot 69, Plan 59M-353  
2731 000 0230 6246 0000

**CONTACT:** Nicolette van Oyen, Senior Planner, MHBC Planning  
Juliane von Westerholt, Associate, MHBC Planning

### OVERVIEW:

- A Minor Variance application has been submitted to facilitate the construction of an addition to the rear of the existing dwelling by Jeff Udall (P. Eng) on behalf of the owner Donald Cosoletto for property municipally addressed as 31 Sugar Maple Road in the City of Thorold and Region of Niagara. The enclosed structure will be a 3 season room that will replace a previous structure that was damaged by weather impacts.
- The minor variance will permit a reduction in the rear yard from 7.5 metres to 3.4 metres and an increase in lot coverage from 40% to 43%.

### RECOMMENDATION:

1. THAT, the Minor Variance application made by Jeff Udall on behalf of Donald Cosoletto file D13-07-2023 to permit a reduced rear yard setback of 3.4 metres and increase in lot coverage of 43%, BE APPROVED.

## PROPOSAL:

An application has been submitted for minor variance to permit a reduce rear yard setback of 3.4 metres rather than the required 7.5 metres in addition to a reduction in lot coverage from 40% to 43%.

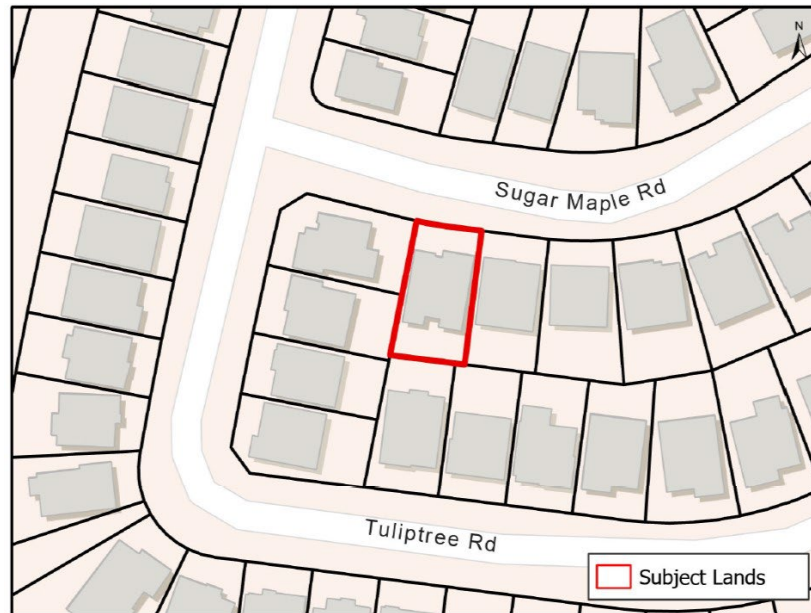


Figure 1: Location Map

## Site Description

The subject lands are located on the south side of Sugar Maple Road just east of the intersection of Winterberry Boulevard and Richmond Street within an area known as the West Neighbourhood. A single detached residence is located on the property and complies with all regulations of the wn-R1B (Residential First Density B) zone under the current in force and effect Zoning Bylaw 2140 (97). The proposed 1 storey seasonal room is an enclosed addition to the dwelling to replace a previous addition that was damaged and demolished due to extreme weather.

## Background

The existing site is designated Urban Living Area and zoned Residential First Density 'R1B' under Zoning Bylaw 2140 (97). The property is currently developed with a single-detached dwelling and accessory building all of which comply with the in effect zoning regulations.

Figure 2: Site Plan, prepared by Caskanette Udall, dated February 10, 2023

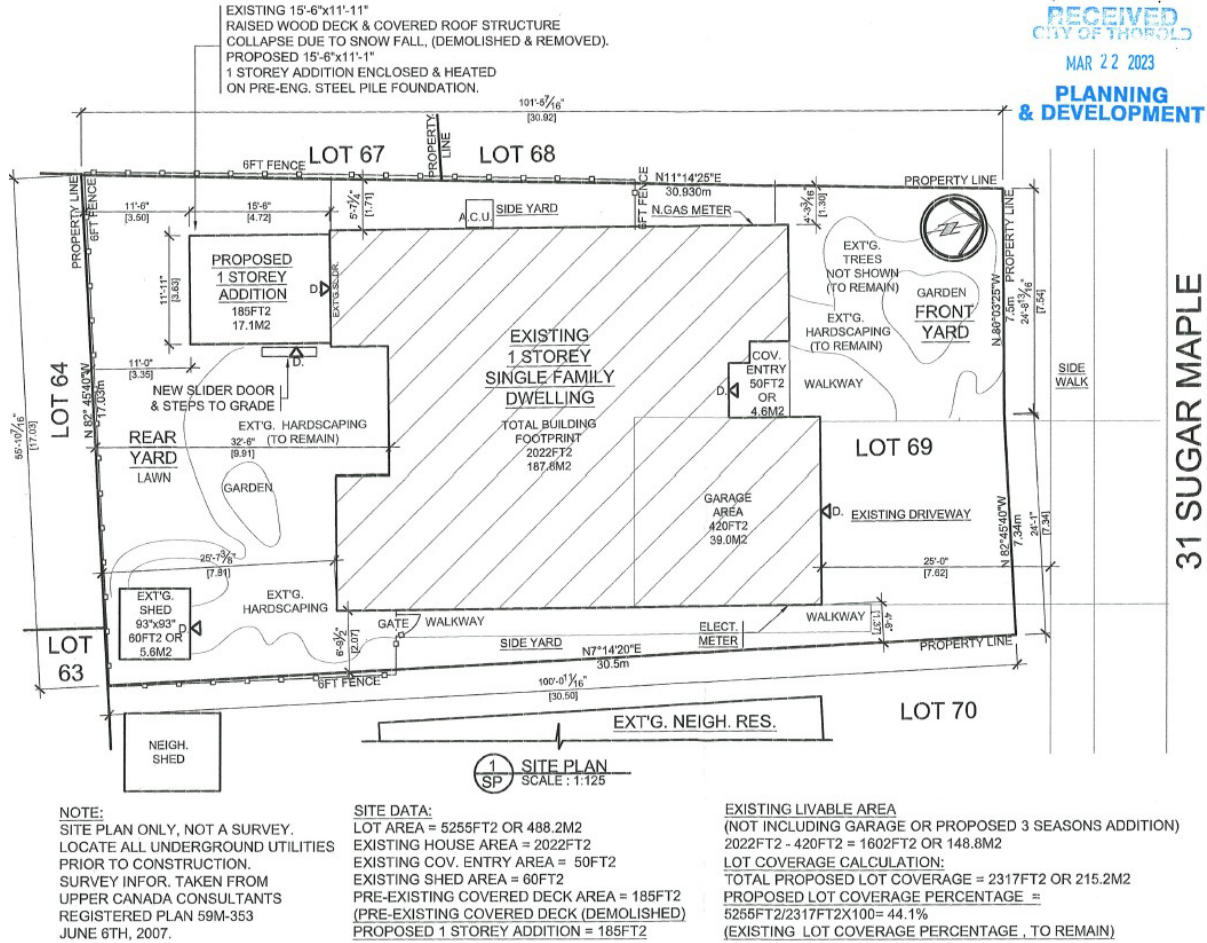


Figure 3: Rear Yard Image

## **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 488 square metres in size and has a frontage of approximately 15 metres, which meets the minimum requirements for lot area and frontage of the R1B Zoning applying to the property. All other zoning regulations are being met. The requested reductions 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 variance would allow for an addition to an existing dwelling 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 First Density WN -'R1B' in the City of Thorold's Zoning By-law 2140 (97), as amended, and meets the lot width and size requirements of the R1B zone. The R1B zone permits single detached dwellings and their associated accessory buildings.

The proposed variance is requesting a reduction in rear yard from 7.5 metres to 3.4 and an increase in lot coverage from 40% to 43% to accommodate the proposed 1 storey enclosed addition. No negative impacts to the subject lands or adjacent properties are anticipated.

As such, staff is of the opinion that requested variance would maintain the general intent and purpose of the zoning by-law.

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

The variances are required to facilitate the re-construction of a 3 season enclosed addition at the rear of the existing single detached 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 is compatible with the existing development and is simply replacing a damaged addition that previously existed.

As such, staff is of the opinion that the requested variance is appropriate for the development of the land.

**Are the variance minor?**

The variance is requesting a reduction in the rear yard from 7.5 metres to 3.4 metres and an increase in lot coverage from 40% to 43% as illustrated in the attached Site Plan provided as Figure 2. The proposed reduction in the rear yard setback provides for sufficient setback from the existing dwelling on the property to the south and does not compromise privacy of adjacent lands due to existing fencing and landscaping.

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

**FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this application.

**INTER-DEPARTMENTAL COMMENTS:**

Notice was mailed to all agencies on April 28, 2023

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 public comments have been received at the time of writing of this report.

**AGENCY COMMENTS:**

**Building Division**

- A building permit is required for the addition.

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:**

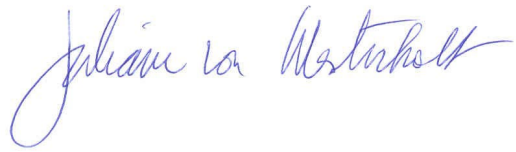
Nicolette van Oyen  
Senior Planner, - MHBC Planning

**REVIEWED AND SUBMITTED BY:**



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Nicolette van Oyen, BES, RPP, MCIP  
Senior Planner, MHBC Planning



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Associate, MHBC Planning