



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

April 20, 2023

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Minor Variance Application D13-03-2023
8 Cleveland Street
Plan Shriner Farm Pt Lot 65 NP897
2731 000 008 06200

PROPOSAL:

An application has been submitted for minor variances to legalize the existing use of the property for four (4) residential dwelling units. No additional development is proposed.

The following minor variances are being requested:

1. The existing lot frontage is 13.19 m while 30 m is the minimum required.
2. The existing front yard setback is 4.5 m while 6 m is the minimum required.
3. The existing interior side yard setback to the north is 1 m while 3 m or one half the building height, whichever is greater is the minimum required.
4. The existing planting strip to north interior side is around 1 m and there is no planting strip on the south interior while a strip of land having a width of not less than 1.5 metres shall be provided and maintained.



Figure 1: Location Map Source Google maps

Site Description

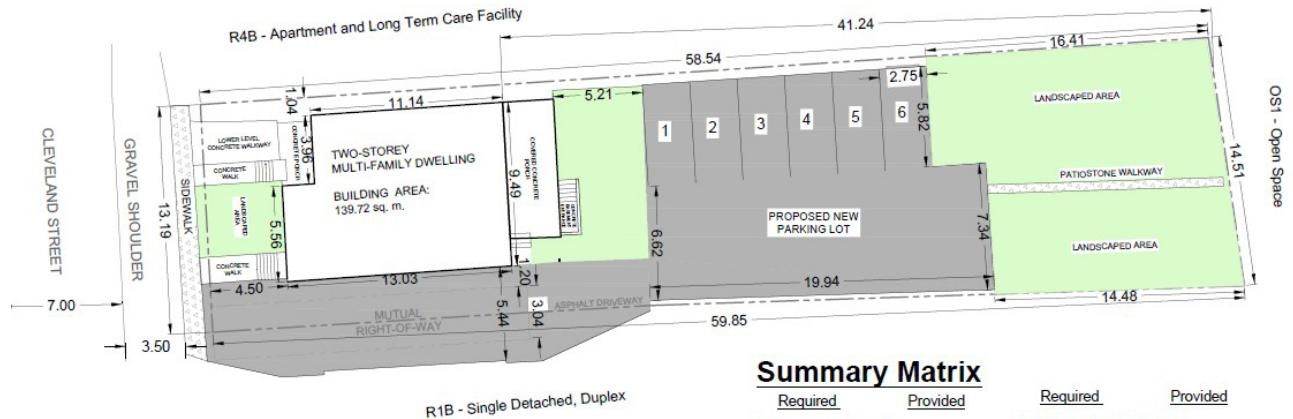


The subject lands are located on the east side of Cleveland Street just south of Garden Street. There is an existing residential dwelling located on the property and no additional development is proposed. Four (4) residential dwelling units have been created through internal renovations of the building. There is a driveway to the south of the dwelling and a second parking area has been created in front of the dwelling. Additional parking is proposed to be added to the rear of the building to accommodate the additional

dwelling units.

Background

The property is currently developed with a single-detached dwelling that has been converted to a multiple residential dwelling unit containing a total of four (4) dwelling units. The proposed minor variances are to legalize the existing use of the property and no additional development is being proposed.



Summary Matrix

	<u>Required</u>	<u>Provided</u>	<u>Required</u>	<u>Provided</u>
Minimum Lot Frontage	30 m	13.19 m	Maximum Lot Coverage	40 % / 38 %
Minimum Lot Area per Unit	130 sq. m.	197.35 sq. m.	Minimum Landscaped Area	30 % / 35 %
Minimum Front Yard	6 m	4.5 m	Minimum Required Parking	6 stalls (1.5/unit) / 6 stalls
Minimum Interior Side Yard	4.32 m	1.0 m		
Minimum Rear Yard	7.5 m	41 m		

Figure 2: Site Plan

City of Thorold Official Plan

The subject property is designated as “Urban Living Area” and “Centre Community Improvement Area” within the City’s Official Plan (OP). The purpose of the Urban Living Area designation is to accommodate a range of residential uses that permits single-detached, semi-detached, townhouse and multiple-residential dwellings. This designation also encourages intensification and/or the redevelopment of under-utilized lands. The lands are also within the Centre Community Improvement Area in close proximity to Downtown, which also encourages development at a higher density rate than is otherwise permitted in the Zoning Bylaw. Staff is of the opinion that the proposal facilitates modest intensification in an area that contains a mix of residential uses including single and semi-detached dwelling units, as well as several apartment style dwellings.

The minor variance application conforms to the City’s Official Plan.

Comprehensive Zoning By-law 2140 (97)

The subject property is zoned Residential Fourth Density “R4B” Zone under Comprehensive Zoning By-law 2140 (97). The permitted uses include multiple residential dwellings and the existing lot meets the minimum lot area minimum requirements of the Comprehensive Zoning By-law 2140 (97). In order to legalize the continued use of the property for multiple residential development, the following minor variances are being requested:

1. Requesting relief from Section 15.2 (b) for a reduction in the lot width from 30 metres to 13.19 metres
2. Requesting relief from Section 15.2 (c) for a reduced front yard setback from 6.0 metres to 4.5 metres
3. Requesting relief from Section 15.2 (e) for a reduced interior side yard of 3 metres or one half the building height whichever is greater to 1 metre.
4. Requesting relief from 15.2 (k) for a reduction to the existing planting strip to north interior side is around 1 m and there is no planting strip on the south interior while a strip of land having a width of not less than 1.5 metres shall be provided and maintained.

PLANNING REVIEW:

1. Is the general intent and purpose of the Official Plan maintained?

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 modest intensification in an existing established neighbourhood that contains a variety of low rise residential dwelling built forms. A number of smaller lot sizes exist as well as multiple-residential dwellings in close proximity to the subject lands. The proposed development is in keeping with the existing neighbourhood character and therefore, staff is of the opinion that requested variances maintain the general intent and purpose of the Official Plan.

2. Is the general intent and purpose of the Zoning By-law maintained?

The lot configuration and dwelling are existing and no changes to the building are proposed. The variances are intended to legalize the four (4) units that have been added to the dwelling. Sufficient parking will be provided to accommodate the additional units to the rear of the building with no impact to adjacent properties. Sufficient lot depth and size also allow for the provision of amenity space in the rear yard. No negative impacts to the subject lands or adjacent properties are anticipated from the legalization of this multiple dwelling.

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

3. Are the variances appropriate for the development of the land?

The variances are required to facilitate the use of the dwelling originally constructed as a single-detached dwelling, as a multiple residential building containing four (4) residential dwelling units. In our opinion, the variances are appropriate for the use of the lot for multiple residential purposes, as there are no adverse impacts anticipated and all other requirements of the bylaw are complied with.

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

4. Are the variances minor?

The variances proposed are requesting a reduction in the front yard setback, lot width, side yard setback and planting strip as illustrated on the Concept Site Plan. The lot is existing and no additional development is proposed save for the provision of additional parking to the rear of the building, thereby reducing parking at the front of the property. Therefore, it is staff's opinion that the impact of the variances are minor and would allow for an appropriately scaled and modestly intensified use of an existing building.

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

COMMENTS:

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.

INTER-DEPARTMENTAL/AGENCY	COMMENTS
Building Department	Building permit for the construction that occurred to convert the building into a multi-unit dwelling will be required to legalize the unit(s) should the minor variance be approved to allow the use.
Engineering Department	No comments or concerns
Tax Department	No comments or concerns
Bell Canada	No comments or concerns
Cogeco	No comments or concerns
Hydro One	No comments or concerns
MTO	No comments or concerns
Niagara Region	No comments or concerns

CONCLUSION:

It is the recommendation of Planning staff that the minor variance application D13-03-2023 for lands addressed as 8 Cleveland Street in the City of Thorold be **approved subject to the landowner obtaining building permits for the additional dwelling units.**

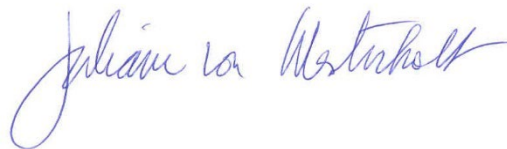
- 1) The application is consistent with or conforms to provincial, regional, and local policies, as applicable.

Prepared by:



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Respectfully Submitted By:



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