

MINOR VARIANCE APPLICATION

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

NOTICE OF DECISION – May 18, 2023

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

FILE NO.: D13-03-2023
ROLL NO: 2731 000 008 06200 0000
SUBJECT LAND: 8 Cleveland Street
PLAN SHRINER FARM
PT LOT 65 NP897
Owner: Joe Futino
AGENT: Quartek Group – Susan Smyth

PURPOSE AND EFFECT OF THE PROPOSED MINOR VARIANCE:

The subject lands are designated Urban Living Area and Centre Community Improvement Area in the City of Thorold Official Plan and are zoned Residential Fourth Density B 'R4B' in accordance with the City of Thorold's Comprehensive Zoning By-law 2140 (97).

The applicant has submitted the variance application to recognize the non-conforming use of the principal dwelling with 3 accessory secondary units. The building dimensions (such as size, height, and coverage) are not proposed to be changed as a result of this variance application.

Since the existing use and building structure is not being expanded and all the dwelling units are established, to recognize what currently exists, the following sections of the R4B zone is requiring relief:

- Provision 15.2 (b) – The existing lot frontage is 13.19 m while 30 m is the minimum required.
- Provision 15.2 (c) – The existing front yard setback is 4.5 m while 6 m is the minimum required.
- Provision 15.2 (e) – 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.
- Provision 15.2 (k) – 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.

PUBLIC

This application was heard at a Public Hearing of the Committee of Adjustment on May 18, 2023 by hybrid 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

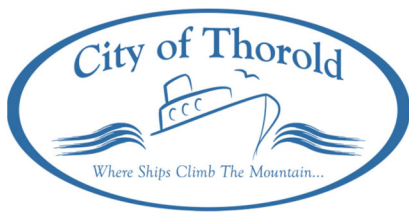
REASONS:

The Committee of Adjustment considered the written and oral comments and does agree with the minor variance report analysis and recommendation that this application meets the Planning Act tests for a 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 May 28, 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.



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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.

Electronically Signed By J. Theisen, Chair/Member

Absent - T. Luciani, Member

Electronically Signed By E. Pizzo, Member

Electronically Signed By G. Jackson, Member

Electronically Signed by H. D'Angela, Member

Electronically Signed by K. Daniels, Member

Electronically Signed By P. DiPaola, Member

Date of Decision: May 18, 2023

Date of Decision Notice: May 23, 2023

Last date to file a notice of appeal: May 28, 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 Committee of Adjustment.

ORIGINAL SIGNED

Angela Nesbitt, Secretary Treasurer to the Committee of Adjustment