



COMMITTEE OF ADJUSTMENT

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

NOTICE OF DECISION – NOVEMBER 16, 2023

FILE NO.: D10-14-2023 **ROLL NO:** 2731 000 032 26900 0000
SUBJECT LAND: 23 George Street, Thorold
Parts of Units 26 and 27 Plan D-3
APPLICANT: Taylor and David Flannigan
AGENT: Newcastle Communities, Christopher Lamb

In the Matter of the *Planning Act*; Revised Statutes of Ontario, 1990, Chapter P.13, and in the Matter of an Application for Consent.

The Committee of Adjustment considered all the written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets *Planning Act* criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the City of Thorold Official Plan.

In compliance with the *Planning Act* the City of Thorold Committee of Adjustment decision is enclosed. The last date of filing an appeal to the Ontario Land Tribunal (OLT) under Section 53 of the *Planning Act* is December 10, 2023.

Type of Transaction for which application for consent is being made:

Conveyance Mortgage or Charge Partial Discharge of Mortgage Other:

DECISION: **GRANTED WITH CONDITIONS**

CONDITION(S): **SEE SCHEDULE "A" ATTACHED**

REASONS:

The Committee of Adjustment considered all the written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets *Planning Act* criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the City of Thorold Official Plan.

1. The application complies with the requirements of the zoning by-law and conforms to the policies of the Official Plan.
2. This decision is rendered having regard to the provisions of Section 51(24) of the *Planning Act*, R.S.O. 1990 as amended.
3. The application is considered desirable within the existing neighbourhood.
4. For reasons as outlined in the Planning Report.



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NOTICE OF DECISION – D10-14-2023 – 23 GEORGE STREET

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
Electronically Signed By H. D'Angela, Member	In favour
Electronically Signed By K. Daniels, Member	In favour
Absent - P. DiPaola, Member	No vote
Electronically Signed By G. Ravenek, Member	In favour



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SCHEDULE "A" – NOTICE OF DECISION D10-14-2023 – 23 GEORGE STREET

This is Schedule "A" attached to and forming part of the decision regarding Consent Application D10-14-2023, 23 George Street, Thorold, ON;

CONDITIONS:

The above decision is subject to the following condition(s):

- 1) That the applicant provides the Secretary Treasurer with a legal description, acceptable to the Registrar, of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent; and
- 2) That the owner provides a lawyer's undertaking, to the satisfaction of the City Solicitor, and agrees to forward a copy of documentation confirming the transaction has been carried out, to the City within two (2) years of issuance of the consent certificate, or prior to the issuance of a building permit, whichever occurs first; and
- 3) That a final certification fee, payable to the City of Thorold, be submitted to the Secretary Treasurer and that all conditions of consent be fulfilled; and
- 4) That all outstanding property taxes be paid prior to issuance of the Certificate of Consent; and
- 5) That the Owner convey the lands described as Part 3, as illustrated on the Survey Sketch prepared by Suda and Maleszyk Surveying Inc. OLS dated, December 16, 2022 to the City of Thorold for the purposes of providing a daylighting triangle prior to final approval of the consent applications.

Date of Decision:	November 16, 2023
Date of Decision Notice:	November 20, 2023
Last date to file a notice of appeal:	December 10, 2023
Last date to fulfill all conditions:	November 16, 2025



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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 Built Faster Act, 2022.

Planning Act appeals may be file 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:
<http://www.ontario.ca/document/citizens-guide-land-use-planning/ontario-land-tribunal>

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, Committee of Adjustment

Date of Decision: November 16, 2023 Date of Mailing: November 20, 2023