

COMMITTEE OF ADJUSTMENT

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

NOTICE OF DECISION – AUGUST 15, 2024

FILE NO.: D10-15-2024 **ROLL NO:** 2731 000 022 14800 0000
SUBJECT LAND: 26 Renfrew Drive, Part 3, Thorold
Plan M12 Lot 22 RP59R2309
APPLICANT: Giovanna Ciuffetelli
AGENT: Tim Kenny

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 September 8, 2024.

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

√: Conveyance △ Mortgage or Charge △ Partial Discharge of Mortgage
△ Other:

DECISION: **GRANTED WITH CONDITIONS**

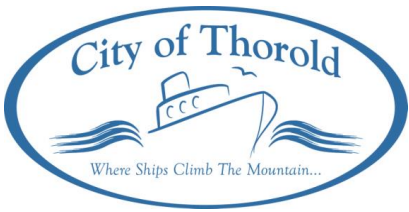
CONDITION(S): **SEE SCHEDULE “A” ATTACHED**

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.

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 K. Daniels, Member	In favour
Electronically Signed By P. DiPaola, Member	In favour
Electronically Signed By G. Ravenek, Member	In favour



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SCHEDULE "A" – NOTICE OF DECISION D10-15-2024 – 26 RENFREW DRIVE, PART 3, THOROLD

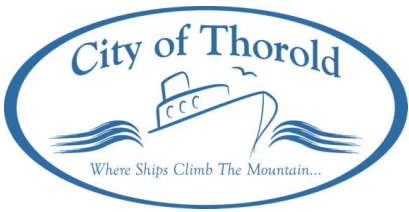
This is Schedule "A" attached to and forming part of the decision regarding Consent Application D10-15-2024, 26 Renfrew Drive, Part 3, Thorold, ON;

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 the applicant provides the Secretary-Treasurer with a copy of the transfer documents for the conveyance of the subject parcel, or a legal description of the subject parcel to be registered, together with a copy of the deposited reference plan, if applicable, for the use in the issuance of the Certificate of Consent; and
- 4) That the applicant, at their own expense, obtains and submits an appraisal for the purposes of payment of cash-in-lieu of parkland dedication, be a Certified Land Appraiser accredited by the Appraisal Institute of Canada with either an AACI or CRA designation, which is to be based on the fair market value of Part 3 using the direct comparison approach, to the satisfaction of the City; and that the applicant pays to the City of Thorold a cash-in-lieu of parkland dedication, which shall be 5% of the appraised value of Part 3; and
- 5) That the applicant provide entrance drawings submitted through the Entrance Permit process to the satisfaction of the Region of Niagara; and
- 6) 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
- 7) That the accessory structure on Part 3 be demolished/removed/relocated to the satisfaction of the City and that the applicant obtains any required building permit for the demolition/removal/relocation and that final inspection and closure of the permit is completed to the satisfaction of the City; and
- 8) That all outstanding property taxes be paid prior to issuance of the Certificate of Consent; and
- 9) That all of these conditions shall be fulfilled within a period of two years after the giving of the Notice of Decision of the Committee of Adjustment, pursuant to Subsection 53(41) of the Planning Act, failing which this consent shall be deemed to be refused.

Date of Decision:	August 15, 2024
Date of Decision Notice:	August 19, 2024
Last date to file a notice of appeal:	September 8, 2024
Last date to fulfill all conditions:	August 19, 2026



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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: August 15, 2024 Date of Mailing: August 19, 2024