



COMMITTEE OF ADJUSTMENT MINOR VARIANCE APPLICATION

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

NOTICE OF DECISION – June 15, 2023

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

FILE NO.: D13-08-2023
ROLL NO: 2731 000 024 34579 0000 (Parent Roll)
SUBJECT LAND: 29 Elvira Way
Plan 59M512 Lot 9
Thorold ON
Owner: Glen Gordon
AGENT: Rodgers Homes

PURPOSE AND EFFECT OF THE PROPOSED MINOR VARIANCE:

The subject lands are designated Rolling Meadows – Open Space and Parks, Institutional, and Rolling Meadows – Residential in the City of Thorold Official Plan and are zoned Residential First Density 'R1D-9' in accordance with Bylaw 2021-100, being a bylaw to amend Comprehensive Zoning Bylaw 2140(97) as amended, for the lands comprising the Rolling Meadows Subdivision (Phase 14 & 16).

The applicant is seeking a minor variance for the proposed construction of a rear covered deck at the rear of the proposed single detached dwelling. In order to facilitate the development, as per Bylaw 2021-100, the following variance from the R1D-9 Rolling Meadows Subdivision (Phases 14-16) zone provisions is being requested:

- Section 10.2, Provision (d) – To reduce the minimum rear yard setback from 7.0 metres to 5.46 metres.

PUBLIC

This application was heard at a Public Hearing of the Committee of Adjustment on June 15, 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 July 5, 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: June 15, 2023

Date of Decision Notice: June 20, 2023

Last date to file a notice of appeal: July 5, 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