

COMMITTEE OF ADJUSTMENT

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

NOTICE OF DECISION – SEPTEMBER 21, 2023

FILE NO.: D10-09-2023 **ROLL NO:** 2731 000 005 00800 0000
SUBJECT LAND: 8 – 8A Clairmont Street, Thorold
Plan Rolls Lot 1 Pt Lot 2 NP890, 891 Plan George Keefer Pt
Lots 37 & 38 NP890, 891 RP59R10578 Parts 1 to 3
APPLICANT: 1108945 Ontario Inc.
AGENT: John Maletta/Jordan Maletta

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 October 15, 2023.

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

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

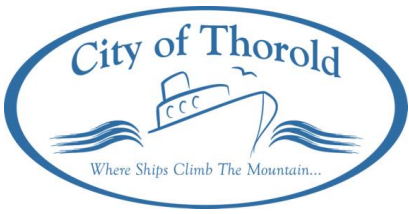
DECISION: **GRANTED WITH CONDITIONS**

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.

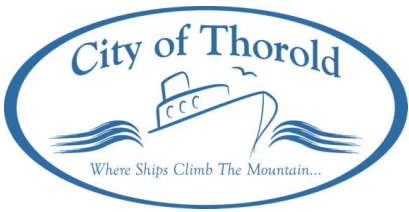


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NOTICE OF DECISION – D10-09-2023 8-8A CLAIMONT STREET

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
Electronically Signed By P. DiPaola, Member	In favour



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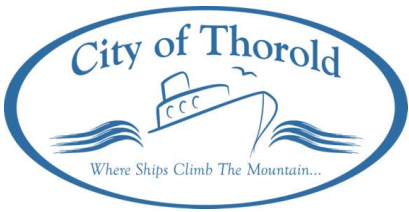
SCHEDULE "A" – NOTICE OF DECISION D10-09-2023 – 8-8A CLAIRMONT STREET

This is Schedule "A" attached to and forming part of the decision regarding Consent Application D10-09-2023, 8 – 8A Clairmont 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 shall verify with the City of Thorold Engineering Department that separate municipal servicing exists for each of severed and retained lots prior to registration. Should separate water and sanitary services be required, provision of service connections will be at the cost of the owner to the satisfaction of the City of Thorold Engineering Department.
- 6) That the Owner shall provide wall elevation drawings to the City of Thorold Building Division for review of spatial separation compliance with the Ontario building Code and confirmation of proof of compliance prior to registration of the reference plan.



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PAGE 2 - SCHEDULE "A" – NOTICE OF DECISION – D10-09-2023 – 8-8A CLAIRMONT STREET

Date of Decision: September 21, 2023
Date of Decision Notice: September 25, 2023
Last date to file a notice of appeal: October 15, 2023
Last date to fulfill all conditions: September 21, 2025

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: September 21, 2023 Date of Mailing: September 25, 2023