



## 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.:** D13-11-2023  
**ROLL NO:** 2731 000 023 88212 0000  
**SUBJECT LAND:** 24 Honey Locust Circle  
Plan 59M280 Lot 97  
Thorold ON  
**Owner:** David and Dimitra Fleming  
**AGENT:** Six Element Design, Roberto Aquino Valdivio

#### PURPOSE AND EFFECT OF THE PROPOSED MINOR VARIANCE:

The subject lands are designated Urban Living Area, Urban Area Boundary and Built Boundary in the City of Thorold Official Plan and are zoned West Neighbourhood Residential First Density 'wn-R1B' in accordance with Comprehensive Zoning Bylaw 2140(97).

The applicant is seeking a minor variance for the proposed construction of a covered patio at the rear of the existing dwelling. In order to facilitate the development, as per Comprehensive Zoning Bylaw 2140(97), the following variance from Section 34, West Neighbourhood Residential First Density 'wn-R1B' zone provisions is being requested:

- Section 34, wn-R1B, Provision 34.2(h) – To increase the maximum lot coverage from 35% to 39%.

#### 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.



**COMMITTEE OF ADJUSTMENT  
MINOR VARIANCE APPLICATION**

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**NOTICE OF DECISION – D13-11-2023 – 24 HONEY LOCUST CIRCLE**

**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

Conflict declared – left meeting 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