COMMITTEE OF ADJUSTMENT
Department of Planning and Building Services
3540 Schmon Parkway, P.O. Box 1044
Thorold, ON L2V 4A7
905-227-6613

September 18, 2025

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Application for Minor Variance D13-21-2025
1520 McCleary Drive, Thorold, Ontario
PLAN 59M306 PT BLK 3
Roll Number: 273100002302053

KEY FACTS

- Minor Variance for relief to allow an “Office” as a permitted use within the General Industrial - M2 zone.
- Offices are presently permitted in the General Industrial (M2) zone as an accessory use.
- The subject lands are in a “dynamic” employment area in the Regional Official Plan, which supports this less intensive use.
- Staff have reviewed the application in accordance with Section 45(1) of the *Planning Act* and recommend approval.

RECOMMENDATIONS

That the City of Thorold Committee of Adjustment **approve** application D13-21-2025, submitted by Joe Tomaino of Upper Canada Consultants, for lands known municipally as 1520 McCleary Drive, as it relates to:

1. Relief from Part 8.2 - Table 8.2 (Permitted Uses in the Employment Zone) to allow an “Office” as a permitted use within the General Industrial – M2 Zone;

PROPOSAL

The applicant is seeking relief from the provisions of Section 8.2 – Table 8.2 (Permitted Uses in the Employment Zone) to allow an 'Office' to be utilized as a principal use within an existing industrial building.

The subject lands are known municipally as 1520 McCleary Drive, and the lands are presently zoned General Industrial (M2) according to the City of Thorold Comprehensive Zoning By-law 60(2019). Under the City of Thorold Official Plan (2016) and the Region of Niagara Official Plan (2022) the lands are designated as part of the General Industrial and Urban Built-Up Areas, respectively.

In order to facilitate this proposal on the subject lands, Section 45(1) of The Planning Act applies:

> *The committee of adjustment, upon the application of the owner of any land, building or structure affected by any by-law that is passed under section 34 or 38, or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained.*

All other requirements of the zoning by-law are being maintained.

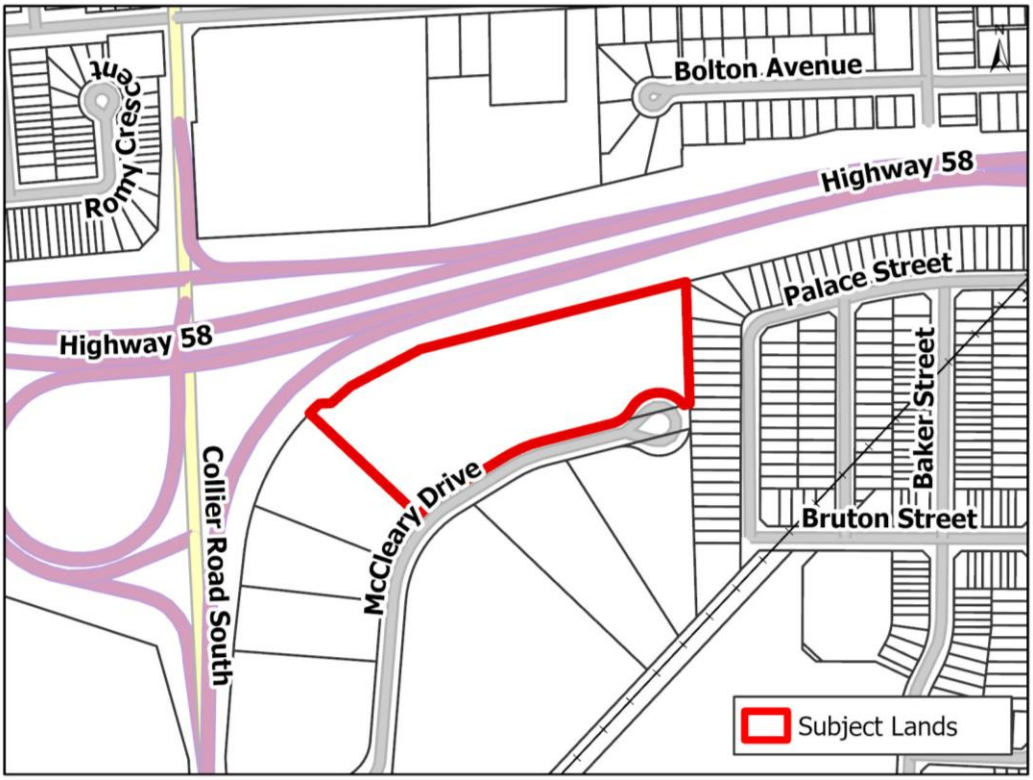

Figure 1: Location Map

Site Description

The subject lands, zoned General Industrial (M2) within the Comprehensive Zoning By-law 60(2019), are located on the north side of McCleary at the end of a cul-de-sac. The site is bounded by Highway 58 to the north and Collier Road to the west and the newly constructed Artisan Ridge subdivision located directly to the east of the subject property. The lands comprise approximately 2.9 ha within the General Industrial designation of the City of Thorold Official Plan. On site is an approximately 8,000 m^2 industrial building which contains an approximately 5,440 m^2 warehouse and 290 m^2 office with the remaining space identified for other industrial uses.

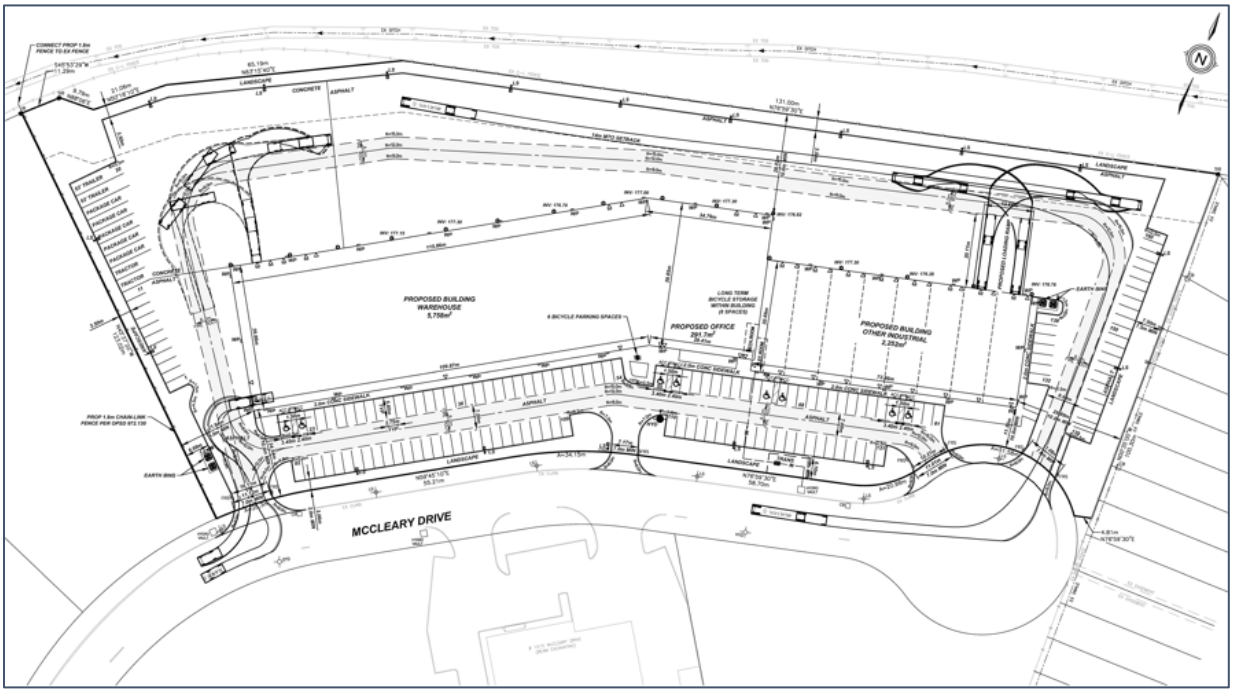

Figure 2: Site Plan

Background Review

Provincial Planning Statement (PPS)(2024)

The PPS, effective October 20,2024, provides the planning policy framework for municipalities within the Province of Ontario. The PPS includes 6 chapters, including the introduction and implementation, which outlines the goals and objectives of planning authorities as it relates to building homes, infrastructure and facilities, the wise use and management of resources, protecting public safety.

The PPS contains the following policies which relate to the submitted application:

2.8.1.1 - 1. Planning authorities shall promote economic development and competitiveness by:

> a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;

b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;

d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and

e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.

2.8.2.1 - Planning authorities shall plan for, protect and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.

2.8.2.3 - Planning authorities shall designate, protect and plan for all employment areas in settlement areas by:

a) planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;

b) prohibiting residential uses, commercial uses, public service facilities and other institutional uses;

c) prohibiting retail and office uses that are not associated with the primary employment use;

d) prohibiting other sensitive land uses that are not ancillary to uses permitted in the employment area; and

e) including an appropriate transition to adjacent non-employment areas to ensure land use compatibility and economic viability.

Niagara Regional Official Plan (NOP) (2022)

As of March 31, 2025, the Region no longer holds planning authority under the Planning Act. The NOP now serves as an Official Plan for the City of Thorold, who in turn is responsible for ensuring conformity with its policies.

The subject lands are designated as part of the Urban Area Boundary and Built-Up Areas within the NOP. The following policies of the NOP relate to the submitted application:

4.2.1.6 - Dynamic employment areas are clusters of traditional and lighter industrial uses with a broader mix of employment uses including office parks and institutional uses that can function without limiting the viability of one another. A mix of complementary employment uses will be encouraged through development or redevelopment within dynamic employment areas that do not limit the ability for other employment uses within the employment area to grow or expand.

4.2.1.9 - The Region and Local Area Municipalities shall plan for existing employment areas to achieve the minimum density targets to 2051 identified in Table 4-2.

Table 4.2 (Excerpt) – Employment Area Minimum Density Targets for 2051

Employment Area Sub-Grouping	Local Area Municipality	Employment Area	Minimum Overall Density Target
Dynamic	Thorold	THO-2 McCleary Highway 58 Industrial Park	40 jobs/ha

4.2.1.10 - Employment area minimum density targets established in this Plan shall be implemented in Local official plans and zoning-by-laws and used to promote employment development and redevelopment that supports achievement of the target.

4.2.1.13 - Employment areas will be promoted by aligning land use planning and economic development strategies to retain and attract investment

City of Thorold Official Plan (CTOP) (2016)

The CTOP, approved April 18, 2016, provides the basis for managing growth within the City of Thorold. The intention of the plan is to provide direction and encouragement for public and private sector investment, while recognizing the existing, built and natural features which contribute to the quality of life in Thorold.

The subject lands are designated as part of the General Industrial designation within the CTOP. The following policies of the CTOP relate to the submitted application:

B1.5.1 - The purpose of the General Industrial designation is to identify employment lands where the City wishes to accommodate a wide range of industrial uses including manufacturing, processing as well as industrial trades and services.

B1.5.5.2 - The City encourages intensification and/or the redevelopment of under-utilized lands located within the General Industrial designation for new employment uses through building expansion, conversion or reuse of existing buildings and infilling.

Comprehensive Zoning By-Law (CZBL) 60(2019)

The City of Thorold Comprehensive Zoning By-law 60(2019), adopted May 23, 2024, is intended to implement the policies of the City's Official Plan. The Zoning By-law regulates the dimensions and built forms of permitted uses on lots, as well as identifies the relevant zone based on usage type as prescribed by the CTOP.

The subject lands are zoned General Industrial (M2) under the City of Thorold CZBL. The following provisions of the CZBL relate to the submitted application:

8.2 – Office is a specified accessory use of the General Industrial (M2) zone.

8.3 – Table 8.3 - Lot, Building and Structure Requirements in the Employment Zones

MINOR VARIANCE PLANNING ANALYSIS

The Committee of Adjustment, in accordance with Section 45 (1) of the Planning Act, may authorize a minor variance from the provisions of the by-law, subject to the

following considerations:

- *The variance maintains the general intent and purpose of the Zoning Bylaw.*

- *The variance maintains the general intent and purpose of the Official Plan.*

- *The variance is appropriate for the development or use of the land.*

- *The variance is minor in nature.*

A summary of Planning Staff's review of the proposed variances with respect to each of these considerations is provided below.

Does the Variance maintain the general intent and purpose of the Official Plan?

Both the CTOP and NOP are protective of established and future employment areas. The NOP encourages complimentary employment uses to cluster, and new employment uses are encouraged to established through development and redevelopment of the region's employment areas. The subject lands fall within the McCleary Industrial Park, which establishes a minimum target of 40 jobs per hectare and promotes the attraction of investment through the alignment of land use planning and economic development strategies.

Similarly, the CTOP identifies lands as part of the general industrial designation. Within this designation, intensification and redevelopment of underutilized employment areas to accommodate a range of industrial uses, including services, are promoted.

As such, Planning Staff are of the opinion that the requested variance **meets** the general intent of the Official Plans.

Does the Variance maintain the general intent and purpose of the Zoning By-law?

Under the City of Thorold's Comprehensive Zoning By-law 60(2019), the subject lands are zoned as part of the General Industrial (M2) zone. Within this zone, "Office" is a permitted accessory use, but is not permitted as a primary use.

Given that the type of use is permitted within the zone, the requested relief seeks to expand what is already permitted. The intent of the zone, to provide areas for general industrial use, is not contravened as no new development will be occurring and the employment nature of the zone is being maintained.

As such, Planning Staff are of the opinion that the requested variance **meets** the general intent of the Zoning By-law.

Is the Variance Appropriate for the Development of the Land?

The application proposes to allow an office as a permitted use. The subject lands fall within the M2 Zone, designated for general and light industrial operations, and within the regionally defined McCleary Industrial Park employment area. As previously described in this report, the employment area is projected to provide, at a minimum, 40 jobs per hectare and is an area of strategic importance regionally.

Furthermore, the McCleary Industrial Park is located near a low-density residential neighbourhood. The proposed office use is more compatible with the surrounding lands than some of the light industrial uses permitted under the M2 zone and will not impact on the surrounding lands.

As such, Planning Staff are of the opinion that the variance **is appropriate** for the development of the land.

Is the Variance minor in nature?

The Planning Act (R.S.O. 1990) does not define what constitutes "minor". It is the responsibility of the Committee to make a determination, based on the facts, context and circumstances of a particular application, as to whether the variance is "minor". In determining whether a requested variance is "minor" the Committee should have consideration for the overall impact of the use of the land, not simply a numerical assessment based on provisions in the Comprehensive Zoning By-law.

Offices are already a permitted use within the M2 zone, and the subject lands fall within areas designated by the Region and Municipal Official Plans as employment. Furthermore, the application does not seek to further develop the site, rather it readapts an existing use. Taken together with the surrounding land context, the anticipated impact from approval of the relief is negligible.

As such, Planning Staff are of the opinion that the requested variance **is minor** in nature.

COMMENTS

The application was circulated in accordance with the requirements of the *Planning Act* to property owners within 60 metres of the subject lands. The application was also circulated to internal departments and external agencies for comments, which are summarized below.

Niagara Region

- **Employment Area**
  The property is mapped in Schedule G of the Niagara Official Plan, 2022 (NOP) as the THO-2 McCleary Highway 58 Industrial Park, which is a Dynamic Employment Area. These areas are clusters of traditional and lighter industrial uses with a broader mix of employment uses including office parks and institutional uses that can function without limiting the viability of one another. A mix of complementary employment uses are encouraged through development or redevelopment within dynamic employment areas that do not limit the ability for other employment uses within the employment area to growth or expand.

  The Region and City of Thorold are to plan for this particular employment area to achieve a minimum density of 40 jobs per hectare to 2051 as detailed in Table 4-2 of the NOP.

  The proposal involves permitting an Office Use for an Enbridge Call Centre that will allow for an additional 40 jobs within the existing footprint of the building. Staff offer no suggested objections to the proposal given that the Dynamic Employment Area offers a broader set of employment uses.

- **Archaeological Potential**
  The property is mapped as an area of archaeological potential in Schedule K of the NOP. Staff previously waived review of an archaeological assessment at the time the current building was constructed. The proposed Minor Variance will not result in any new development or site alteration. As such, staff offer no further comments or recommendations.

Niagara Peninsula Conservation Authority

- Based on the current NPCA mapping, the subject property, 1520 McCleary Drive does not contain NPCA Regulated features. As such, the NPCA has no objection to the Minor Variance (D13-21-2025) or proposed works.

The following agencies and departments were circulated for comment and either indicated no objections or did not provide comment at this time.

Indicated no objections	Did not provide comment
• Cogeco	• City of Thorold Building • City of Thorold Engineering • City of Thorold Fire • City of Thorold Community Services • Mississauagas of the Credit First Nation • Canada Post • Ministry of Transportation • CN Rail • Gio Rail • Niagara Catholic District School Board • Bell Canada • Enbridge • Hydro One • Ontario Power Generation • Infrastructure Ontario

Any comments received after the generation of this report shall be attached to an addendum provided to the Committee.

Public Comments

No Public comments were received as of the date of the writing of the report.

CONCLUSION

It is the recommendation of Planning Staff that Minor Variance Application D13-21-2025 **BE APPROVED**, subject to the conditions listed here within, to allow an Office as a permitted use within the M2 - General Industrial Zone.

Prepared by: J. Greyvenstein Development Planner City of Thorold Planning	**Submitted by:** Marc Davidson Manager of Development Planning Development Services

Where Ships Climb The Mountain...

COGECO COMMENTS

From:	Jeremy Leemet
To:	City of Thorold Planning
Subject:	Re: City of Thorold September Committee of Adjustment - D13-21-2025 - 1520 McCleary Drive
Date:	August 13, 2025 3:33:29 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png

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Good Afternoon
Cogeco has no comment.
Thanks Jeremy Leeme

On Wed, Aug 13, 2025 at 2:45 PM City of Thorold Planning <Planning@thorold.ca> wrote:

> Hello,
>
> Please find attached they copy of the Notice of Hearing for Minor Variance application D13-21-2025 – 1520 McCleary Drive to be heard at the City of Thorold September Committee of Adjustment meeting.
>
> Please review and provide comments to the Planning@Thorold.ca **on or before 4:00 pm., August 22, 2025**. If no comment or intention to provide response is received, we will consider this to mean there is no comment on the application.
>
> Thank you,
>
> Courtney Kaupp
>
> Planning Clerk
>
> City of Thorold Logo
>
> **City of Thorold Planning**
> Development Services
> **City of Thorold**
> 905-227-6613
> P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON, L2V 4A7
> www.thorold.ca

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JEREMY LEEMET
Network Delivery Coordinator
Niagara

phone # (437)553-7079

7170 McLeod Road
Niagara Falls, Ontario L2G 3H2 Canada
cogeco.ca

Where Ships Climb The Mountain...

NIAGARA PENINSULA CONSERVATION AUTHORITY COMMENTS

From: Paige Pearson
To: City of Thorold Planning
Subject: RE: City of Thorold September Committee of Adjustment - D13-21-2025 - 1520 McCleary Drive
Date: August 13, 2025 4:00:24 PM
Attachments: image006.png
image007.png
image008.png
image009.png
image010.png
image011.png

Good afternoon,

Based on the current NPCA mapping, the subject property, 1520 McCleary Drive does not contain NPCA Regulated features. As such, the NPCA has no objection to the Minor Variance (D13-21-2025) or proposed works.

Thank you,

Paige Pearson (She/Her)
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6

(O) 905.788.3135 Ext 205
www.npca.ca
ppearson@npca.ca

The NPCA completed its Watershed-based Resource Management and Conservation Area Strategies, paving the way for sustainable conservation across the Niagara Peninsula watershed. It's Watershed Natural Asset Analysis and Valuation for the Niagara Peninsula watershed offers new insights that redefine how we view nature. **Explore them today!**

From: City of Thorold Planning <Planning@thorold.ca>
Sent: August 13, 2025 2:46 PM
To: Taran Lennard <tlennard@npca.ca>; Paige Pearson <ppearson@npca.ca>; Abby.LaForme@mncfn.ca; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; thoreng <thoreng@thorold.ca>; Alex Sales <Alex.Sales@thorold.ca>; Jenny Rodriguez <Jenny.Rodriguez@thorold.ca>; Abu Rashed <Abu.Rashed@thorold.ca>; Ugo Obiako <Ugo.Obiako@thorold.ca>; Paula Wake <Paula.Wake@thorold.ca>; Steven Polich <Steven.Polich@thorold.ca>; FPO <FPO@thorold.ca>; Mark Richardson <Mark.Richardson@thorold.ca>; andrew.carrigan@canadapost.ca; saumya.john@ontario.ca; matthew.prestinaci@ontario.ca; balroop.narwal@ontario.ca; proximity@cn.ca; aaron.white@giorail.com; katie.young@niagararegion.ca; Jessica.Fajta@niagararegion.ca; Lori.Karlewicz@niagararegion.ca; Josh.Wilson@niagararegion.ca; Susan.Dunsmore@niagararegion.ca; devtplanningapplications <devtplanningapplications@niagararegion.ca>; planning@ncdsb.com; planninganddevelopment@bell.ca; circulations@bell.ca; jeremy.leemet@cogeco.com; municipalplanning@enbridge.com; zone2scheduling@hydroone.com; landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; jasmine.tranter@opg.com; talitha.laurenson@opg.com; rahim.baird@infastructureontario.ca
Subject: City of Thorold September Committee of Adjustment - D13-21-2025 - 1520 McCleary Drive

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Thank you,
Courtney Kaupp

Where Ships Climb The Mountain...

NIAGARA REGION COMMENTS

From:	Young, Katie
To:	City of Thorold Planning
Cc:	devtplanningapplications
Subject:	RE: City of Thorold September Committee of Adjustment - D13-21-2025 - 1520 McCleary Drive
Date:	August 19, 2025 10:50:52 AM
Attachments:	image001.png image002.png image003.png image004.png image005.png image006.png image007.png image008.png image009.png image010.png image011.png

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Good morning,

Please see below feedback on this proposal for City staff's use:

Employment Area

The property is mapped in Schedule G of the *Niagara Official Plan, 2022* (NOP) as the THO-2 McCleary Highway 58 Industrial Park, which is a Dynamic Employment Area. These areas are clusters of traditional and lighter industrial uses with a broader mix of employment uses including office parks and institutional uses that can function without limiting the viability of one another. A mix of complementary employment uses are encouraged through development or redevelopment within dynamic employment areas that do not limit the ability for other employment uses within the employment area to growth or expand.

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Archaeological Potential

The property is mapped as an area of archaeological potential in Schedule K of the NOP. Staff previously waived review of an archaeological assessment at the time the current building was constructed. The proposed Minor Variance will not result in any new development or site alteration. As such, staff offer no further comments or recommendations.

Should you have any questions, please let me know.

Kind regards,
Katie

Katie Young, MsC (Pl), MCIP, RPP
Senior Development Planner
Niagara Region, 1815 Sir Isaac Brock Way,
Thorold, ON, L2V 4T7, PO Box 1042
P: (905) 980-6000 ext. 3727
W: www.niagararegion.ca
E: katie.young@niagararegion.ca

My workday may look different from your workday. Please do not feel obligated to respond outside of your normal working hours.

From: City of Thorold Planning <Planning@thorold.ca>
Sent: Wednesday, August 13, 2025 2:46 PM
To: tlennard@npca.ca; ppearson@npca.ca; Abby.LaForme@mncfn.ca; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; thoreng <thoreng@thorold.ca>; Alex Sales <Alex.Sales@thorold.ca>; jenny.rodriguez <jenny.rodriguez@thorold.ca>; Abu Rashed <Abu.Rashed@thorold.ca>; Ugo Obiako <Ugo.Obiako@thorold.ca>; Paula Wake <Paula.Wake@thorold.ca>; Steven Polich <Steven.Polich@thorold.ca>; FPO <FPO@thorold.ca>; Mark Richardson <Mark.Richardson@thorold.ca>; andrew.carrigan@canadapost.ca; saumya.john@ontario.ca; matthew.prestinaci@ontario.ca; balroop.narwal@ontario.ca; proximity@cn.ca; aaron.white@giorail.com; Young, Katie <Katie.Young@niagararegion.ca>; Fajta, Jessica <Jessica.Fajta@niagararegion.ca>; Karlewicz, Lori <Lori.Karlewicz@niagararegion.ca>; Wilson, Josh <Josh.Wilson@niagararegion.ca>; Dunsmore, Susan <Susan.Dunsmore@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>; planning@ncdsb.com; planninganddevelopment@bell.ca; circulations@bell.ca; jeremy.leemet@cogeco.com; municipalplanning@enbridge.com; zone2scheduling@hydroone.com; landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; jasmine.tranter@opg.com; talitha.laurenson@opg.com; rahim.baird@infastructureontario.ca
Subject: City of Thorold September Committee of Adjustment - D13-21-2025 - 1520 McCleary Drive

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Thank you,
Courtney Kaupp
Planning Clerk

City of Thorold Logo

City of Thorold Planning
Development Services
City of Thorold
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P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON, L2V 4A7
www.thorold.ca

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