

**COMMITTEE OF ADJUSTMENT**

Development Services Department  
8 Carleton Street South  
Thorold, ON L2V 5C2  
905-227-6613

**NOTICE OF DECISION – JUNE 19, 2025**

**FILE NO.:** D10-03-2025  
**ROLL NO:** 2731 000 026 13100 0000  
**SUBJECT LAND:** 1548 Henderson Street  
Plan M28 Lot 68  
Thorold, ON  
**APPLICANT:** Jeffrey Ng and Zhuo Fei Fang  
**AGENT:** Cam Lang

**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 July 9, 2025.

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

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

**DECISION:** GRANTED WITH CONDITIONS

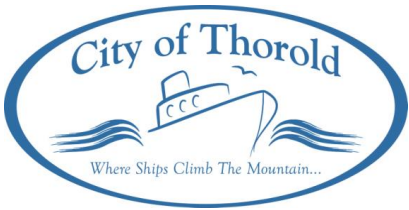
**CONDITION(S):** SEE SCHEDULE “A” ATTACHED

**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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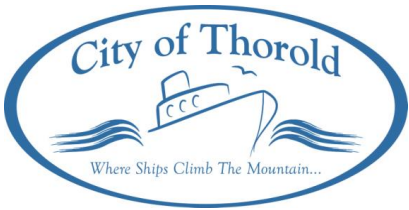
### SCHEDULE "A"

This is Schedule "A" attached to and forming part of the decision regarding Consent Application D10-03-2025 – 1548 Henderson Street, Thorold, ON;

#### CONDITIONS:

The above decision is subject to the following condition(s):

- 1) 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.
- 2) 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.
- 3) That the existing structure/s on the subject lands (Plan M28 Lot 68) are demolished or removed to the satisfaction of the City and that the owner obtains any required building permit for demolition or removal and that final inspection and closure of the permit is completed to the satisfaction of the City.
- 4) That the proposed lots be generally in keeping with the plans submitted with the consent application and attached to this report;
- 5) That the owner/applicant, at their own expense, obtains and submits an appraisal for the purposes of payment of cash-in-lieu of parkland dedication, by 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 Parts #2-5 using the direct comparison approach, to the satisfaction of the City; and that the owner/applicant pays to the City of Thorold a cash-in-lieu of parkland dedication, which shall be 5% of the appraised value of Parts #2-5.
- 6) That the owner conveys the lands described as Part 1, as illustrated on the survey sketch prepared by Vallee Consulting, dated December 10, 2024, free and clear of any mortgages, liens or other encumbrances to the City of Thorold for the purposes of providing a sight triangle prior to final approval of the consent.
- 7) That the owner/applicant provides, to the Secretary Treasurer, a legal description of Parts 1-5, acceptable to the Registrar, together with 1 digital to-scale copy of the deposited reference plan, if applicable, or a copy of all instruments and plans referred to in the legal description, to the satisfaction of the City, for the use in the issuance of the Certificate of Consent.
- 8) That the owner/applicant provides a lawyer's undertaking, to the satisfaction of the City, to forward a copy of documentation confirming the transfer of Parts 2-5 have been carried out, with the documentation to be provided within two years of issuance of the consent certificate, or prior to the issuance of a building permit, whichever occurs first.
- 9) That the applicant submits the Stage 1 and 2 Archaeological Assessment, prepared by Bluestone Research 2004 Ltd (dated March 28, 2024) to match the corresponding Ministry of Citizenship and Multiculturalism acknowledgement letter.
- 10) That the applicant/owner receive acceptance from the Ministry of Citizenship and Multiculturalism (MCM) for the archaeological assessment report titled Stage 3 Site-specific Assessment of Site AgGt-330, prepared by Bluestone Research 2004 Ltd. (dated January 2024). If the Ministry requires further



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archaeological work to be completed prior to acknowledging this report, these report(s) must also be submitted to and acknowledged by the Ministry, to the satisfaction of the City, prior to clearance of this condition. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from MCM through the City of Thorold, confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

- 11) That the applicant enter into an agreement with the City executed under the authority of Section 51 (26) of The Planning Act, R.S.O, 1990, c.P.13, as amended.
- 12) That the development agreement between the applicant/owner at the City of Thorold include an archaeological warning clause to the satisfaction of the City.
- 13) That the development agreement between the applicant/owner and the City of Thorold include the following to implement the recommendations of the Noise and Vibration Control Feasibility Study, prepared by SS Wilson Associates (dated December 6, 2023) to the satisfaction of the City.
- 14) That all outstanding property taxes be paid prior to issuance of the Certificate of Consent.

**Date of Decision:** June 19, 2025  
**Date of Decision Notice:** June 23, 2025  
**Last date to file a notice of appeal:** July 9, 2025  
**Last date to fulfill all conditions:** June 19, 2027

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, Conor Warren, 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**  
Conor Warren  
Secretary Treasurer to the Committee of Adjustment

Date of Decision: June 19, 2025                      Date of Mailing: June 23, 2025