

COMMITTEE OF ADJUSTMENT

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

June 18, 2026

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Application for Consent & Minor Variance
D10-03-2026 & D13-03-2026– WD Homes Inc.; Joshua Davidson; Michael
Wilson
10 Brock Street, Thorold, Ontario
PT LT 19, BLK E, PL 894, AS IN RO414884; LT 17, BLK 3E, PL 894
Roll Number: 273100000100700

KEY FACTS

- An application for a consent and minor variance has been received, which would sever the existing lot at 10 Brock Street (the northwest corner of Brock St. and Carleton St. N.) in two.
- The intent of the application is to facilitate the development of three (3) townhouse dwelling units on the severed lot.
- The existing duplex dwelling will remain on the retained lot.
- A minor variance is required to permit the lot area and lot coverage resulting from the severance on the severed lot.

RECOMMENDATIONS

That the City of Thorold Committee of Adjustment **APPROVE** application D10-03-2026, submitted by Upper Canada Consultants on behalf of WD Homes Inc, Joshua Davidson, & Michael Wilson, for lands known municipally as 10 Brock Street (PT LT 19, BLK E, PL 894, AS IN RO414884; LT 17, BLK 3E, PL 894), subject to the following conditions:

1. That the requested consent shall only apply to permit a severance of a general size and configuration as shown on Figure 2 of this report.
2. 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.

3. That the owner provides a lawyer's undertaking, to the satisfaction of the City, to forward a copy of documentation confirming the transaction has been carried out to the City within two years of issuance of the consent certificate, or prior to the issuance of a building permit, whichever occurs first.
4. That the owner/applicant obtain a municipal address for the severed parcel, and updated address for the retained parcel if required, to the satisfaction of the City.
5. That any existing structures on the subject land which are situated on or encroach from the retained property onto the severed property be removed to the satisfaction of the City of Thorold.
6. That the owner/applicant submits a Stage 1-2 Archaeological Assessment (at minimum), prepared by a licensed archaeologist to the MCM confirming that all archaeological resource concerns have met licensing and resource conservation requirements prior to any development on the site, to the Satisfaction of the Region and the City of Thorold.
7. 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.
8. That the owner/applicant provide any applicable parkland dedication or cash-in lieu requirement, to the City's satisfaction, in accordance with the municipality's Parkland Dedication By-law (82-2025).
9. 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.

AND That the City of Thorold Committee of Adjustment **APPROVE** application D13-03-2026, submitted by Upper Canada Consultants on behalf of WD Homes Inc, Joshua Davidson, & Michael Wilson, for lands known municipally as 10 Brock Street (PT LT 19, BLK E, PL 894, AS IN RO414884; LT 17, BLK 3E, PL 894), as it relates to:

1. Relief from Section 6.3.2 – Table 6.3.b (Lot, Building, and Structure Requirements for Residential R1C Zone) to reduce the minimum lot area for a Townhouse (Street) on the severed lot from 180 m² per interior unit and 225 m² per end unit to 160 m² per interior unit and 195 m² per end unit.

2. Relief from Section 6.3.2 – Table 6.3.b (Lot, Building, and Structure Requirements for Residential R1C Zone) to reduce the minimum lot frontage for a Townhouse (Street) on the severed lot from 7.5 m per end unit to 7.2 m per end unit.

Subject to the following condition:

1. That the requested relief for decreased minimum lot area and decreased minimum lot frontage shall only apply to permit the construction of three townhouse dwelling units of a general size and configuration as shown on Figure 3 of this report.

PROPOSAL

The applicant is seeking to sever approximately 565 m² from the existing lot at 10 Brock Street for the purpose of developing a Street Townhouse Dwelling containing three (3) dwelling units on the severed lot. The applicant does not intend to further subdivide the proposed Street Townhouse Dwelling at this time. Therefore, while the building will contain three dwelling units in the form of a townhouse, the units will be registered under one ownership. Accordingly, the property be permitted one (1) servicing connection. For this severance to comply with the Zoning By-law, a minor variance is required to decrease the minimum lot area and minimum lot frontage provisions applicable to the severed lot as part of the R1C zone.

To facilitate this proposal on the subject lands, Section 53(1) of The Planning Act applies:

An owner, chargee or purchaser of land, or such owner's, chargee's or purchaser's agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality.

Section 45(1) of the Planning Act also 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.

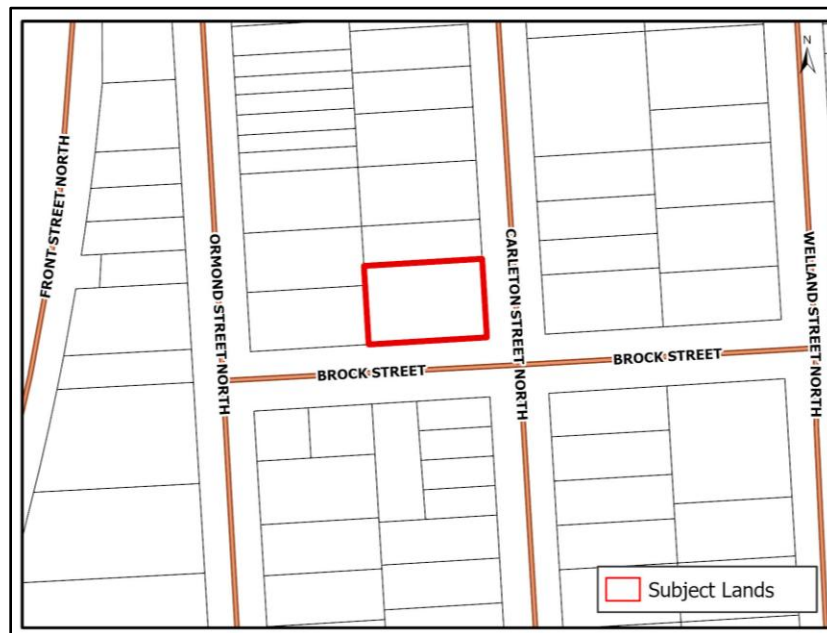


Figure 1: Location Map

Site Description

The subject lands are zoned R1C within the Comprehensive Zoning By-law 60 (2019) and are located on the northwest corner of the Brock Street and Carleton Street North. The total area of the subject lands is approximately 1104 m². Currently the site is occupied by a duplex dwelling, situated on the east side of the property, as well as a detached garage on the northwest corner of the lot. Driveway access is provided from Carleton Street North at the northeast corner of the lot, while a walkway exists from the sidewalk along Brock Street to an entrance to the dwelling.

There are several mature deciduous trees along the northern property line. Several tree stumps are located along the property's boundary with Brock Street. Vegetative landscaping exists around the existing duplex. Most of the rest of the site consists of a grass lawn.

The site is a 5-minute walk away from Thorold Secondary School and a 15-minute walk from downtown. Ormond Street North, an urban arterial road, provides vehicle access to the area. Niagara Transit route 311 services this area every half-hour with trips to downtown St. Catharines. A stop for route 311 is located less than 100 metres from the subject lands. Route 320 services Thorold and the Pen Centre every half hour, with a stop located at Thorold Secondary School, a 5-minute walk from the subject lands.

The existing duplex dwelling is rectangular in shape. On the western wall of the building, there are three (3) exterior structures: a deck and a porch on the lower floor of the building and a staircase leading to the upper floor of the building. The deck and the upper floor staircase encroach over the proposed new property line, and therefore are being proposed to be removed as a condition of approval of the consent application.

The existing detached garage on the proposed severed portion of the lot is also planned to be removed to make way for the new dwellings. The existing driveway and landscaping around the existing duplex will remain. The tree stumps along the Brock Street sidewalk are proposed to be removed to make way for the dwellings and driveways. The mature trees along the rear property line are proposed to remain.

The immediate surrounding land uses are residential in nature. Primarily they are single detached dwellings, though there are semi-detached dwellings immediately across Brock Street. Townhouse dwellings and apartment buildings are located in the vicinity of the site (i.e. within 75 m).

Background Review

Planning Act, R.S.O. 1990

The *Planning Act* (“Act”) is an Act of the provincial parliament that institutes and regulates the practice of land use planning in Ontario. Applications for consents are considered under Section 53 of the Planning Act, which refers to the criteria of Section 51 of the Act.

s. 51(24) - In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

(b) whether the proposed subdivision is premature or in the public interest;

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

(d) the suitability of the land for the purposes for which it is to be subdivided;

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

(f) the dimensions and shapes of the proposed lots;

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

(h) conservation of natural resources and flood control;

(i) the adequacy of utilities and municipal services;

(i) the adequacy of school sites;

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.

Provincial Planning Statement (2024)

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

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

2.1.6a – *Planning authorities should support the achievement of complete communities by: accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs.*

2.2.1 – *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;

b) permitting and facilitating:

1. *all housing options required to meet the social, health, economic and well being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*

 2. *all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*
- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
- d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

2.3.1.3 – *Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*

Niagara Official Plan (2022)

As of March 31, 2025, the Region no longer holds planning authority under the Planning Act. The *Niagara Official Plan* (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 Built-Up Area within the NOP. The following policies of the NOP relate to the submitted application:

B2.2.1.1. *Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:*

- a) *the intensification targets in Table 2-2 and density targets outlined in this Plan;*
- b) *a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;*
- c) *a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs;*
- e) *built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities;*
- f) *opportunities for transit-supportive development;*
- g) *opportunities for intensification, including infill development;*
- h) *opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;*
- k) *orderly development in accordance with the availability and provision of infrastructure and public service facilities; and*
- l) *mitigation and adaptation to the impacts of climate change by:*
 - iii. *promoting built forms, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity.*

Table 2.2: Thorold's minimum residential intensification target is 1610 units, or 25% of forecasted new units in Thorold.

The City of Thorold Official Plan (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 Urban Living Area within the CTOP. The following policies of the CTOP relate to the submitted application:

B1.1.3. In reviewing intensification proposals, the City will assess the density of such proposals relative to the surrounding neighbourhood as well as the site and building design of the proposal and how issues such as landscaping, traffic and parking have been addressed. The financial feasibility of or market potential for the proposed development will not form the basis of any decision to approve an intensification or redevelopment proposal.

- a) Residential intensification proposals should be focussed on lands located within the Downtown, Downtown Transitional or Regeneration Overlay designations. This does not preclude consideration for other sites in the Urban Living Area designation.*
- b) Intensification and redevelopment proposals are encouraged to achieve a unit density and housing type that is compatible and in keeping with the character of the neighbourhood where it is proposed.*
- c) Residential intensification and redevelopment proposals on lands located in the Urban Living Area designation that abut local roads shall maintain compatibility with the surrounding neighbourhood.*
- d) Notwithstanding items (b) and (c), the creation of new freehold or vacant condominium infill lots through the plan of subdivision or consent process, for ground-oriented detached dwellings, may be permitted provided the proposed lot and unit type is compatible with the established character of the street or neighbourhood where it is proposed. The Zoning By-law shall establish*

minimum lot area and frontages and minimum and/or maximum densities that are considered appropriate within the Urban Living Area designation.

- f) *The proposal can be suitably serviced with City sewer and water services and can be designed to manage stormwater impacts as authorized by the City's Operations Department and in accordance with Section D1.4 and C5.*

D4.2.1. *Prior to considering an application to create a new lot for any purpose, the Committee of Adjustment shall be satisfied that the proposed lot:*

- a) *Fronts on and will be directly accessed by a public road that is maintained on a year-round basis;*
- b) *Will not cause a traffic hazard as a result of its location on a curve or a hill;*
- c) *Is in keeping with the intent of relevant provisions and performance standards of the zoning by-law;*
- d) *Can be serviced with an appropriate water supply and means of sewage disposal;*
- e) *Will not have a negative impact on the drainage patterns in the area;*
- f) *Will not compromise the ability to develop the remainder of the lands, if such lands are designated for development by this Plan;*
- g) *Will not have a negative impact on the features and functions of any environmentally sensitive feature in the area;*
- h) *Conforms with Regional lot creation policy as articulated in the Regional Official Plan, and the lot creation policies of the NEP, where applicable; and,*
- i) *Complies with Provincial Minimum Distance Separation Formulae, where applicable.*

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

The CZBL, 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.

The subject lands are zoned R1C under the CZBL. The following provisions of the CZBL relate to the submitted application. **Red bold text** indicates a provision of the CZBL which the proposal does not meet:

Table 6.3.b – Lot, Building, and Structure requirements for Residential R1C Zone				
Provision	Requirement (Duplex)	Provided (Retained lot)	Requirement (Street townhouse)	Provided (Severed lot)
<i>Minimum Lot Area</i>	325 m ²	537 m ²	180 m ² per interior unit 225 m ² per end unit	565 m²
<i>Minimum Lot Frontage</i>	10.5 m	19.58 m	6 m per interior unit 7.5 m per end unit	20.65 m
<i>Minimum Front Yard</i>	4.5 m	4.67 m	4.5 m	4.5 m
<i>Minimum Rear Yard</i>	7.5 m	11.54 m	7.5 m	8.43 m
<i>Minimum Interior Side Yard</i>	1.2 m	1.22 m	1.2 m (except for units which share a party wall)	1.2 m
<i>Minimum Exterior Side Yard</i>	4.5 m	10.52 m	4.5 m	n/a
<i>Maximum Building Height</i>	11 m	11 m	11 m	11 m
<i>Minimum Landscaped Open Space</i>	30%	53.5%	30%	46.30%

<i>Maximum Lot Coverage</i>	45%	16.8%	45%	44.36%
<i>Maximum Width of a Private Garage Attached to the Main Building</i>	65% of the main building front wall length	n/a	60% of the main building front wall length	49.4%
<i>Maximum Number of Attached Dwelling Units</i>	n/a	n/a	3	3
3.26 Permitted Encroachments/Projections				
<i>Fire escapes and exterior staircases, including an exterior landing</i>	1.2 m	1.2 m	1.2 m	n/a
By-law 2140-97 Part 6.15 – Parking Space Requirements				
<i>Duplex or Street Townhouse Dwelling</i>	1 space for each dwelling unit	2 spaces for each dwelling unit	1 space for each dwelling unit	2 spaces for each dwelling unit

A minor variance will be required to recognize the zoning deficiencies of the proposed development configuration on the severed lot. A concurrent minor variance application is analyzed as part of this report.

CONSENT PLANNING ANALYSIS

The application for consent was reviewed with consideration of applicable policies in the Planning Act, the PPS, the NOP, the CTOP and the CZBL.

Planning Act

The *Planning Act* is an Act of the provincial parliament that institutes and regulates the practice of land use planning in Ontario.

Item a) of s. 51(24) of the Act, which applies to consents, speaks to matters of provincial interest. As per Section 2 of the Act, matters of provincial interest include the protection of ecosystems, agriculture, natural resources, and built heritage; the efficient use of

energy, water, and municipal infrastructure; minimizing waste; orderly development of healthy and safe communities; adequate provision of employment, housing, and schools; appropriate locations for growth; sustainable development; and high-quality built form. Staff find that the proposal satisfies matters of provincial interest.

Regarding items b) and c), staff consider the application to be in the public interest as it conforms to the City's Official Plans and other planning policy documents such as the Provincial Planning Statement.

Regarding items d) through h), staff consider the subject lands to be well-suited for residential development as the land is situated within the City's Built-Up Area, only a short walking distance from transit and secondary education. The surrounding road system is adequate to support development on the site, and the shapes and dimensions of the proposed lots will be in line with existing lots in the neighbourhood. There will be no restrictions on the subject or adjacent lands, and there are no identified natural resources to be conserved besides trees which will remain. The lands are not located in an area that is prone to flooding.

Lastly, staff in conjunction with partner agencies consider the provision of schools and utilities servicing the area to be adequate and efficient.

Provincial Planning Statement (PPS) (2024)

The Provincial Planning Statement (PPS) promotes intensification of existing settlement areas through policy 2.2.1 and 2.3.1.3, among others. The proposal is an infill development in the urban area of the City of Thorold where residential intensification is encouraged and directed to take place. The proposal assists in providing a range and mix of housing options as per policy 2.2.1.b.1 and 2.3.1.3.

Policy 2.2.1.b.2 requires planning authorities to facilitate all types of intensification and redevelopment, and policy 2.2.1.c promotes densities which efficiently use land, resources, infrastructure, and public service facilities. The proposal aligns with these goals. Policy 2.2.1(d) specifically requires planning authorities to promote intensification near transit. The proposal lies directly along Niagara Transit route 311. The nearest stop at the intersection of Ormond Street North & Brock Street is fewer than 100 metres away

from the proposal. As such, the proposal is transit-supportive.

In summary, Planning staff are of the opinion that the proposal **meets** the general intent and goals of the PPS.

Niagara Regional Official Plan (NOP) (2022)

The Niagara Official Plan (NOP), in which the subject land is part of the Built-Up Area, contains planning policies for the Regional Municipality of Niagara that are consistent with the PPS. The NOP institutes intensification targets for each municipality to achieve during the lifetime of the plan. Thorold's target is to create 1610 new housing units through intensification by 2051, equivalent to 25% of the total new units Thorold is expected to accommodate by 2051.

This proposal assists the City in meeting this target by providing three new housing units via intensification. By developing three townhouse units with access to existing municipal services, the proposal supports the NOP's goals of efficiently using land and services through intensification. The proposal also aligns with NOP policy regarding transit-supportive development for the reasons stated above.

As such, Planning staff are of the opinion that the proposal **meets** the general intent and goals of the NOP.

City of Thorold Official Plan (CTOP) (2016)

The subject lands are designated Urban Living Area, a primary consideration is that the unit density and housing type must be compatible with the surrounding neighbourhood. While the properties adjacent to 10 Brock Street are single-detached dwellings, there are semi-detached dwellings directly across Brock Street as well as townhouse dwellings and an apartment building within 70 metres of the subject lands, fronting onto Ormond Street North. Carleton Street North has semi-detached dwellings situated on it, while at the terminus of Brock Street at Welland Street North there is another apartment dwelling.

As per the CTOP, considerations of the Committee of Adjustment as it pertains to new lot creation through the consent process should be: ensuring frontage on a public road

maintained year-round, limiting traffic hazards, keeping with the relevant provisions of the zoning by-law, that new lots can be serviced appropriately, that the development will not have a negative impact on drainage, that the development will not compromise the ability to redevelop the rest of the lands, that the development will not have an impact on environmentally sensitive features, and conformity with regional lot creation policy. Staff have reviewed the application against the above criteria, in conjunction with partner agencies, and have not identified any concerns which contravene the policies of the CTOP except for zoning concerns which are addressed through the Minor Variance application.

In summary, staff are of the opinion that the proposed development meets the policies of the CTOP.

City of Thorold Comprehensive Zoning By-law (CZBL) 60(2019)

The subject land is zoned R1C under the CZBL. The possibility for more than one townhouse dwelling unit to be situated on a single lot is not considered in the CZBL. Rather, the CZBL delineates required lot frontage and area for townhouse dwellings on a per-unit basis. Therefore, the minimum lot area in the R1C zone is “180 m² per interior unit and 225 m² per end unit.” The minimum lot frontage is “6 m per interior unit and 7.5 m per end unit.”

Provision	Requirement (Duplex)	Provided (Retained lot)	Requirement (Street townhouse)	Provided (Severed lot)
<i>Minimum Lot Area</i>	325 m ²	537 m ²	180 m ² per interior unit 225 m ² per end unit	565 m²
<i>Minimum Lot Frontage</i>	10.5 m	19.58 m	6 m per interior unit 7.5 m per end unit	20.65 m

When examining the provisions holistically, because all the townhouse dwelling units will be located on the same lot, the site would be deficient in minimum lot area and minimum lot frontage. Adding together the proposed townhouse units, two (2) end units and one (1) interior, under the CZBL's framework gives a required minimum lot area of 630 m². However, the townhouse dwellings are proposed to be situated on a lot of 565 m². Similarly, adding together the minimum required frontage is 21 m for the three (3) units, while the applicant proposes 20.65 m.

No other zoning reliefs are being requested. The retained lot will be fully compatible with the provisions of the CZBL as detailed in the chart in the 'Background Review' section of this report. The merits of the minor variance application are analyzed below.

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 Official Plan.
- The variance maintains the general intent and purpose of the Zoning Bylaw.
- 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 are provided below.

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

As per section B1.1.1 of the CTOP, "The purpose of the Urban Living Area designation is to recognize the existing residential areas east and west of the Welland Canal and promote the efficient use of existing and planned community infrastructure."

The variances will facilitate the development of the subject lands with three townhouse dwellings, resulting in the intensification of the current lot at 10 Brock Street from two (2) dwelling units to five (5). Infill/intensification are forms of development which efficiently use existing services such as roads and water systems. The proposed development is

also within the capacity of the City's infrastructure. Therefore, the variances maintain the general intent and purpose of the Urban Living Area designation.

Policy B1.1.3.d of the CTOP states that new freehold lots for detached dwelling units must maintain the character of the street or neighbourhood, to be determined by the Zoning By-law. While variances from the Zoning By-law are being proposed, Planning staff are of the opinion that the general purpose of the Urban Living Area designation is still maintained as per the above.

In summary, staff are of the opinion that the requested variance maintains the general intent and purpose of the Official Plan.

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

The purpose of the minimum lot area requirement for residential zones is to ensure that there is adequate space available on each lot to accommodate the use, as well as to accommodate amenities, drainage, and other considerations.

There are other provisions in the Zoning By-law which also have the intent of ensuring adequate space is available on lots; namely setbacks and minimum landscape open space. The proposal meets all setback provisions in the CZBL, as well as the minimum landscape open space provision. The provided rear yard setback and minimum landscape open space were increased from the initial proposal following discussions with the applicant. The provided rear yard of 8.43 m and front yard of 6 m give adequate amenity space on the lots.

The proposed street townhouse dwelling has a building footprint per unit of 83.54 m². The square footage of each unit would be approximately 173.14 m² and can accommodate residents at all stages of life. Adequate parking is proposed on the site despite the decreased lot area – there are two (2) parking spaces proposed per unit for the street townhouse, whereas only one (1) parking space per unit is required under Part 4 of the CZBL.

The purpose of the minimum lot frontage requirement for residential zones is to ensure that development follows a similar built form and spacing pattern to existing dwellings, and to ensure that lots are not created which would be unusable due to their small size

or frontage. Lots in the vicinity of the proposal have frontages ranging between 10 and 20 m. The proposed lot frontage of the freehold lot is 20.65 m. The applicant is therefore requesting only a slight relief from the lot frontage provisions, which will have no impact on the functionality of the proposed development.

In summary, Planning staff are of the opinion that the requested variances maintain the general intent and purpose of the Zoning By-law.

Is the Variance appropriate for the development of the land?

The proposed variances facilitate contextually appropriate intensification through the introduction of three (3) street townhouse dwelling units on an underutilized lot. The proposal aligns with Provincial, Regional, and local policy regarding intensification. The development of the site contributes to a compact and efficient built form of attached units along a transit route, which could result in per-unit energy and emissions savings. As detailed below, there are no adverse impacts to adjacent properties anticipated as a result of the proposal.

The proposed development lies within walking distance of Thorold Secondary School, facilitating accessibility and safe, easy access for TSS students and their families who may live here.

As stated previously in this report, housing of this type is not unusual in the area. An apartment building exists in a very similar context just 120m down the street, at 78 Welland Street North. semi-detached or townhouse units exist at 5 Brock Street, 88 and 90 Ormond Street North, and 75 Carleton Street North.

Therefore, Planning staff are of the opinion that the requested variances are appropriate for the development of the land.

Is the Variance minor in nature?

The test for the minor nature of a variance relates to the degree of impact it may have on the surroundings, rather than on absolute values. The requested lower lot frontage is not anticipated to have any adverse impacts on adjacent properties, since it is very slight. Lots with similar or smaller frontage exist throughout the nearby area. For the lot area

reduction which is sought, no adverse drainage effects, or other effects, on nearby properties are anticipated. Any issues can be mitigated through grading plan at the time of a building permit application. For reference, the proposed minor variance for lot area represents an approximately 12.7% decrease in the total lot area permitted. The proposed minor variance for lot frontage represents an approximately 2.9% decrease in the total lot frontage permitted.

As such, staff are of the opinion that the requested variance is minor in nature, and that a minor variance is the appropriate Planning Act application type for this proposal.

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

- Please see attached comment:
- The Region recommends that as a condition of consent the owner submits a Stage 1-2 Archaeological Assessment (at minimum), prepared by a licensed archaeologist to the MCM and receive an acknowledgement letter from MCM (copied to the City of Thorold) confirming that all archaeological resource concerns have met licensing and resource conservation requirements prior to any development on the site.

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
Niagara Region	NPCA
Alectra Utilities	MNCFN
Cogeco	City of Thorold Building
Hydro One	City of Thorold Engineering
	City of Thorold Fire
	City of Thorold Public Works
	City of Thorold Economic Dev
	City of Thorold Community Services
	City of St. Catharines
	Canada Post
	Ministry of Transportation
	Bell Canada
	NCDSB
	Enbridge
	OPG

Public Comments

No public comments were received as of the date of writing this report.

CONCLUSION

As a freehold residential development containing three (3) dwelling units, this application is not subject to Site Plan Control, Plan of Condominium, or any further application made under the Planning Act. Upon fulfillment of the conditions and receipt of the consent, the owner may apply for a building permit with the City’s Building Division. A future consent application may be made if, at some time, the owner elects to further subdivide the severed land. Such an application would be required to conform to the City’s Zoning By-law or receive approval to alter the zoning provisions through an application under the Planning Act.

It is the recommendation of Planning staff that Consent Application D10-03-2026, for the purpose of severance at 10 Brock Street **BE APPROVED**, subject to the conditions listed herein.

It is the recommendation of Planning staff that Minor Variance Application D13-03-2026, for the purpose of the development of three townhouse dwelling units at 10 Brock Street **BE APPROVED**, subject to the condition listed herein.

Prepared by:

Shawn Heerema

Planning Student

City of Thorold Planning

Submitted by:

Kevin Nunn

Senior Planner

City of Thorold Planning

This report was prepared in consultation with J. Greyvenstein, Development Planner and reviewed by Marc Davidson, Manager of Planning.

Appendices

Appendix 1

Comments



Appendix 1 - Comments



NIAGARA REGION COMMENTS

Public Works – Infrastructure Planning and Development Division

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free:1-800-263-7215

Via Email Only

June 10, 2026

Region Files: PLCS202600634, PLMV202600633

David Schoenholz
Planning Clerk
City of Thorold
8 Carleton Street South
Thorold, ON, L2V 5C2

Dear Mr. Schoenholz:

**Re: Regional and Provincial Comments
Proposed Consent and Minor Variance Applications
City Files: D10-03-2026, D13-03-2026
Owners: WD Homes Inc. (Joshua Davidson and Michael Wilson)
Agent: Upper Canada Consultants (Eric Beauregard)
10 Brock Street
City of Thorold**

Regional Infrastructure Planning and Development staff has reviewed the proposed consent and minor variance applications for lands municipally known as 10 Brock Street in the City of Thorold. The applications are required to facilitate the development of a street townhouse dwelling containing three rental units.

The consent application proposes to sever Part 1 on the submitted sketch, prepared by Chambers and Associates Surveying Ltd. (dated April 8, 2026) with a lot frontage of 20.65 metres and a lot area of 565 m². Part 2 on the submitted sketch is proposed to be retained with a lot frontage of 19.58 metres and a lot area of 537 m².

The minor variance application is seeking relief from the City of Thorold Zoning By-law (60) 2019 to reduce the minimum lot area for an end unit of a street townhouse dwelling from 255 m² to 195 m², to reduce the minimum lot area for an interior unit of a street townhouse dwelling from 180 m² to 160 m², and to reduce the minimum lot frontage for an end unit of a street townhouse dwelling from 7.5 m to 7.2 m.

Comments related to archaeology are provided as advisory under the Planning Services Agreement (PSA) between the Region and the City.

June 10, 2026

Archaeological Potential

The *Provincial Planning Statement, 2024 (PPS)* and the *Niagara Official Plan, 2022 (NOP)* state that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved, or the land has been investigated and cleared or mitigated following clearance from the Province. The subject land is mapped as an area of archaeological potential in Schedule K of the NOP.

The proposal involves the creation of a new lot for the purpose of constructing a new dwelling. In accordance with NOP Policy 6.4.2.6, staff recommend a Stage 1-2 Archaeological Assessment, prepared by a licensed archaeologist be submitted as a condition of consent. The assessment is to be submitted to the Ministry of Citizenship and Multiculturalism (MCM), with their acknowledgement letter shared to the City of Thorold.

Conclusion

From a Provincial and Regional policy standpoint, it is the responsibility of City staff to evaluate whether the proposal is consistent with the *Provincial Planning Statement* and conforms to the *Niagara Official Plan*.

To assist City staff in their review under the PSA, staff recommend as a condition of consent that the owner submits a Stage 1-2 Archaeological Assessment (at minimum), prepared by a licensed archaeologist to the MCM and receive an acknowledgement letter from MCM (copied to the City of Thorold) confirming that all archaeological resource concerns have met licensing and resource conservation requirements prior to any development on the site. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry through the City of Thorold confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

Should you have any questions, please contact the undersigned at Katie.Young@niagararegion.ca. Please send the staff report and notice of the Committee's decision on the application when available.

Kind regards,



Katie Young, MCIP, RPP
Senior Planner

cc: Pat Busnello, MCIP, RPP, Manager, Development Planning



ALECTRA UTILITIES COMMENTS

From: [Network Info](#)
To: [David Schoenholz](#); [City of Thorold Planning](#)
Subject: RE: City of Thorold Committee of Adjustments - June 18, 2026
Date: May 27, 2026 11:15:47 AM
Attachments: [image007.jpg](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)

Good morning,

10 Brock St and 1892 Turner Rd are not serviced by Alectra Utilities.

Regards,



Samantha Burke
ICI & Layouts
55 John Street North, Hamilton, ON, L8R 3M8
t 905.798.2971
alectrautilities.com

From: David Schoenholz <David.Schoenholz@thorold.ca>
Sent: Friday, May 22, 2026 12:48 PM
To: Abby.LaForme@mncfn.ca; Abu Rashed <Abu.Rashed@thorold.ca>; Alex Sales <Alex.Sales@thorold.ca>; Building <Building@thorold.ca>; Daniel Dickson <Daniel.Dickson@thorold.ca>; David Hornblow <David.Hornblow@thorold.ca>; Deanna Graham <Deanna.Graham@thorold.ca>; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; FPO <FPO@thorold.ca>; Geoff Holman <Geoff.Holman@thorold.ca>; Jenny Rodriguez <Jenny.Rodriguez@thorold.ca>; Lori.Karlewicz@niagararegion.ca; Paula Wake <Paula.Wake@thorold.ca>; Steven Polich <Steven.Polich@thorold.ca>; Susan.Dunsmore@niagararegion.ca; Ugo Obiako <Ugo.Obiako@thorold.ca>; Usama.Ali@ontario.ca; andrew.carrigan@canadapost.ca; circulations@bell.ca; devtplanningapplications <devtplanningapplications@niagararegion.ca>; executivevp.lawanddevelopment@opg.com; jeremy.leemet@cogeco.com; katie.young@niagararegion.ca; landuseplanning@hydroone.com; matthew.prestinaci@ontario.ca; municipalplanning@enbridge.com; Network Info <network.info@alectrautilities.com>; planning@dsbn.org; planning@ncdsb.com; ppearson@npca.ca; sritchie@stcatharines.ca; talitha.laurenson@opg.com; thoreng <thoreng@thorold.ca>; tlennard@npca.ca; zone2scheduling@hydroone.com
Cc: City of Thorold Planning <Planning@thorold.ca>
Subject: City of Thorold Committee of Adjustments - June 18, 2026

NOT FROM ALECTRA! Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Please find attached copies of the Notices of Hearing for the Consent and Minor Variance and applications listed below to be heard at the City of Thorold June Committee of Adjustment meeting -
[FileLink](#)

Consent	D10-03-2026	10 Brock Street
Minor Variance	D13-03-2026	10 Brock Street
Minor Variance	D13-04-2026	1892 Turner Road

Please review and provide comments to the Planning@Thorold.ca on or before **4:00 pm, June 10, 2026**. If no comment or intention to provide response is received, we will consider this to mean there is



COGECO COMMENTS

From: [Jeremy Leemet](#)
To: [City of Thorold Planning](#)
Cc: [David Schoenholz](#)
Subject: Re: City of Thorold Committee of Adjustments - June 18, 2026
Date: May 22, 2026 1:55:08 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good Afternoon
Cogeco has no comment.
Thanks Jeremy Leemet

On Fri, May 22, 2026 at 12:47 PM David Schoenholz <David.Schoenholz@thorold.ca> wrote:

Hello,

Please find attached copies of the Notices of Hearing for the Consent and Minor Variance and applications listed below to be heard at the City of Thorold June Committee of Adjustment meeting -
[FileLink](#)

Consent	D10-03-2026	10 Brock Street
Minor Variance	D13-03-2026	10 Brock Street
Minor Variance	D13-04-2026	1892 Turner Road

Please review and provide comments to the Planning@Thorold.ca on or before **4:00 pm, June 10, 2026**. If no comment or intention to provide response is received, we will consider this to mean there is no comment on the application.

Regards,

City of Thorold Logo



David Schoenholz

Planning Clerk
Development Services

City of Thorold

905-227-6613 x259

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



HYDRO ONE COMMENTS

From: [LANDUSEPLANNING](#)
To: [David Schoenholz](#)
Subject: Thorold - 10 Brock Street - D10-03-2026
Date: June 1, 2026 11:00:14 AM

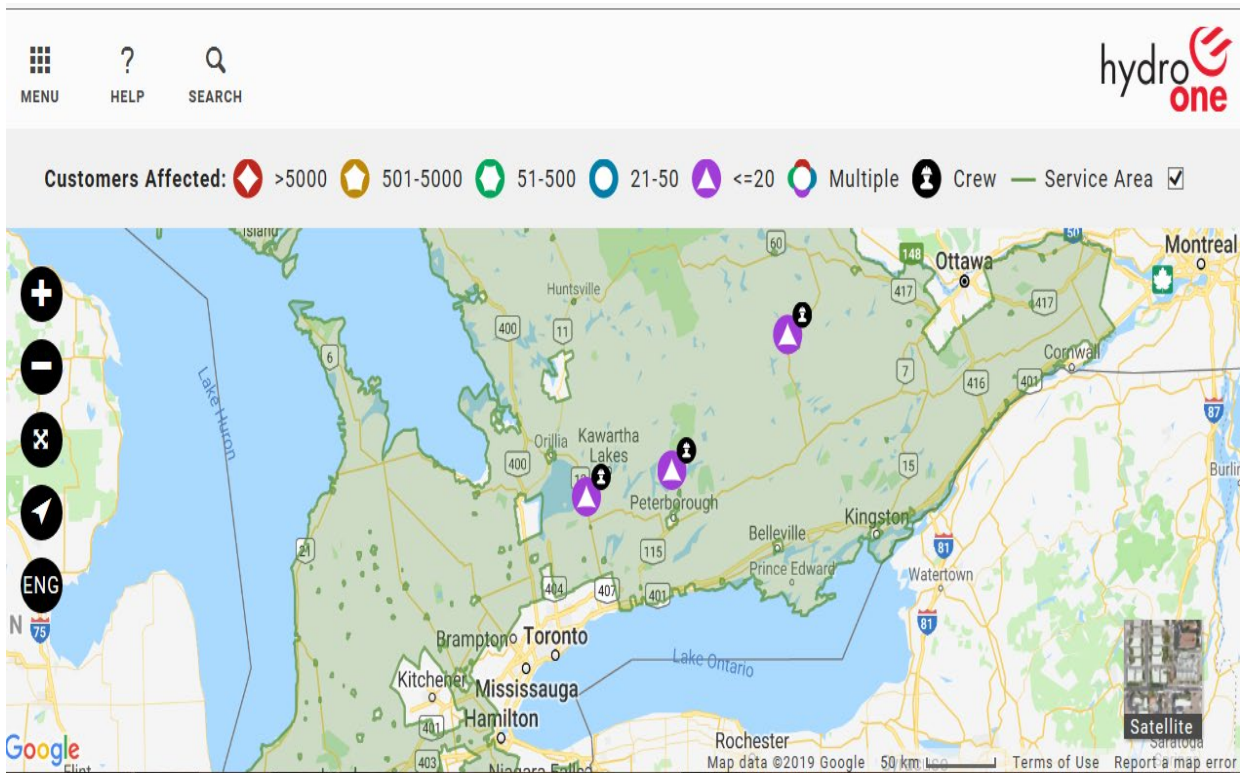
Hello,

We are in receipt of your Application for Consent, D10-03-2026 dated 2026-05-22. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@Hydroone.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link: [Stormcentre \(hydroone.com\)](https://stormcentre.hydroone.com)

Please select "Search" and locate the address in question by entering the address or by zooming in and out of the map.



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact Land Use Planning.

Thank you,

Land Use Planning Department
Hydro One Networks Inc.
Email: LandUsePlanning@HydroOne.com