

COMMITTEE OF ADJUSTMENT

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

NOTICE OF DECISION –August 26, 2025

FILE NO.: D10-11-2025
ROLL NO: 2731 000 0808 400
SUBJECT LAND: 47 Pine Street South, Thorold
PLAN MITTLEBERGER BLK A
LOT 4 PT LOT 3 NP892
APPLICANT: Domenica Klim and Natale Calabrese
AGENT: Joseph M. Tomaino, Upper Canada Consultants

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 September 15, 2020.

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

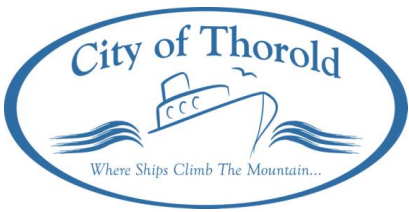
Electronically Signed By E. Pizzo, Member In favour

Absent - By G. Jackson, Member

Electronically Signed By K. Daniels, Member In favour

Absent - P. DiPaola, Member

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 D10-11-2025 – 47 Pine Street South, Thorold, ON;

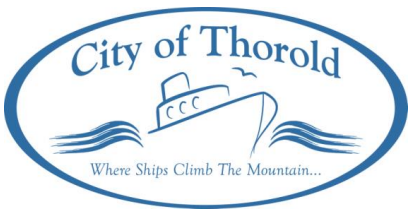
CONDITIONS:

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

1. That the Owners provide 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.
2. That the Owners provide a lawyer's undertaking, to the satisfaction of the City, to forward a copy of documentation confirming the transaction has 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.
3. That the Owners convey the lands described as Part 3, as illustrated on the severance sketch prepared by Chambers and Associates Surveying Ltd., dated April 4, 2025, 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 to the satisfaction of the City of Thorold.
4. That the payment of 5% of the value of the new lot, being Part 1, of the submitted severance sketch be made to the City of Thorold in lieu of dedication of land for park purposes pursuant to Section 53(13) of the Planning Act, R.S.O. 1990, as amended to the satisfaction of the City of Thorold.
5. That the Owners receive acceptance from the Ministry of Citizenship and Multiculturalism (MCM) for the 'Stage 1 - 2 Archaeological Assessment', prepared by Detritus Consulting Ltd (dated May 22, 2025). If the Ministry requires further archaeological work to be completed prior to acknowledging this report, the report(s) must also be submitted to and acknowledged by the Ministry, to the satisfaction of the City of Thorold, 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.
6. That any existing structures on the subject land which encroach from the retained property onto the severed property, including the existing fire escape, be removed and replaced to the satisfaction of the City of Thorold, and that a Building Permit be received prior to beginning this work.
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 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.

Date of Decision: August 21, 2025
Date of Decision Notice: August 26, 2025
Last date to file a notice of appeal: September 15, 2025
Last date to fulfill all conditions: August 26, 2027

Notice of appeal must be filed with the Secretary Treasurer for the City of Thorold



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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, Courtney Kaupp, 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

Courtney Kaupp
Secretary Treasurer to the Committee of Adjustment

Date of Decision: August 21, 2025

Date of Mailing: August 26, 2025