

COMMITTEE OF ADJUSTMENT

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

NOTICE OF DECISION – APRIL 18, 2024

In the matter of an application for a minor variance by:

FILE NO.: D13-09-2024 **ROLL NO:** 2731 000 023 12400 0000
SUBJECT LAND: 12 Kaye Avenue, Thorold
Pt Twp Lot 50
APPLICANT: Jeremy Davidson
AGENT: Mike Wilson

PURPOSE OF APPLICATION:

The subject lands are located in the Urban Area Boundary, designated Urban Living Area and are subject to the Built Boundary overlay in the City of Thorold Official Plan and zoned Residential First Density (R1C) in accordance with Section 9 of the City of Thorold Comprehensive Zoning Bylaw 2140(97).

The applicant is proposing the demolition of an existing single detached dwelling to facilitate the construction of a new single detached dwelling in approximately the same location as the existing dwelling. In order to facilitate the development as proposed, application is made for relief from the following provisions:

- Bylaw 2140(97), Part 9 – Residential First Density R1C Zone: Section 9.2(c) – To permit a minimum front yard setback of 3.6 metres whereas the bylaw requires a minimum front yard setback of 6.0 metres; and
- Bylaw 2140(97), Part 9 – Residential First Density R1C Zone: Section 9.2 (e) – To permit a minimum interior side yard setback of 0.9 metres whereas the bylaw requires a minimum interior yard setback of 1.2 metres.
- Bylaw 60-2019, Part 3 – General Regulations, Section 3.26: Yards to Be Unobstructed, Table 3.5: Platform Structure Permitted Encroachments/Projections (i.e. Deck, Porch, Balcony, Patio) – To permit a minimum setback from front lot line to platform structure of 3.4 metres whereas the bylaw requires a minimum setback from front lot line to platform structure of 6.0 metres.

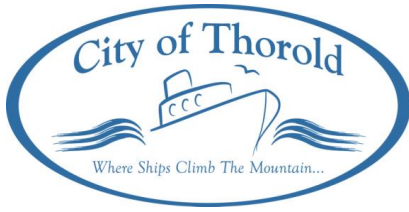
This application was heard at a Public Hearing of this Committee held on April 18, 2024 at City Hall, Thorold and the decision on the variance requested was made pursuant to the provisions of Section 45 of the *Planning Act, R.S.O. 1990, c.P. 13*, as amended, as follows:

DECISION: **GRANTED**

REASONS:

The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the *Planning Act* tests for 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.



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NOTICE OF DECISION – D13-09-2024 – 12 KAYE AVENUE, THOROLD

The last day for appeal of this decision is May 8, 2024.

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 Building Faster Act, 2022.

Planning Act appeals may be filed 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:
<https://www.ontario.ca/document/citizens-guide-land-use-planning/ontario-land-tribunal>

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
Conflict Declared By K. Daniels, Member	No vote
Electronically Signed By P. DiPaola, Member	In favour
Electronically Signed By G. Ravenek, Member	In favour

Date of Decision: April 18, 2024

Date of Decision Notice: April 22, 2024

Last date to file a notice of appeal: May 8, 2024

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 of the Committee of Adjustment