

COMMITTEE OF ADJUSTMENT

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

NOTICE OF DECISION – JUNE 20, 2024

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

FILE NO.: D13-19-2024 **ROLL NO:** 2731 000 010 10702 0000
SUBJECT LAND: 5 Hagar Street, Part 1, Thorold
Plan 902 Pt Lots 23 and 24 RP59R17158 Part 2
APPLICANT: JMT Partnership
AGENT: Dawson McKenzie

PURPOSE OF APPLICATION:

The subject lands are designated Urban Living Area and are subject to the Urban Area Boundary, Centre Community Improvement Area and Built Boundary overlays in the City of Thorold Official Plan, and zoned Residential One (R1B) in accordance with Section 6 of the City of Thorold Comprehensive Zoning Bylaw 60-2019.

In 2021, a consent application created the subject lot (D10-05-2021). A related minor variance application (D13-32-2021) was granted from the following provisions of Section 12 of Bylaw 2140(97):

- Provision 12.2 (a) – To reduce the Minimum Lot Area from 550 square metres to 335 square metres;
- Provision 12.2 (b) – To reduce the Minimum Lot Frontage from 15.00 metres to 14 metres;
- Provision 12.2 (c) – To reduce the Front Yard Setback from 7.5 metres to 4.5 metres; and
- Provision 12.2 (d) – To increase the Interior Side Yard Setbacks from 1.5 metres to 1.8 metres.

The applicant is now proposing to separate the existing semi-detached dwelling, through Consent application D10-11-2024, as shown on the drawing submitted. In order to facilitate the proposed consent application, application is made for additional relief from the following provision of Bylaw 60-2019, Section 6 Residential One (R1B) Zone for 5 Hagar Street, Part 1:

- Table 6.3a – To permit a minimum lot area of 167.79 square metres whereas the bylaw requires a minimum lot area of 200 square metres.

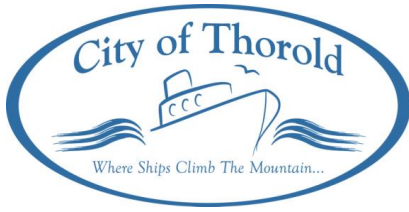
This application was heard at a Public Hearing of this Committee held on June 20, 2024 at City Hall, Thorold and the decision on the variance requested was made pursuant to the provisions of Section 45 of the *Planning Act, R.S.O. 1990, c.P. 13*, as amended, as follows:

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 – D13-19-2024 – 5 HAGAR STREET, PART 1, THOROLD

The last day for appeal of this decision is July 10, 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
Electronically Signed By K. Daniels, Member	In favour
Electronically Signed By P. DiPaola, Member	In favour
Electronically Signed By G. Ravenek, Member	In favour

Date of Decision: June 20, 2024

Date of Decision Notice: June 24, 2024

Last date to file a notice of appeal: July 10, 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