



COMMITTEE OF ADJUSTMENT

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

March 30, 2025

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Minor Variance Application D13-07-2025
1400 Egerter Road
Pt TWP Lot 204 Plan M9 Lot 23, Thorold, ON
2731 000 030 04400 0000

PROPOSAL

The applicant is seeking a Minor Variance to permit the construction of two additions to an existing 2 storey single-detached dwelling located at 1400 Egerter Road. The subject lands are designated as Environmental Protection Two – EP2 and Open Space Conservation – OS 2 Zone (see Figure 1) according to City of Thorold Comprehensive Zoning By-law (60)2019. The Open Space Conservation - OS2 zone restricts the permitted uses and development of the lands under its designation for the purpose of “recognizing an existing use, or indicating the intent of the City to encourage the preservation of the open space quality of the lands.”

The subject lands are part of the Open Space & Parks land use designation under the City of Thorold Official Plan (2016).

In order to permit the construction of two additions to the non-conforming residential use on the subject lands, Section 45(2) of *The Planning Act* applies:

(a) where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,

(i) the enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause (ii) continued until the date of the application to the committee, but no permission may be given to enlarge or extend the building or

structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed,

RECOMMENDATIONS

That Minor Variance Application (D13-07-2025) to permit building additions to an existing legal non-conforming single-detached dwelling **BE APPROVED.**

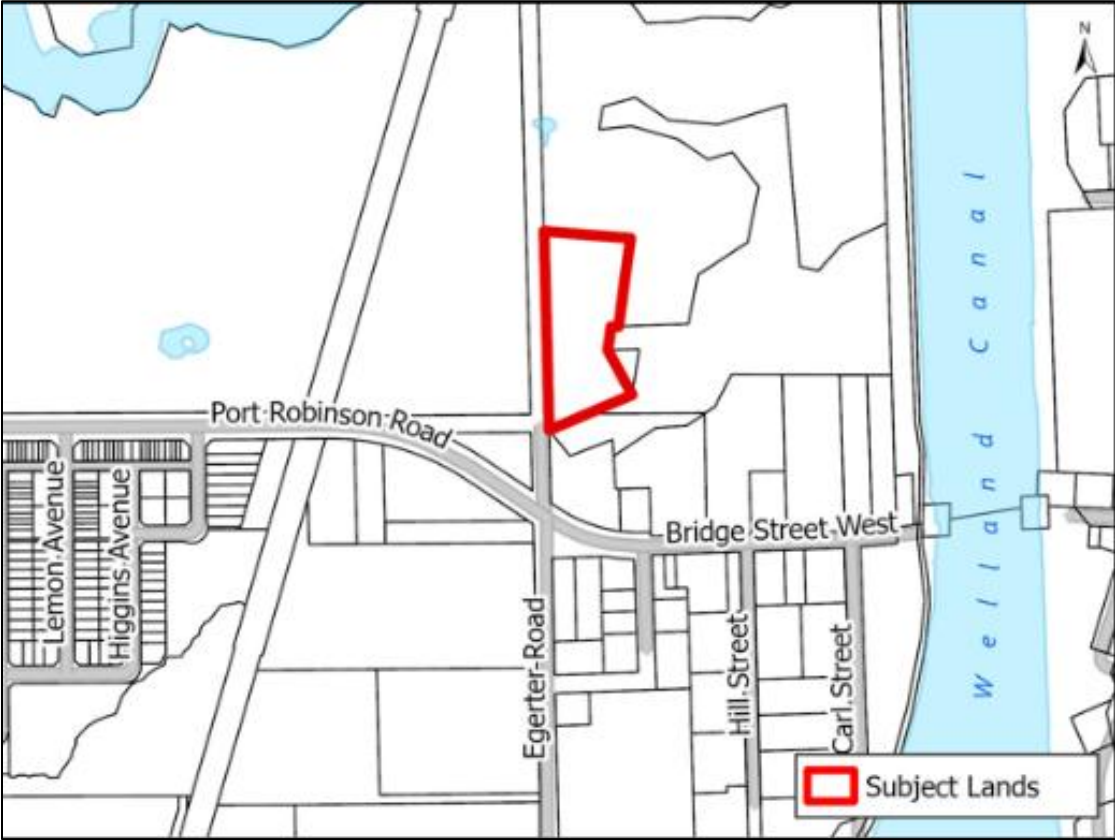


Figure 1: Location Map – 1400 Egerter Road.

Site Description

The subject lands are located on the east side of Egerter Road, north of Port Robinson Road. There is an existing single detached dwelling located at the south end of the parcel that was constructed circa 1974 (see Figure 2). The existing dwelling pre-dates the current Environmental Protection Two (EP2) and Open Space and Parks (OS2) zoning of the subject lands. Given that the current residential use has continued on the subject

lands prior to the change in zoning, expansion of the legal non-conforming use is permissible under section 45(2) of the Planning Act.

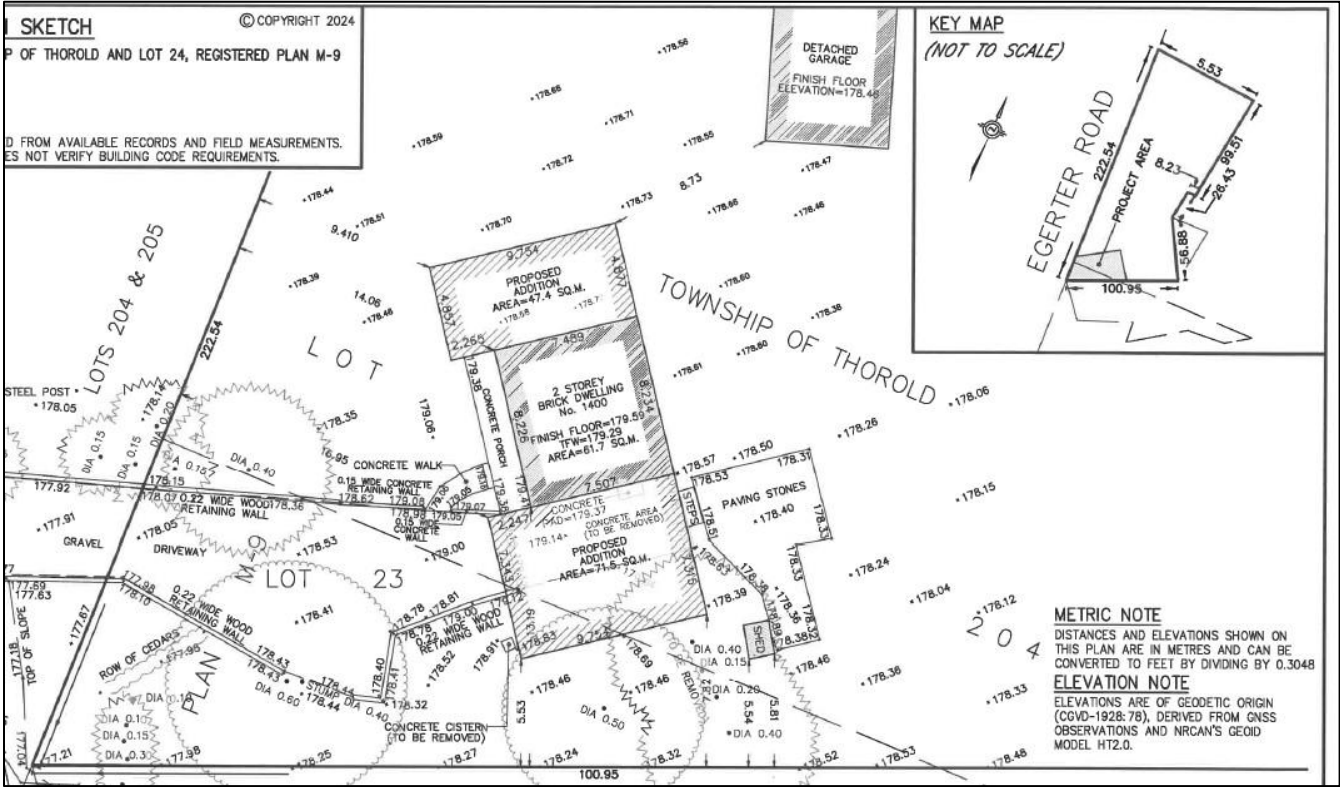


Figure 2: Site Plan Sketch – 1400 Egerter Road

Background Review

The property currently has an existing two-storey single-detached dwelling and a detached garage. The subject lands are designated Open Space and Parks and Environmental Protection Two in the City of Thorold Official Plan. The property is also split zoned with the northern portion of the property being zoned Environmental Protection Two (EP2) and the southern portion of the property (where proposed development will occur) zoned Open Space and Parks (OS2) according to By-law 60-2019. Existing zoning does not permit buildings or structures of any type however, the existing single-detached dwelling and detached garage were constructed prior to the current by-law being in force and effect.

Accordingly, Section 45(2) of the Planning Act is applicable and provides that:

“where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,

- (i) *the enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed.*

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. The following Departments/Agencies provided comments noting no concerns with the proposal:

City of Thorold Planning

- Due to the scale and nature of the proposed development which comprises an addition to an existing legal non-conforming single-detached dwelling, there are no negative impacts anticipated, and the proposal represents good planning. As the existing home predates current zoning and any impact that may have occurred during the initial construction, is in the past, the proposed addition does not create any further impacts to the lands within the Open Space and Parks zone and can therefore be supported.

City of Thorold Building Division

- A building permit will be required to proceed with this development.

City of Thorold Engineering Department

- Engineering has no comments

City of Thorold Fire and Emergency Services Department

- No comments regarding the Minor Variance application.

Bell Canada

- No comments or concerns.

Cogeco

- No concerns.

Hydro One

- No issues, concerns, or comments with what is being presented.

Heritage Thorold

- No comments.

St. Lawrence Seaway

- No comments.

NCPA

- No concerns with proposed development due to scope and nature of development.

Niagara Region

Regional staff have no objections to the proposed minor variance application, subject to the following conditions, which are required to ensure the minor variance maintains the intent and purpose of local Official Plan policies pertaining to private servicing and the natural environment:

1. A new septic system is installed on the property to service the proposed development, which meets all Ontario Building Code requirements. A permit for the new system shall be applied for and obtained from Niagara Region prior to installation.
 2. A Tree Preservation Plan (TPP) is submitted to Niagara Region for review and approval which includes appropriate mitigation measures to protect the adjacent Significant Woodland adjacent to the proposed additions. The TPP should be prepared in accordance with Region's Woodland Conservation By-law (By-law 20-79).
- See additional detailed comments attached.

Public Comments

- None received as of the date of writing of this report.

CONCLUSION

The applicant is seeking a minor variance to permit the construction of two additions to an existing legal non-conforming 2 storey single-detached dwelling within the Open Space and Parks OS2 Zone according to By-law 60-2019.

- In order to facilitate the development, Section 45 (2) of The Planning Act applies whereby the Committee of Adjustment has the power to permit an enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed continued until the date of the application to the committee. As the existing home predates current zoning, and any impact that may have occurred during the initial construction, has past, the proposed addition does not create any further impacts to the lands within the Open Space and Parks zone. In addition, both the Conservation Authority and the Niagara Region also indicated no concerns with the proposed enlargement. Therefore, the proposed enlargement can be supported,

RECOMMENDATION

That Minor Variance Application (D13-07-2025) to permit the construction of an addition to the existing single-detached dwelling **BE APPROVED** subject to the following conditions:

1. That a new septic system be installed on the property to service the proposed development, which meets all Ontario Building Code requirements. Further, that a permit for the new system shall be applied for and obtained from Niagara Region prior to installation.
2. That a Tree Preservation Plan (TPP) be submitted to Niagara Region for review and approval which includes appropriate mitigation measures to protect the adjacent Significant Woodland adjacent to the proposed additions. The TPP should be prepared in accordance with Region's Woodland Conservation By-law (By-law 20-79).

Prepared by:

Reviewed by:

Nicolette van Oyen, BES, RPP, MCIP
Senior Planner
MHBC for City of Thorold Planning

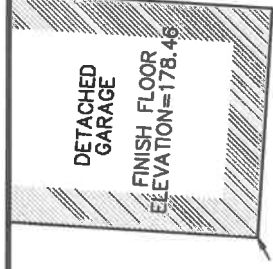
Juliane von Westerholt, BES, RPP, MCIP
Associate
MHBC for City of Thorold Planning

CITY OF THOROLD - SITE PLAN SKETCH

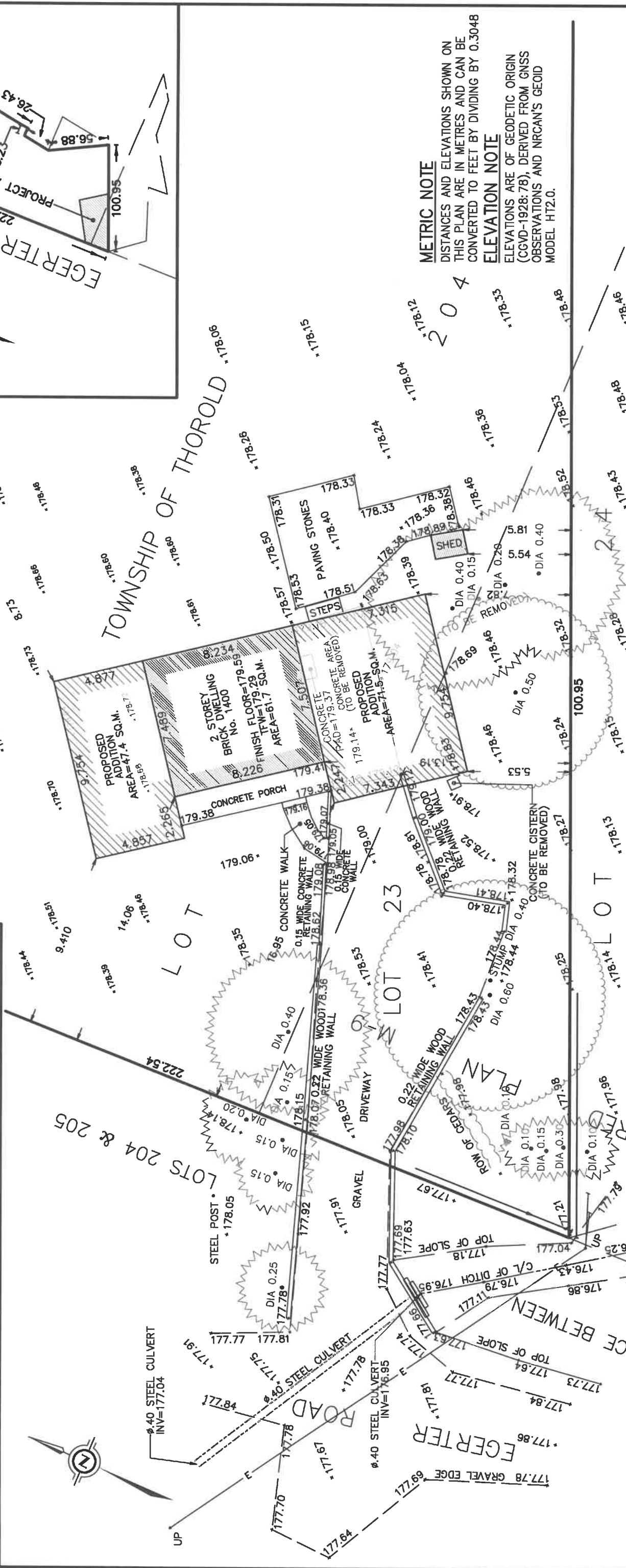
© COPYRIGHT 2024

Legal Description PART OF LOT 204, TOWNSHIP OF THOROLD AND LOT 24, REGISTERED PLAN M-9
 Street No. 1400 EGERTER ROAD
 Builder or Owner NICK KLAMMER
 Subdn Grade Control Plan No. N/A
 Building Plans N/A

NOTE: BOUNDARY INFORMATION HAS BEEN DERIVED FROM AVAILABLE RECORDS AND FIELD MEASUREMENTS. THIS IS NOT A PLAN OF SURVEY. THIS SKETCH DOES NOT VERIFY BUILDING CODE REQUIREMENTS.



KEY MAP
(NOT TO SCALE)



METRIC NOTE
 DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ELEVATION NOTE
 ELEVATIONS ARE OF GEODETIC ORIGIN (CGVD-1928:78), DERIVED FROM GNSS OBSERVATIONS AND NRCAN'S GEOID MODEL HT2.0.

Dwg attached	DRAWN	DR	CHECKED	DR	ZONE	A	REF.	24-16-170-00	SCALE	1:200
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THE FIELD WORK SHOWN ON THIS SKETCH WAS COMPLETED ON OCTOBER 25, 2024.

DATE: *October 29, 2024*
 DAVID RECCHIA
 ONTARIO LAND SURVEYOR

PROPOSED ELEVATIONS FOR ADDITIONS

179.29	-	TOP OF FOUNDATION (MATCH EXISTING)
178.07	-	TOP OF FOOTING
177.92	-	UNDERSIDE OF FOOTING

THIS SKETCH IS PROTECTED BY COPYRIGHT, AND IS AN ORIGINAL ONLY IF EMBOSSED BY A SURVEYOR'S SEAL

J.D. BARNES SURVEYING & MAPPING LAND INFORMATION SPECIALISTS
 4318 PORTAGE ROAD - UNIT 2, NIAGARA FALLS, ON L2E 6A4
 T: (905) 358-3693 F: (905) 358-6224 www.jdbarnes.com

FILE: G:\PROJECTS\24-16-170\00 - 24-16-170\Drawing\24-16-170-00(PP).dgn





BELL CANADA COMMENTS

Antonietta Vanderberg

From: Antonietta Vanderberg
Sent: April 16, 2025 2:46 PM
To: Bangee, Mohammad S
Cc: Conor Warren
Subject: FW: Municipality of Thorold's question on Bell comments on planning applications

Hello Mohammad,

Thank you for the email. I appreciate your timely response and the follow up with my request for comments for Minor Variance – 1400 Egerter Road

Have a good day
Antonietta



Antonietta Vanderberg

Temporary 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

From: Bangee, Mohammad S <mohammad.bangee@bell.ca>
Sent: April 16, 2025 2:39 PM
To: Antonietta Vanderberg <Antonietta.Vanderberg@thorold.ca>
Subject: RE: Municipality of Thorold's question on Bell comments on planning applications

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Antoinetta,

Apologize for the delay. I did speak to the manager from our control who is back but is a little a bit under the weather. She did say that normal practice for their team with respect to Consents and Minor Variances is that unless there is an issue or concern, they do not comment (due to the sheer volume they receive from all Ontario municipalities). We are grateful and appreciate receiving the info and welcome further circulations/applications.

Therefore, no comments or concerns on Minor Variance at 1400 Egerter Road.

Hope this helps,

Mohammad

Mohammad Bangee
Specialist, Network Provisioning



ST. LAWRENCE SEAWAY COMMENTS

Antonietta Vanderberg

From: ALo@seaway.ca on behalf of realestate@seaway.ca
Sent: February 25, 2025 10:14 AM
To: City of Thorold Planning
Cc: Conor Warren; PBunnin@seaway.ca; SSirianni@seaway.ca; realestate@seaway.ca; MFernandes@seaway.ca
Subject: RE: City of Thorold Committee of Adjustment Notice of Hearing – D13-07-2025 - 1400 Egerter Rd
Attachments: Notice of Hearing - D13-07-2025 – 1400 Egerter Rd.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

This is in regards of the below request for agency comments received by email.

We do not have any comments.

Thank you and Best Regards,

Anna Lo

▼ "Conor Warren" ---2025-02-19 10:30:47---Hello, Please see updated Notice of Hearing.

De : "Conor Warren" <Conor.Warren@thorold.ca>
A : "City of Thorold Planning" <Planning@thorold.ca>, "ppearson@npca.ca" <ppearson@npca.ca>, [REDACTED],
"nvanoyen@mhbcpplan.com" <nvanoyen@mhbcpplan.com>, "Dinesh Adhikari" <Dinesh.Adhikari@thorold.ca>, "FPO" <FPO@thorold.ca>, "Sean Dunsmore"
<Sean.Dunsmore@thorold.ca>, "andrew.carrigan@canadapost.ca" <andrew.carrigan@canadapost.ca>, "KIRANDEEP.KAUR2@ontario.ca"
<KIRANDEEP.KAUR2@ontario.ca>, "alexandra.boucetta@ontario.ca" <alexandra.boucetta@ontario.ca>, "proximity@cn.ca" <proximity@cn.ca>,
"aaron.white@giorail.com" <aaron.white@giorail.com>, "Alex.Boekestyn@niagararegion.ca" <Alex.Boekestyn@niagararegion.ca>,
"devtplanningapplications@niagararegion.ca" <devtplanningapplications@niagararegion.ca>, "planning@dsbn.org" <planning@dsbn.org>,
"kathy.levinski@ncdsb.com" <kathy.levinski@ncdsb.com>, "Alexsandria.pasquinismith@ncdsb.com" <Alexsandria.pasquinismith@ncdsb.com>,
"planning@ncdsb.com" <planning@ncdsb.com>, "realestate@seaway.ca" <realestate@seaway.ca>, "planninganddevelopment@bell.ca"
<planninganddevelopment@bell.ca>, "jeremy.leemet@cogeco.com" <jeremy.leemet@cogeco.com>, "mike.embleton@cogeco.com"
<mike.embleton@cogeco.com>, "municipalplanning@enbridge.com" <municipalplanning@enbridge.com>, "ross.abate@enbridge.com"
<ross.abate@enbridge.com>, "zone2scheduling@hydroone.com" <zone2scheduling@hydroone.com>, "landuseplanning@hydroone.com"
<landuseplanning@hydroone.com>, "executivevp.lawanddevelopment@opg.com" <executivevp.lawanddevelopment@opg.com>,
"newdevelopment@rci.rogers.com" <newdevelopment@rci.rogers.com>, "thoreng" <thoreng@thorold.ca>
Cc : "Antonietta Vanderberg" <Antonietta.Vanderberg@thorold.ca>
Date : 2025-02-19 10:30
Objet : RE: City of Thorold Committee of Adjustment Notice of Hearing – D13-07-2025 - 1400 Egerter Rd

Hello,

Please see updated Notice of Hearing.



CITY OF THOROLD BUILDING COMMENTS

Antonieta Vanderberg

From: Dinesh Adhikari
Sent: March 24, 2025 2:22 PM
To: Antonietta Vanderberg
Cc: Conor Warren
Subject: Re: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road

Hi Antonietta,
The Building division has no comments.

Best regards
Dinesh



Dinesh Adhikari

Senior Plans Examiner – Building Inspector
Development Services

City of Thorold

P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON., L2V 4A7
www.thorold.ca

From: Antonietta Vanderberg <Antonietta.Vanderberg@thorold.ca>
Sent: Monday, March 24, 2025 1:52 PM
To: thoreng <thoreng@thorold.ca>; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; rosi.zirger@ontario.ca <rosi.zirger@ontario.ca>; andrew.carrigan@canadapost.ca <andrew.carrigan@canadapost.ca>; peter.deluca@ontario.ca <peter.deluca@ontario.ca>; proximity@cn.ca <proximity@cn.ca>; planninganddevelopment@bell.ca <planninganddevelopment@bell.ca>; municipalplanning@enbridge.com <municipalplanning@enbridge.com>; zone2scheduling@hydroone.com <zone2scheduling@hydroone.com>; landuseplanning@hydroone.com <landuseplanning@hydroone.com>; executivevp.lawanddevelopment@opg.com <executivevp.lawanddevelopment@opg.com>; newdevelopment@rci.rogers.com <newdevelopment@rci.rogers.com>; Jay Greyvenstein <Jay.Greyvenstein@thorold.ca>
Cc: Conor Warren <Conor.Warren@thorold.ca>
Subject: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road

Hello,

Please review attached Notice of Hearing to provide any comments.

D13 – 07-2025 – 1400 Egerter Road, Thorold

I would greatly appreciate receiving your comments at your earliest convenience

Thank you
Antonietta



CN RAIL COMMENTS

Antonietta Vanderberg

From: Proximity <proximity@cn.ca>
Sent: March 31, 2025 9:11 PM
To: Antonietta Vanderberg
Subject: FW: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road
Attachments: Notice of Hearing - D13-07-2025 – 1400 Egerter Rd.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Antonietta,

Thank you for circulating CN the application noted in subject. CN Rail does not have any comments concerning this application.



CN Proximity

proximity@cn.ca

From: Antonietta Vanderberg <Antonietta.Vanderberg@thorold.ca>
Sent: Thursday, March 27, 2025 9:45 AM
To: thoreng <thoreng@thorold.ca>; andrew.carrigan@canadapost.ca; peter.deluca@ontario.ca; Proximity <proximity@cn.ca>; municipalplanning@enbridge.com; zone2scheduling@hydroone.com; landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; newdevelopment@rci.rogers.com; planninganddevelopment@bell.ca
Cc: Conor Warren <Conor.Warren@thorold.ca>
Subject: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road

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AVERTISSEMENT : ce courriel provient d'une source externe au CN : NE CLIQUEZ SUR AUCUN lien ou pièce jointe à moins de reconnaître l'expéditeur et d

Hello,

I am following up on my previous communication regarding the attached Notice of Hearing to provide any comments

D13 – 07-2025 – 1400 Egerter Road, Thorold

I would greatly appreciate receiving your comments at your earliest convenience

Thank you
Antonietta



COGECO COMMENTS

Antonietta Vanderberg

From: Jeremy Leemet <jeremy.leemet@cogeco.com>
Sent: March 3, 2025 1:07 PM
To: Antonietta Vanderberg
Cc: City of Thorold Planning; ppearson@npca.ca; nvanoyen@mhbcplan.com; Dinesh Adhikari; FPO; Sean Dunsmore; andrew.carrigan@canadapost.ca; KIRANDEEP.KAUR2@ontario.ca; alexandra.boucetta@ontario.ca; proximity@cn.ca; aaron.white@giorail.com; devtplanningapplications@niagararegion.ca; planning@dsbn.org; kathy.levinski@ncdsb.com; Alexandria.pasquinismith@ncdsb.com; planning@ncdsb.com; planninganddevelopment@bell.ca; mike.embleton@cogeco.com; municipalplanning@enbridge.com; ross.abate@enbridge.com; zone2scheduling@hydroone.com; landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; newdevelopment@rci.rogers.com; thoreng; Conor Warren
Subject: Re: Reminder : Review of Notice of Hearing - Comments Needed

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Good Afternoon
Cogeco has no comment.
Thanks Jer

On Mon, Mar 3, 2025 at 12:09 PM Antonietta Vanderberg <Antonietta.Vanderberg@thorold.ca> wrote:

Hello,

I wanted to kindly remind you to review the attached Notice of Hearing for Minor Variance **D13-07-2025 - 1400 Egerter Rd** that was preciously sent and provide any comments as soon as possible.

I would greatly appreciate receiving your comments at your earliest convenience to ensure we have all our comments in order to move forward

Thank you for your attention

Regards,

Antonietta Vanderberg



CITY OF THOROLD ENGINEERING COMMENTS

Antonietta Vanderberg

From: Paula Wake
Sent: April 1, 2025 9:31 AM
To: Antonietta Vanderberg; Conor Warren; City of Thorold Planning
Cc: Ugo Obiako; Alex Sales; Abu Rashed; Jenny Rodriguez; Steven Polich; Jamie Alguire
Subject: RE: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road

Hi Conor and Antonietta
Engineering has no comments



Paula Wake

Engineering Technician I
Public Works and Community Services

City of Thorold

905-227-6613 x291

P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON., L2V 4A7

www.thorold.ca

From: Antonietta Vanderberg <Antonietta.Vanderberg@thorold.ca>

Sent: March 24, 2025 1:52 PM

To: thoreng <thoreng@thorold.ca>; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; rosi.zirger@ontario.ca; andrew.carrigan@canadapost.ca; peter.deluca@ontario.ca; proximity@cn.ca; planninganddevelopment@bell.ca; municipalplanning@enbridge.com; zone2scheduling@hydroone.com; landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; newdevelopment@rci.rogers.com; Jay Greyvenstein <Jay.Greyvenstein@thorold.ca>

Cc: Conor Warren <Conor.Warren@thorold.ca>

Subject: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road

Hello,

Please review attached Notice of Hearing to provide any comments.

D13 – 07-2025 – 1400 Egerter Road, Thorold

I would greatly appreciate receiving your comments at your earliest convenience

Thank you
Antonietta



CITY OF THOROLD FIRE AND EMERGENCY SERVICES COMMENTS

Antonieta Vanderberg

From: FPO
Sent: February 26, 2025 2:32 PM
To: City of Thorold Planning
Cc: Conor Warren
Subject: RE: City of Thorold Committee of Adjustment Notice of Hearing – D13-07-2025 - 1400 Egerter Rd

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

I have no comments regarding the minor variance application. Note that this does not constitute a review or approval of the proposed construction.

Thank you,



Traviss Ketler

Fire Prevention Officer
Fire and Emergency Services

City of Thorold

905-227-6613 x313

P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON., L2V 4A7

www.thorold.ca

What's your life worth? Smoke and CO alarms cost no more than \$30.00, make sure you have one!

From: Conor Warren <Conor.Warren@thorold.ca>

Sent: February 19, 2025 10:28 AM

To: City of Thorold Planning <Planning@thorold.ca>; ppearson@npca.ca; [REDACTED]; nvanoyen@mhbcbplan.com; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; FPO <FPO@thorold.ca>; Sean Dunsmore <Sean.Dunsmore@thorold.ca>; andrew.carrigan@canadapost.ca; KIRANDEEP.KAUR2@ontario.ca; alexandra.boucetta@ontario.ca; proximity@cn.ca; aaron.white@giorail.com; Alex.Boekestyn@niagararegion.ca; devtplanningapplications@niagararegion.ca; planning@dsbn.org; kathy.levinski@ncdsb.com; Alexandria.pasquinismith@ncdsb.com; planning@ncdsb.com; realestate@seaway.ca; planninganddevelopment@bell.ca; jeremy.leemet@cogeco.com; mike.embleton@cogeco.com; municipalplanning@enbridge.com; ross.abate@enbridge.com; zone2scheduling@hydroone.com; landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; newdevelopment@rci.rogers.com; thoreng <thoreng@thorold.ca>

Cc: Antonietta Vanderberg <Antonietta.Vanderberg@thorold.ca>

Subject: RE: City of Thorold Committee of Adjustment Notice of Hearing – D13-07-2025 - 1400 Egerter Rd

Hello,

Please see updated Notice of Hearing.



HERITAGE COMMITTEE COMMENTS

Antonietta Vanderberg

From: Anna O'Hare [REDACTED]
Sent: February 20, 2025 8:20 AM
To: City of Thorold Planning
Subject: Re: City of Thorold Committee of Adjustment Notice of Hearing – D13-07-2025 - 1400 Egerter Rd

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Conor

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Hello Conor,
Heritage Thorold has no comments regarding this item. But considering the zoning of the subject lands, perhaps the Environment Committee should be asked for their comments.
Respectfully,

Anna
Heritage Thorold

From: City of Thorold Planning <Planning@thorold.ca>
Sent: Wednesday, February 19, 2025 10:00 AM
To: ppearson@npca.ca <ppearson@npca.ca>; [REDACTED]
nvanoyen@mhbcpplan.com <nvanoyen@mhbcpplan.com>; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; FPO <FPO@thorold.ca>; Sean Dunsmore <Sean.Dunsmore@thorold.ca>; andrew.carrigan@canadapost.ca <andrew.carrigan@canadapost.ca>; KIRANDEEP.KAUR2@ontario.ca <KIRANDEEP.KAUR2@ontario.ca>; alexandra.boucetta@ontario.ca <alexandra.boucetta@ontario.ca>; proximity@cn.ca <proximity@cn.ca>; aaron.white@giorail.com <aaron.white@giorail.com>; Alex.Boekestyn@niagararegion.ca <Alex.Boekestyn@niagararegion.ca>; devtplanningapplications@niagararegion.ca <devtplanningapplications@niagararegion.ca>; planning@dsbn.org <planning@dsbn.org>; kathy.levinski@ncdsb.com <kathy.levinski@ncdsb.com>; Aleksandria.pasquinismith@ncdsb.com <Aleksandria.pasquinismith@ncdsb.com>; planning@ncdsb.com <planning@ncdsb.com>; realestate@seaway.ca <realestate@seaway.ca>; planninganddevelopment@bell.ca <planninganddevelopment@bell.ca>; jeremy.leemet@cogeco.com <jeremy.leemet@cogeco.com>; mike.embleton@cogeco.com <mike.embleton@cogeco.com>; municipalplanning@enbridge.com <municipalplanning@enbridge.com>; ross.abate@enbridge.com <ross.abate@enbridge.com>; zone2scheduling@hydroone.com <zone2scheduling@hydroone.com>; landuseplanning@hydroone.com <landuseplanning@hydroone.com>; executivevp.lawanddevelopment@opg.com <executivevp.lawanddevelopment@opg.com>; newdevelopment@rci.rogers.com <newdevelopment@rci.rogers.com>; thoreng <thoreng@thorold.ca>
Cc: Antonietta Vanderberg <Antonietta.Vanderberg@thorold.ca>
Subject: City of Thorold Committee of Adjustment Notice of Hearing – D13-07-2025 - 1400 Egerter Rd

Hello,



HYDRO ONE COMMENTS

Antionietta Vanderberg

From: BRISCALL Quinn <Quinn.Briscall@HydroOne.com>
Sent: April 17, 2025 2:44 PM
To: Antionietta Vanderberg
Cc: JOHNSTONE Sonja
Subject: RE: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road
Attachments: Notice of Hearing - D13-07-2025 – 1400 Egerter Rd.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Antionietta,

I have reviewed the attached Notice of Hearing for:

D13 – 07-2025 – 1400 Egerter Road, Thorold

On behalf of Hydro One, I do not have any issues, concerns, or comments with what is being presented.

Thank you for including us and have a great Easter weekend.

Thank you,

Quinn Briscall

Supervising Distribution Engineering Technician
Hydro One Networks Inc.
Design Services
905.932.6605
Quinn.briscall@HydroOne.com

From: JOHNSTONE Sonja <Sonja.Johnstone@HydroOne.com>
Sent: Wednesday, April 16, 2025 2:02 PM
To: Antionietta Vanderberg <Antionietta.Vanderberg@thorold.ca>
Cc: BRISCALL Quinn <Quinn.Briscall@HydroOne.com>
Subject: RE: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road

Good Afternoon,

I have brought this to Quinns attention and he is going to do his best to get this in by the deadline tomorrow.

Thank you,

Sonja Johnstone (she/her)
Lines Customer Support Clerk
Hydro One Networks Inc.



NIAGARA ESCARPMENT COMMISSION COMMENTS

Antonietta Vanderberg

From: Zirger, Rosi (MNR) <Rosi.Zirger@ontario.ca>
Sent: March 25, 2025 10:19 AM
To: Antonietta Vanderberg
Subject: RE: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning

The subject property is not within the Niagara Escarpment Area of Development Control or within the Niagara Escarpment Plan (NEP) Area. As such, NEC staff will NOT be reviewing or providing comments on this circulation.

Rosi Zirger

Senior Planner | Niagara Escarpment Commission
232 Guelph Street, Georgetown, Ontario, L7G 4B1
905-703-7216
rosi.zirger@ontario.ca | www.escarpment.org



Niagara Escarpment Commission
An agency of the Government of Ontario

Accessibility: As part of the NEC's commitment to providing accessible service, please let me know if you have any accommodation needs or require the contents of this email in an alternative format.

Availability: NEC staff provide services in person, via telephone, or via email. To better serve you, **we ask that you make an appointment if you prefer to meet in person.** You may request an appointment with staff at escarpment.org/appointments.

Did you know: You can now submit Development Permit Applications to the Niagara Escarpment Commission online? Visit our [website](http://escarpment.org) to learn more.

From: Antonietta Vanderberg <Antonietta.Vanderberg@thorold.ca>
Sent: Monday, March 24, 2025 1:52 PM
To: thoreng <thoreng@thorold.ca>; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; Zirger, Rosi (MNR) <Rosi.Zirger@ontario.ca>; andrew.carrigan@canadapost.ca; Deluca, Peter (MTO) <Peter.Deluca@ontario.ca>;



NIAGARA PENINSULA CONSERVATION AUTHORITY COMMENTS

February 27, 2025

NPCA File No.: PLMV202500221

VIA EMAIL ONLY

Committee of Adjustment
City of Thorold
3540 Schmon Parkway, P.O. Box 1044
Thorold, ON L2V 4A7

Attention: Secretary Treasurer of the Committee of Adjustment

Subject: Minor Variance, D13-07-2025
1400 Egerter Road
Thorold, ON
ARN 273100003004400

To the Committee of Adjustment,

Further to your request for comments for the Minor Variance for the above noted property, the Niagara Peninsula Conservation Authority (NPCA) can offer the following.

The NPCA has reviewed the NPCA Mapping of **ARN 273100003004400** and notes that the property is impacted by NPCA regulated features.

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under Ontario Regulation 41/24 of the Conservation Authorities Act. The NPCA Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority (NPCA policies) provides direction for managing NPCA regulated features.

As per the current NPCA mapping, the subject property contains the following NPCA Regulated features:

- A Provincially Significant Wetland with an associated 30 m regulated buffer – Port Robinson Woodlot Wetland Complex
- A watercourse and associated 15 m regulated buffer
- Areas identified within the erosion hazard allowance (15 m) from valley slope hazards located on adjacent lands to the south and east of the subject property.

Due to the scope, nature, and location of the proposed works (i.e., additions to the existing dwelling) being outside of the NPCA Regulated Areas, the NPCA has no objection to the **Minor Variance, D13-07-2025**.

Please be advised that all future proposed works that encroach within NPCA Regulated Areas will require review, approval, and NPCA Permits prior to the start of development.



3350 Merrittville Hwy. Unit 9
Thorold Ontario L2V 4Y6
905.788.3135 | info@npca.ca | npca.ca

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Paige P.", with a large, stylized initial "P" and a period at the end.

Paige Pearson
Watershed Planner
(905) 788-3135, ext. 205
ppearson@npca.ca



CITY OF THOROLD PIANNING COMMENTS

Antonieta Vanderberg

From: Jay Greyvenstein
Sent: March 27, 2025 8:46 AM
To: Antonietta Vanderberg
Subject: RE: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road

Hi Antoinetta,

Planning has no comments.

Thanks,



Jay Greyvenstein

Development Planner
Development Services

City of Thorold

905-227-6613 x339

P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON., L2V 4A7

www.thorold.ca

From: Antonietta Vanderberg <Antonietta.Vanderberg@thorold.ca>

Sent: March 24, 2025 1:52 PM

To: thoreng <thoreng@thorold.ca>; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; rosi.zirger@ontario.ca; andrew.carrigan@canadapost.ca; peter.deluca@ontario.ca; proximity@cn.ca; planninganddevelopment@bell.ca; municipalplanning@enbridge.com; zone2scheduling@hydroone.com; landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; newdevelopment@rci.rogers.com; Jay Greyvenstein <Jay.Greyvenstein@thorold.ca>

Cc: Conor Warren <Conor.Warren@thorold.ca>

Subject: Review of Notice Of Hearing D13-07-2025 - 1400 Egerter Road

Hello,

Please review attached Notice of Hearing to provide any comments.

D13 – 07-2025 – 1400 Egerter Road, Thorold

I would greatly appreciate receiving your comments at your earliest convenience

Thank you
Antonietta



NIAGARA REGION COMMENTS

Public Works, Growth Management and Planning

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

Via Email Only

March 10, 2025

File Number: PLMV202500452

Secretary-Treasurer, Committee of Adjustment
City of Thorold
3540 Schmon Parkway
Thorold, ON L2V 4A7

To Whom it May Concern:

Re: Regional and Provincial Comments
Application Type: Minor Variance (Expansion of Existing Legal Non-Conforming Use)
Town File Number: D13-07-2025
Applicant: Nick Klammer
Location: 1400 Egerter Road (ARN: 273100003004400)
Municipality: City of Thorold

Regional Growth Management and Planning staff have reviewed the information provided with the above-mentioned application, which proposes an expansion to an existing legal non-conforming use on the subject property. The applicant is seeking approval to build additions to the current dwelling on the subject property.

The following Provincial and Regional comments are provided to assist the Committee in their consideration of the application.

Provincial and Regional Policies

The subject property is designated as being within a Prime Agricultural Area under the Provincial Planning Statement (PPS) and Niagara Official Plan (NOP).

In addition to agricultural, agriculturally-related, and on-farm diversified uses, within the Prime Agricultural Area designation, the NOP permits expansions to legally-existing uses, provided new municipal services are not required, the proposal does not expand into a Key Natural Heritage Feature or Key Hydrologic Feature, or result in the intrusion of new incompatible uses, and is in accordance with the Minimum Distance Separation (MDS) formulae.

The proposed development consists of additions to an existing dwelling on the subject property. As stated in the 'Natural Environment System' comments below, the proposed additions will not fragment any Key Natural Heritage or Key Hydrologic Features on the subject property. A Tree Protection Plan (TPP) is recommended to ensure impacts to adjacent KNF/KHFs are minimized. The property is privately serviced, and therefore new municipal services will not be required. A new septic system will be required, however, to ensure the proposed additions meet Ontario Building Code requirements. In regard to the MDS formulae, Regional staff note that municipalities are responsible for ensuring that MDS setbacks are met when reviewing land use planning applications or building permits. The Committee of Adjustment should look for comments from the City regarding any applicable MDS setbacks.

Natural Environment System

The subject property is impacted by the Region's Natural Environment System (NES), consisting of the Port Robinson Woodlot Provincially Significant Wetland (PSW), Significant Woodland, and a Permanent or Intermittent Watercourse. Wetlands and Watercourses are considered Key Hydrologic Features (KHF) outside of Settlement Areas.

Niagara Official Plan (NOP) policies require the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed within 120 metres of KHFs/Significant Woodland. Additionally, NOP policies require that a minimum 30 metre Vegetation Protection Zone (VPZ) as measured from the outside boundary of a KHF be established as natural self-sustaining vegetation. Development or site alteration is generally not permitted within a KHF or its VPZ. Additionally, a mandatory 20 metre buffer is required for Significant Woodland.

Regional staff conducted a site visit on March 4, 2025 and noted that, while the existing mapping suggests Significant Woodland is present in the area of the proposed addition, the feature in this area is limited to the adjacent property. As such, the proposed addition is not proposed within Significant Woodland, but is within the adjacent lands and 20 metre buffer.

The NOP allow for expansions to existing building and structures subject to demonstration that the use does not expand into a natural heritage feature or area unless there is no alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure. Staff are supportive that the proposed development meets these requirements, provided that a Tree Preservation Plan (TPP) is submitted for Regional approval, in lieu of an EIS, that indicates appropriate mitigation measures to protect the Significant Woodland adjacent to the proposed additions (i.e. tree protection fencing). Staff also recommend that the property owners consider planting trees to replace the amenity trees that will need to be removed with native species adjacent to the Significant Woodland north of the pond, or adjacent to the PSW along the rear property line to maintain tree canopy cover.

A condition to require the submission of a TPP is included in the conclusion of this letter.

Archaeological Potential

The PPS and NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, the PPS and NOP state that development and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved. Based on archaeological potential mapping in Schedule K of the NOP, the subject property exhibits potential for the discovery of archaeological resources.

Based on a review of historical aerial photography, it appears portions of the proposed development footprint may have been subject to past disturbance as a result of the construction of the existing dwelling and accessory structures on the subject property. Accordingly, Regional staff will not require archaeological assessment(s) with the application.

The applicant should be made aware of the following warning clause, which pertains to the potential discovery of archaeological resources:

“If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the police and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C, which can be accessed here: <https://www.niagararegion.ca/projects/archaeological-management-plan/default.aspx>”.

Private Servicing

No record was found for the existing sewage system servicing the subject property. At the time of Regional staff’s inspection on March 7th, 2025, the two existing septic tanks installed in series were exposed east of the dwelling. The exact location of the inground leaching field was unknown, but is also suspected to be east of the existing dwelling. The existing sewage system would be considered legal non-conforming since it is undersized and in-ground within clay soils. There is also no filter on the outlet of the septic tank and the second lid does not create a proper seal that would keep gases in the tank while keeping groundwater infiltration out of the tank.

The proposed additions will result in an increase to the sewage flow rate on the property. As required for legal non-conforming septic systems, a new system must be installed to accommodate both the existing dwelling and the proposed additions. There appears to be enough useable area on the property for the replacement sewage

system. Exact requirements for the required new septic system can be addressed as part of the septic permit application.

A condition to require the installation of a new septic system is included in the conclusion of this letter.

Conclusion


In conclusion, Regional staff have no objections to the proposed minor variance application, subject to the following conditions, which are required to ensure the minor variance maintains the intent and purpose of local Official Plan policies pertaining to private servicing and the natural environment:

1. A new septic system is installed on the property to service the proposed development, which meets all Ontario Building Code requirements. A permit for the new system shall be applied for and obtained from Niagara Region prior to installation.
2. A Tree Preservation Plan (TPP) is submitted to Niagara Region for review and approval which includes appropriate mitigation measures to protect the adjacent Significant Woodland adjacent to the proposed additions. The TPP should be prepared in accordance with Region's Woodland Conservation By-law (By-law 20-79).

If you have any questions, or wish to discuss these comments, please contact the undersigned at amy.shanks@niagararegion.ca.

Please send notice of the Committee's decision on this application.

Kind regards,



Amy Shanks, MCIP, RPP
Senior Planner, Development

cc: Devon Haluka, Private Sewage System Inspector, Niagara Region
Lori Karlewicz, Planning Ecologist, Niagara Region