

COMMITTEE OF ADJUSTMENT

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

July 17, 2025

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Minor Variance Application D13-03-2025
15 Front Street North
PLAN GEORGE KEEFER PT LOTS, Thorold, ON
2731 000 007 05200 0000

PROPOSAL

An application has been submitted, at 15 Front St N, for a minor variance to grant relief from the required parking spaces of a Day Care, which is a permitted Institutional use in the C1-Downtown Main Street zone as per the City of Thorold Comprehensive Zoning By-law 60-2019 (See Figure 1). Under the City of Thorold Official Plan (2016) and the Region of Niagara Official Plan (2022) the subject lands are designated as part of the Downtown and Delineated Built-Up areas, respectively. All other requirements of the zoning by-law are being maintained.

In order to facilitate this development type on the subject lands, Section 45(1) of *The Planning Act* 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 – 15 Front Street N

In order to facilitate the development, the following variance from the City's Zoning By-law provisions is being requested:

1. By-law 2140(97), Part 6.15.1(2) – To reduce the parking requirement from 15 spaces to 5 spaces.

RECOMMENDATIONS

That Minor Variance Application (D13-03-2025) to permit a reduction in parking to 5 spaces rather than the required 15 spaces **BE APPROVED**.

Site Description

The subject lands are located on the west side of Front Street North in the Downtown Area of Thorold. The lands comprise approximately 505 m² of lot area, with approximately 16 m of frontage along Front Street. An existing building used for commercial purposes is located on the site and will undergo internal renovations to accommodate the day care facility. There is parking at the rear of the building, as well as access to a commercial parking lot. A portion of the existing parking area will be used to accommodate the outdoor play area associated with the proposed day care use.

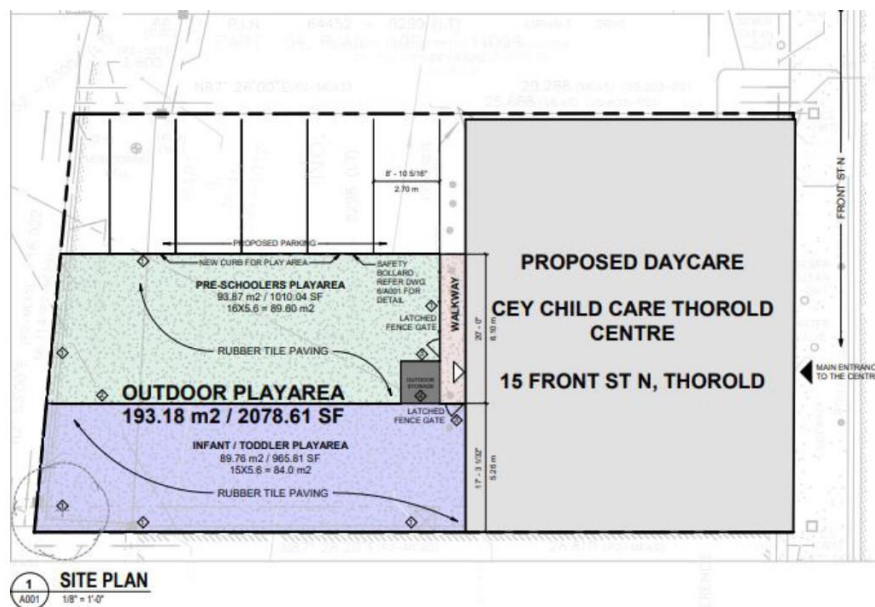


Figure 2: Proposed Minor Variance – 15 Front Street North

In the area immediately surrounding the subject lands, there are a mix of commercial and institutional uses within Downtown Thorold. Surrounding the downtown area is a mix of residential and institutional uses.

Background Review

Under the City of Thorold Official Plan (2016) the subject lands are designated Downtown, within the Downtown Thorold Community Improvement area. The purpose of the Downtown designation is to maintain and promote Downtown Thorold as “a focal point for commerce and hospitality in the city, and to continue with the restoration of culturally and historically significant buildings”.

The Niagara Region Official Plan (NOP) directs growth to Settlement Areas and more specifically to Built-Up Areas with available municipal services.

The City of Thorold Comprehensive Zoning By-law 60(2019) zones the lands as part of the Downtown Mainstreet – C1. Within the C1 zone a variety of commercial and institutional uses are permitted, including daycares. Section 4.2.4 of the zoning by-law states that “*Notwithstanding* any other provision of this By-law, *commercial uses* shall be exempted from the parking and *loading space* requirements of this By-law within the C1 and C2 zones,” however the ‘Day Care’ use is considered “institutional” as defined by the

Comprehensive Zoning By-law 60(2019). Therefore, a Minor Variance granting relief from the Parking requirements is necessitated.

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 Zoning Bylaw.*
- *The variance maintains the general intent and purpose of the Official Plan.*
- *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 this consideration is provided below.

Is the General Intent and Purpose of the Official Plan Maintained?

Per Policy B1.2, the purpose of the Downtown designation is to maintain and promote Downtown Thorold as a focal point for commerce and hospitality in the city and to continue with the restoration of culturally and historically significant buildings. Further, as per B1.2.4.4 outlines the regulations which govern Parking within the downtown area. Parking for any use should be accommodated on-site, however where additional required parking cannot be accommodated due to site constraints, the City may accept cash-in-lieu of parking. Overall, the Official Plan outlines a vision for the Downtown area which promotes the downtown character and directs parking to be located in the rear of lots and clearly subservient to the main use.

As such planning staff are of the opinion that the proposed development **meets** the general intent and purpose of the official plan.

Is the General Intent and Purpose of the Zoning By-law Maintained?

The proposed variance seeks to grant relief from the parking requirements of the City of Thorold's Comprehensive Zoning By-law 60(2019) within the Downtown Mainstreet – C1 commercial zone. Commercial uses within the C1 zone are granted a "Downtown Exemption" from parking requirements as per part 4.2.4 to minimize automotive traffic within Thorold's Downtown Area. Institutional uses, such as Day Cares, are not included in the "Downtown Exemption".

Granting relief in the number of required parking spaces, from 15 to 5 fulfills the general intent of the Zoning By-law. As required by the Comprehensive Zoning By-law, parking is still provided to the institutional uses located downtown however, granting relief would also fulfill the purpose of reducing traffic and the available parking within the C1 zone of Downtown.

As such, staff are of the opinion that the proposed variance **meets** the general intent and purpose of the Comprehensive Zoning By-law.

Is the Variance Appropriate for the Development of the Land?

The variance is required to facilitate the development of the property for a viable Day Care operation. Additional parking is located near the subject property. There is on-street parking available along Front Street as well.

In our opinion, **the variance is appropriate** for the development of the site as there are no adverse impacts anticipated, and all other requirements of the by-law are being met. The operational nature of the daycare necessitates parking for the peak drop off and pick up times during the day. Staff is satisfied that onsite parking together with other parking lots and on street parking in the vicinity will provide sufficient parking for the proposed use during peak times.

Is the Variance Minor?

The variance requested will permit the development of the lands for a daycare. Sufficient parking will be provided in a combination of alternatives in the area including on site parking, off site parking and on street parking in proximity to the subject lands. No adverse impacts on adjacent properties are anticipated.

As such, staff is of the opinion that the requested variance **is minor**.

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:

Agency & Department Comments

Building Division

- A permit for change of use for the existing building is required to be obtained from the City of Thorold's Building Division prior to commencement of work.
- If the existing building is to be used, altered or renovated for use as a childcare centre or that alterations or renovations be made to premises used as a child care centre, the person shall not commence the erection, use, alteration or renovation until plans are approved by the Ministry of Education. Written approval is required as part of a building permit submission.
- A Record of Site Condition (RSC) must be filed in the Registry with the Ministry of Environment, Conservation and Parks for any change in use of property from commercial, industrial, or community use to institutional (including a school or daycare) as otherwise described in O.Reg. 153/04. Written acknowledgement of filing and a certificate of property use from the Ministry of Environment, Conservation and Parks is required as part of a permit application

Bell Canada

- No comments or concerns.

Cogeco

- No comments or concerns.

Engineering Division

- No comments

Hydro One

- No comments

MTO

- No comments

Tax Division

- No comments

Niagara Region

- No comments

Heritage Thorold

- No comments

Fire & Emergency Services

- No Comments

NPCA

- The NPCA has reviewed the current NPCA mapping of **ARN 273100000705200** and notes that the subject property does not contain, and is not impacted by NPCA Regulated features. Therefore, the NPCA would have no objection to proposal outlined within the Minor Variance Application, **D13-03-2025**.

Public Comments

- No comments received as of the date of the writing of this report

CONCLUSION

The applicant is seeking a minor variance to permit the conversion of an existing commercial building to accommodate a Day Care (Day Nursery) use. Per Order OLT-22-002825 parking provisions are in accordance with Part 6 – General Provisions of Zoning By-law 2140 (97).

In order to facilitate the development, the following variance from the City's Zoning By-law provisions are being requested:

1. By-law 2140(97), Part 6.15.1(2) – To reduce the parking requirement from 15 spaces to 5 spaces.

RECOMMENDATION

That Minor Variance Application (D13-03-2025) to permit a reduction in parking from the 15 required spaces to 5 spaces **BE APPROVED.**

Prepared by:

J. Greyvenstein
Development Planner
City of Thorold Planning

Respectfully submitted by:

Walter Basic
Interim Director of Development Services
City of Thorold Development Services



CITY OF THOROLD BUILDING COMMENTS

BUILDING COMMENTS

15 Front St N

- A permit for change of use for the existing building is required to be obtained from the City of Thorold's Building Division prior to commencement of work.
-
- If the existing building is to be used, altered or renovated for use as a child care centre or that alterations or renovations be made to premises used as a child care centre, the person shall not commence the erection, use, alteration or renovation until plans are approved by the Ministry of Education. Written approval required as part of a building permit submission.
- A Record of Site Condition (RSC) must be filed in the Registry with the Ministry of the Environment, Conservation and Parks for any change in use of property from commercial, industrial, or community use to institutional (including a school or daycare) as otherwise described in O.Reg. 153/04. Written acknowledgment of filing and a certificate of property use from the Ministry of Environment, Conservation and Parks is required as part of a permit application.



COGECO COMMENTS

Antonietta Vanderberg

From: Jeremy Leemet <jeremy.leemet@cogeco.com>
Sent: Friday, January 31, 2025 2:24 PM
To: Conor Warren
Cc: rosi.zirger@ontario.ca; tlennard@npca.ca; [REDACTED] smastroianni@npca.ca; tproks@npca.ca; [REDACTED]; Abby.LaForme@mncfn.ca; Megan.Devries@mncfn.ca; shansen@niagarafalls.ca; mjosipovic@stcatharines.ca; Jason Simpson; Ugo Obiako; Abu Rashed; Jenny Rodriguez; Paula Wake; FPO; Ryan Chase; Steven Polich; grant.munday@welland.ca; slarocque@pelham.ca; aedwards@pelham.ca; andrew.carrigan@canadapost.ca; Usman.Akhtar@ontario.ca; Usama.Ali@ontario.ca; KIRANDEEP.KAUR2@ontario.ca; alexandra.boucetta@ontario.ca; proximity@cn.ca; aaron.white@giorail.com; Alex.Bokeestyn@niagararegion.ca; devtplanningapplications@niagararegion.ca; planning@dshn.org; kathy.levinski@ncdsb.com; Aleksandria.pasquinismith@ncdsb.com; planning@ncdsb.com; realestate@seaway.ca; network.info@horizonutilities.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; TCEnergy@mhbcpplan.com; NoticeReview@infrastructureontario.ca; Antonietta Vanderberg
Subject: Re: City of Thorold Committee of Adjustment – February 20, 2025 - Request for Comments

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.

Cogeco has no comment on these addresses

On Tue, Jan 28, 2025 at 4:13 PM Conor Warren <Conor.Warren@thorold.ca> wrote:

Hello,

Please see below link for the Consent and Minor Variance applications listed below to be heard at the City of Thorold February Committee of Adjustment meeting.

The Notices of Hearing can be found here - <https://files.thorold.ca/s/gkojZ4jCXeMsad5>

[REDACTED]

Minor Variance

[REDACTED]

D13-03-2025

[REDACTED]

15 Front St N



CITY OF THOROLD PUBLIC WORKS and COMMUNITY SERVICES COMMENTS

Antonieta Vanderberg

From: Alex Sales
Sent: Friday, February 14, 2025 3:53 PM
To: Conor Warren; Abu Rashed; Ethan Andrews; Jenny Rodriguez; Paula Wake; Sean Dunsmore; Ugo Obiako
Subject: Re: Circulation for Comment - 15 Front Street North

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Conor,
Thank you for taking our call.
I understand the Engineering response relates to the application of minor variance for Zoning. Thus, engineering has no comment.

To our phone conversation, we may require a Traffic Impact Study (TIS) if the application elevates to a Site Plan. Understanding that the building on-site will be re-purposed into a Day Care facility.

I see that the minor variance relates to the reduction of parking space from 15 to 6.
I interpret Planning Letter of July 5 as NON-COMPLIANCE. Does that mean the minor variance application is declined?

I would assume that the Zoning or minor variance needs to be resolved first by the applicant before taking more action moving forward with the development.

Regards,
Alex

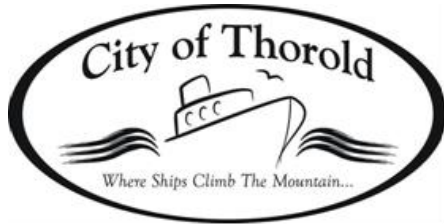


Alex Sales P. Eng
Project Manager
Public Works and Community Services
City of Thorold
905-227-6613 x342
P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON., L2V 4A7
www.thorold.ca

From: Conor Warren <Conor.Warren@thorold.ca>
Sent: February 14, 2025 2:08 PM
To: Abu Rashed <Abu.Rashed@thorold.ca>; Alex Sales <Alex.Sales@thorold.ca>; Ethan Andrews <Ethan.Andrews@thorold.ca>; Jenny Rodriguez <Jenny.Rodriguez@thorold.ca>; Paula Wake <Paula.Wake@thorold.ca>; Sean Dunsmore <Sean.Dunsmore@thorold.ca>; Ugo Obiako <Ugo.Obiako@thorold.ca>
Subject: FW: Circulation for Comment - 15 Front Street North



CITY OF THOROLD ENGINEERING COMMENTS



Memorandum
City of Thorold
Operations Department
905-227-3535

To: Conor Warren, Development Coordinator
From: Jenny Rodriguez
Subject: Minor Variance
Final Notice of Hearing – D13-03-2025 – 15 Front St N
Thorold ON
Date: February 10, 2025

Please be advised that the Engineering Department has no comments to offer in regard to this Minor Variance Application.

Should you have any questions, please contact the undersigned.

Jenny Rodriguez,
Engineering Technician, Engineering Division
jenny.rodriquez@thorold.ca
(905) 227-6613. Ext. 261

CC.
Abu Rashed,
Project Manager, Engineering Division
aburashed@thorold.ca
(905) 227-6613. Ext. 292



HYDRO ONE COMMENTS

Antonietta Vanderberg

From: BRISCALL Quinn <Quinn.Briscall@HydroOne.com>
Sent: Friday, February 7, 2025 1:10 PM
To: City of Thorold Planning
Cc: JOHNSTONE Sonja; FBC SIMCOE
Subject: City of Thorold - Consent and Minor Variance applications - Notification 303744218

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Iris

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 City of Thorold Planning Department,

This email is in regard to the following consent and minor variance applications:

[REDACTED]
Minor Variance D13-03-2025 15 Front St N
[REDACTED]

I have reviewed all of the above. Hydro One does not have any issues or concerns with anything that has been presented.

Thank you for keeping us in the loop.

Much appreciated,

Quinn Briscall

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



HERITAGE COMMITTEE COMMENTS

Antonieta Vanderberg

From: Anna O'Hare [REDACTED] >
Sent: Wednesday, February 5, 2025 7:24 AM
To: Conor Warren
Subject: Re: City of Thorold Committee of Adjustment – February 20, 2025 - Request for Comments

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 Conor,
LACAC Thorold has no comments regarding the items brought forward at the Committee of Adjustment's February meeting.
Regards,

Anna
Heritage Thorold

From: Conor Warren <Conor.Warren@thorold.ca>
Sent: Tuesday, January 28, 2025 4:13 PM
To: rosi.zirger@ontario.ca <rosi.zirger@ontario.ca>; tlennard@npca.ca <tlennard@npca.ca>; [REDACTED] <[REDACTED]@npca.ca>; smastroianni@npca.ca <smastroianni@npca.ca>; tproks@npca.ca <tproks@npca.ca>; [REDACTED] <[REDACTED]@mncfn.ca>; Abby.LaForme@mncfn.ca <Abby.LaForme@mncfn.ca>; Megan.Devries@mncfn.ca <Megan.Devries@mncfn.ca>; shansen@niagarafalls.ca <shansen@niagarafalls.ca>; mjosipovic@stcatharines.ca <mjosipovic@stcatharines.ca>; Jason Simpson <Jason.Simpson@thorold.ca>; Ugo Obiako <Ugo.Obiako@thorold.ca>; Abu Rashed <Abu.Rashed@thorold.ca>; Jenny Rodriguez <Jenny.Rodriguez@thorold.ca>; Paula Wake <Paula.Wake@thorold.ca>; FPO <FPO@thorold.ca>; Ryan Chase <Ryan.Chase@thorold.ca>; Steven Polich <Steven.Polich@thorold.ca>; grant.munday@welland.ca <grant.munday@welland.ca>; slarocque@pelham.ca <slarocque@pelham.ca>; aedwards@pelham.ca <aedwards@pelham.ca>; andrew.carrigan@canadapost.ca <andrew.carrigan@canadapost.ca>; Usman.Akhtar@ontario.ca <Usman.Akhtar@ontario.ca>; Usama.Ali@ontario.ca <Usama.Ali@ontario.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>; network.info@horizonutilities.com <network.info@horizonutilities.com>; 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>; TCenergy@mhbcplan.com <TCenergy@mhbcplan.com>; NoticeReview@infrastructureontario.ca <NoticeReview@infrastructureontario.ca>



CITY OF THOROLD FIRE AND EMERGENCY SERVICES COMMENTS

Antonieta Vanderberg

From: Traviss Ketler
Sent: Wednesday, February 12, 2025 12:40 PM
To: Conor Warren
Subject: RE: NPCA Letters: City of Thorold Committee of Adjustment – February 20, 2025

Good Afternoon Conor,

I have no comments.

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: FPO <FPO@thorold.ca>
Sent: February 11, 2025 1:26 PM
To: Traviss Ketler <Traviss.Ketler@thorold.ca>
Subject: FW: NPCA Letters: City of Thorold Committee of Adjustment – February 20, 2025



Mike DeGasperis

Deputy Fire Chief
Fire and Emergency Services
City of Thorold
905-227-6613 x321
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 10, 2025 9:23 AM
To: Abby.LaForme@mncfn.ca; Megan.Devries@mncfn.ca; shansen@niagarafalls.ca; nvanoyen@mhbcpplan.com; mjosipovic@stcatharines.ca; Dinesh.Adhikari@thorold.ca; Ugo.Obiako@thorold.ca; Abu.Rashed@thorold.ca; Jenny.Rodriguez@thorold.ca; Paula.Wake@thorold.ca; FPO@thorold.ca; Ryan.Chase@thorold.ca; Steven.Polich@thorold.ca; grant.munday@welland.ca; slarocque@pelham.ca; aedwards@pelham.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; Alexsandria.pasquinismith@ncdsb.com; planning@ncdsb.com;



NIAGARA PENINSULA CONSERVATION AUTHORITY COMMENTS

February 5, 2025

VIA EMAIL ONLY

Committee of Adjustment
City of Thorold
Development Services Department
3450 Schmon Parkway, P.O. Box 1044
Thorold, ON, L2V 4A7

Attention: Committee of Adjustment, Secretary-Treasurer

Subject: Application for Minor Variance, D13-03-2025
15 Front Street North,
Thorold, ON
ARN 273100000705200

To the Committee of Adjustment,

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

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.

The NPCA has reviewed the current NPCA mapping of **ARN 273100000705200** and notes that the subject property does not contain, and is not impacted by NPCA Regulated features. Therefore, the NPCA would have no objection to proposal outlined within the Minor Variance Application, **D13-03-2025**.

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,



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