

COMMITTEE OF ADJUSTMENT

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

NOTICE OF DECISION – JANUARY 25, 2024

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

FILE NO.: D13-24-2023 **ROLL NO:** 2731 000 003 04100 0000
SUBJECT LAND: 40 Front Street North, Thorold
Plan 11 Pt Lot 17 Lot 18 Pt Lot 19 NP889 Pt Lots 23 to 26 NP898 RP
59R7457 Part 1
APPLICANT: Panoramic Properties Inc.
AGENT: Upper Canada Consultants

PURPOSE OF APPLICATION:

The subject lands are designated Downtown Commercial, Downtown Transitional, Downtown Community Improvement Area, Urban Area Boundary, Centre Community Improvement Area and Built Boundary in the City of Thorold Official Plan and are zoned C1 Downtown Main Street, Part 7 – Commercial Zones in accordance with the City of Thorold Zoning Bylaw 60-2019.

The applicant is seeking a minor variance to permit four (4) existing residential dwelling units that are located on the ground floor of a former mixed-use building. In order to facilitate the development, as per Zoning Bylaw 60-2019, the following variance from Part 7 – Commercial Zones – C1 Downtown Main Street is being requested:

- Part 7, Section 7.2 Permitted Uses, Table 7.2 Footnote (1) – Dwelling units are only permitted above, to the rear and/or below non-residential uses – To permit four (4) existing residential dwelling units that are located on the ground floor of a former mixed-use building.

This application was heard at a Public Hearing of this Committee held on January 25, 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:

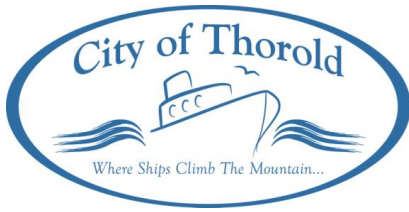
DECISION: GRANTED WITH CONDITIONS

CONDITION(S): SEE SCHEDULE “A” ATTACHED

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 – D13-24-2023 – 40 FRONT STREET NORTH, THOROLD

The last day for appeal of this decision is February 14, 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>

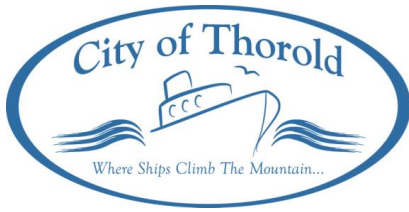
Electronically Signed By J. Theisen, Chair/Member	In favour
Electronically Signed By E. Pizzo, Member	In favour
Electronically Signed By G. Jackson, Member	In favour
Electronically Signed By K. Daniels, Member	In favour
Electronically Signed By P. DiPaola, Member	In favour
Electronically Signed By G. Ravenek, Member	In favour

Date of Decision:	January 25, 2024
Date of Decision Notice:	January 30, 2024
Last date to file a notice of appeal:	February 14, 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



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SCHEDULE "A" – NOTICE OF DECISION D13-24-2023 – 40 FRONT STREET NORTH, THOROLD

This is Schedule "A" attached to and forming part of the decision regarding Minor Variance Application D13-24-2023, 40 Front Street North, Thorold, ON;

CONDITIONS:

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

1. That the applicant engage a qualified professional to determine that the proposed change in use is consistent with the exemption criteria as set out in O.Reg. 153/04 to the satisfaction of the City of Thorold. If approved, the applicants shall provide this information to the City within two (2) years of the decision of the Committee of Adjustment.