

## COMMITTEE OF ADJUSTMENT

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

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November 20, 2025

**TO:** Chairperson and Members of the Committee of Adjustment

**SUBJECT:** Application for Minor Variance  
D13-22-2025 – 2555550 Ontario Inc.  
13126 Highway 20, Thorold, Ontario  
PT TWP LOT 91 59R 8682 PART 1  
Roll Number: 2731 0000 2600 900

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### KEY FACTS

- A Minor Variance application is proposed to grant relief from the minimum interior side yard, minimum planting/buffer strip and loading space requirements at 13126 Highway 20 within the Highway Commercial (C5) zone.
- The application proposes to facilitate the development of a restaurant with a drive through and a separate commercial building on the subject lands. Planning staff recommend approval of the requested variances, subject to the condition listed within.

### RECOMMENDATIONS

That the City of Thorold Committee of Adjustment **BE APPROVED** application D13-22-2025, submitted by Joe Tomaino of Upper Canada Consultants on behalf of 2555550 Ontario Inc., for lands known municipally as 13126 Highway 20 (PT TWP LOT 91 59R-8682 PART 1), as it relates to:

- Relief from Part 7.3 - Table 7.3.b (Lot, Building and Structure Requirements for the Neighbourhood, General, Mixed Use and Highway Commercial Zones) to reduce the minimum interior side yard for a commercial structure from 7.5 m to 4.5 m (east side);
- Relief from Part 7.3 – Table 7.3.b (Lot, Building and Structure Requirements for the Neighbourhood, General, Mixed Use and Highway Commercial Zones) to reduce the minimum planting/buffer strip from 5 m to 2.81 m (east side)

- Relief from Part 7.3 – Table 7.3.b (Lot, Building and Structure Requirements for the Neighbourhood, General, Mixed Use and Highway Commercial Zones) to reduce the minimum planting/buffer strip from 5 m to 1.55 m (west side) and;
- Relief from Part 4.5 – Table 4.5.1 (Minimum Loading Space Requirements) to reduce the required loading spaces from 2 spaces to 1 space.

*Subject to the following condition:*

- That the requested relief for a reduction in minimum interior side yard, minimum planting strip/buffer strip and loading space requirements shall only apply to permit the construction of a restaurant with a drive through and a separate commercial structure of a general size and configuration as shown on Figure 3 of this report.

## **PROPOSAL**

The applicant is seeking relief from the provisions of Tables 4.5.1 and 7.3.b (Minimum Loading Space Requirements, Minimum Interior Side yard and Minimum Planting/Buffer Strip) to facilitate the development of a restaurant with a drive through and a separate commercial building.

The subject lands are known municipally as 13126 Highway 20, and the lands are presently zoned Highway Commercial (C5) according to the City of Thorold Comprehensive Zoning By-law 60(2019). Under the City of Thorold Official Plan (2016) and the Region of Niagara Official Plan (2022) the lands are designated as part of the Highway Commercial and Designated Greenfield areas, respectively.

In order to facilitate this proposal 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.*

All other requirements of the Zoning By-law are being maintained.

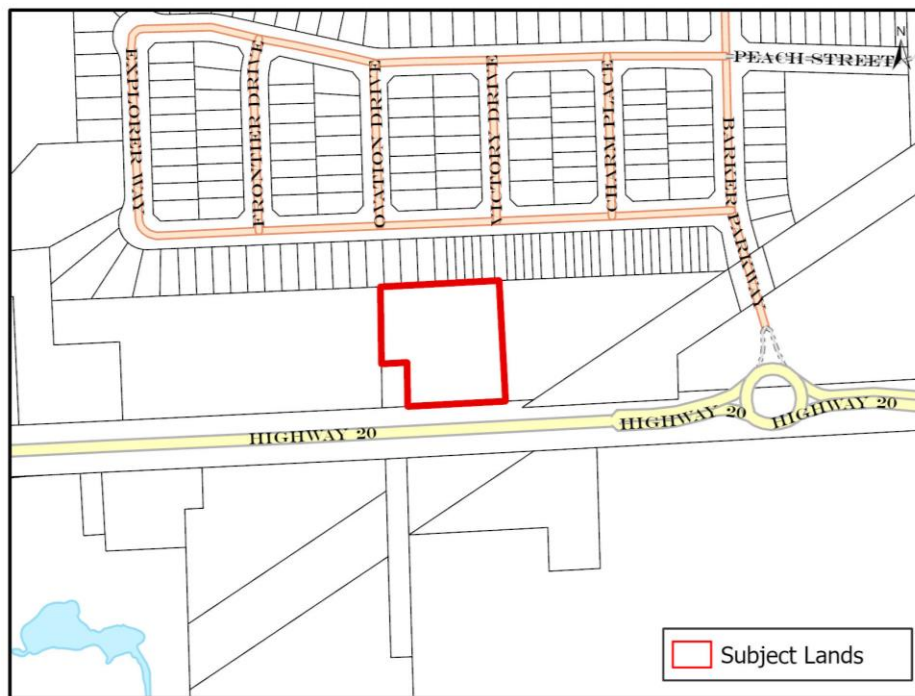


Figure 1: Location Map

### **Site Description**

The subject lands are zoned Highway Commercial (C5) within the Comprehensive Zoning By-law 60(2019) and located on the north side of Highway 20. The lands comprise approximately 6894 m<sup>2</sup> within the Highway Commercial area of the City of Thorold Official Plan. Currently the site contains an existing residential structure in a state of disrepair, which will be removed as part of the development. The proposed variances are intended to facilitate the development of a 376 m<sup>2</sup> restaurant with drive through and a separate 656 m<sup>2</sup> commercial building.

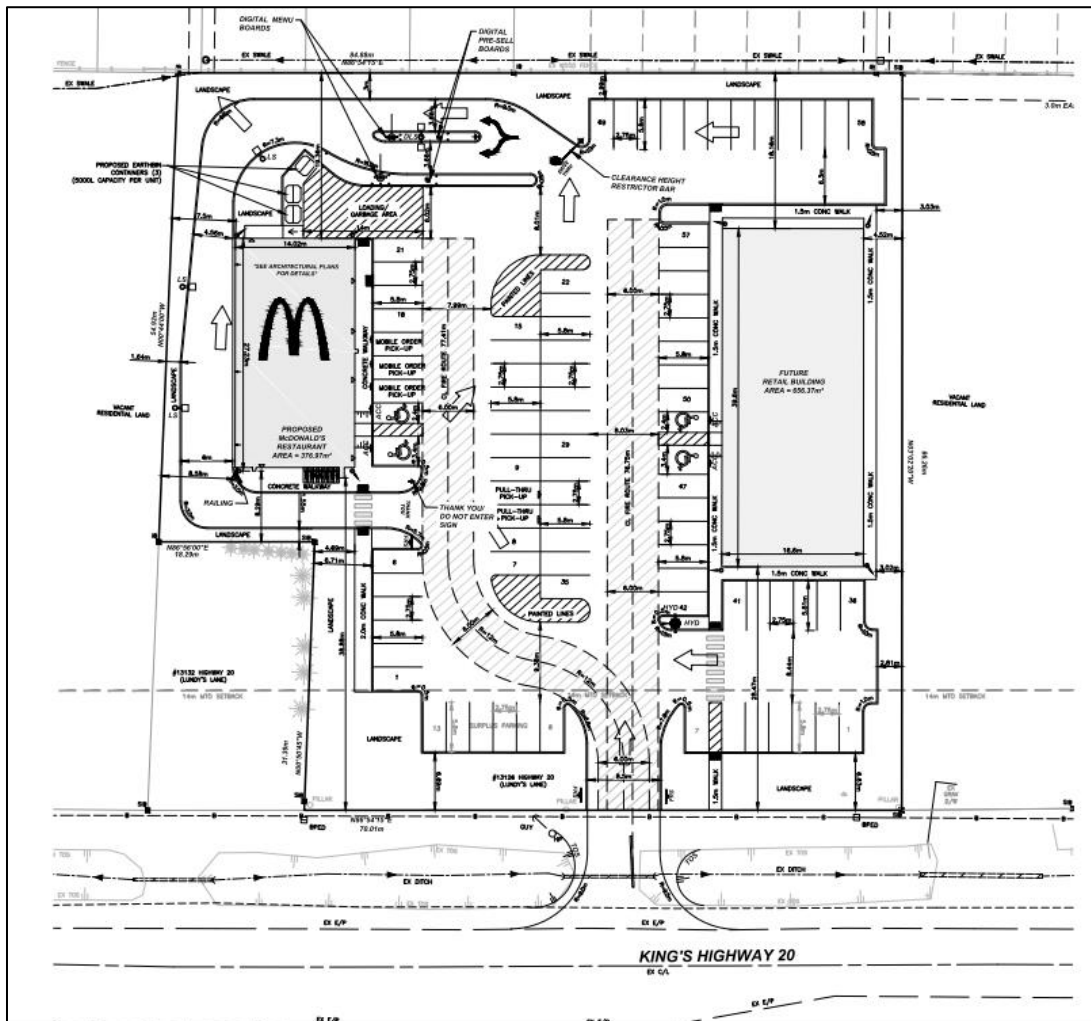


Figure 2: Proposed Plan

## **Background Review**

### **Provincial Planning Statement (PPS)(2024)**

The PPS, effective October 20, 2024, provides the planning policy framework for municipalities within the Province of Ontario. The PPS includes 6 chapters, including the introduction and implementation, which outlines the goals and objectives of planning authorities as it relates to building homes, infrastructure and facilities, the wise use and management of resources, protecting public safety.

The PPS contains the following policies which relate to the submitted application:

**2.8.1.1.b** – Planning authorities shall promote economic development and competitiveness by: providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

**2.8.2.2** - Planning authorities shall protect employment areas that are located in proximity to major goods movement facilities and corridors, including facilities and corridors identified in provincial transportation plans, for the employment area uses that require those locations.

*Niagara Regional Official Plan (NOP) (2022)*

As of March 31, 2025, the Region no longer holds planning authority under the Planning Act. The NOP now serves as an Official Plan for the City of Thorold, who in turn is responsible for ensuring conformity with its policies.

The subject lands are designated as part of the Designated Greenfield Area within the NOP. The following policies of the NOP relate to the submitted application:

**2.2.2.23** – Designated greenfield areas shall achieve a minimum density of 50 residents and jobs combined per hectare as measured across the region.

*City of Thorold Official Plan (CTOP) (2016)*

The CTOP, approved April 18, 2016, provides the basis for managing growth within the City of Thorold. The intention of the plan is to provide direction and encouragement for public and private sector investment, while recognizing the existing, built and natural features which contribute to the quality of life in Thorold.

The subject lands are designated as part of the Highway Commercial Area within the CTOP. The following policies of the CTOP relate to the submitted application:

**B1.8.7.1** - The historical commercial designation of the Highway 20 corridor was intended to provide commercial uses to serve the needs of local industry. Recognizing that the form and function of land uses to the north of Highway 20 has changed and is

principally of a residential nature, the following policies, in addition to those of Section B1.4 of this Plan, apply. The development and redevelopment of the RM Highway Commercial areas shall capitalize upon the sites strategic location to the travelling public, major tourism destinations, urban centres, existing industrial areas, and the developing residential community.

**B1.4** – To identify lands within the Built-Up Area which are utilized or are proposed to be utilized for larger format retail, service commercial or institutional uses.

**B1.4.3** – The development of uses in the *General Commercial* designation shall be subject to Site Plan Control. Any redevelopment of existing commercial uses which would involve an expansion of the floor area or required parking of more than 25% or an expansion or reconfiguration of parking may also be subject to Site Plan Control. In reviewing an application for Site Plan approval, Council shall be satisfied that:

- a) The development has been designed in a manner that minimizes entrances and exits to and from City streets and to separate auto and pedestrian traffic;
- b) The proposal requires limited enclosed outside storage and such storage is suitably buffered from adjacent uses;
- c) The site is appropriately landscaped and buffered from adjacent uses and the site is appropriate for the proposed use;
- d) All new buildings are compatible with the site and surrounding area, and the existing streetscape is retained or improved both functionally and aesthetically;
- e) Site servicing is appropriate for the development and has obtained requisite clearances from the Region and the NPCA, if necessary.

*Comprehensive Zoning By-Law 60(2019) (CZBL)*

The CZBL, adopted May 23, 2024, is intended to implement the policies of the City's Official Plan. The Zoning By-law regulates the dimensions and built forms of permitted uses on lots, as well as identifies the relevant zone based on usage type as prescribed by the CTOP.

The subject lands are zoned Highway Commercial (C5) under the CZBL. The following provisions of the CZBL relate to the submitted application:

<b>Table 7.3b - Lot, Building and Structure Requirements for the Neighbourhood, General, Mixed Use and Highway Commercial Zones - (C5)</b>		
<b>Provision</b>	<b>Required</b>	<b>Proposed</b>
<i>Minimum Interior Side Yard</i>	7.5 m	4.5 m
<i>Minimum Planting Buffer</i>	<b>5.0 m abutting any front or side lot line</b>  3.0 m for every other lot line	2.81 m (east side)  1.55 (west side)

<b>Table 4.5.1 – Minimum Loading Space Requirements - (C5)</b>		
<b>Provision</b>	<b>Required</b>	<b>Proposed</b>
<i>Other Commercial, Institutional, Employment and Industrial Uses</i>	2 Spaces	1 Space

## **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 each of these considerations are provided below.

### **Does the Variance maintain the general intent and purpose of the Official Plan?**

The NOP directs planning authorities to be conscientious in the development of Greenfield Areas, mandating a minimum density of 50 jobs and dwellings per hectare. The Rolling Meadows Secondary Plan designated the lands along Highway 20 as Highway Commercial to support the Region’s employment goals of the greenfield area.

Furthermore, the proposal seeks to facilitate the construction of highway commercial businesses along a provincial road which provides connection to the Niagara Economic Zones, as identified by the Growth Plan for the Greater Golden Horseshoe (2019).

As it relates to the CTOP, the subject lands are designated Highway Commercial. As per the CTOP, the development of these areas should “capitalize upon the sites strategic location to the travelling public, major tourism destinations, urban centres, existing industrial areas, and the developing residential community”. The proposal aims to facilitate the development of a quick service restaurant, with drive-through, and an approximately 656 m<sup>2</sup> commercial building. Given the shape of the parcel, the commercial potential of the lands are maximized through the requested relief.

As such, planning staff are of the opinion that the requested variances **meet** the general intent and purpose of both the NOP and CTOP.

#### **Does the Variance maintain the general intent and purpose of the Zoning By-law?**

The subject lands are zoned Highway Commercial within the CZBL. Lands are placed within this zone to “recognize the historic commercial corridor along Highway 20” and to provide for “additional commercial opportunities”.

As such, the C5 zone permits restaurants, and allows for drive-through as a specified accessory use. Other commercial uses, such as equipment sales and services, contractor’s shops, warehousing and offices accessory to these uses are also permitted. The requested relief does not alter the City’s vision for the type of businesses located on the subject lands, rather the relief seeks to facilitate multiple commercial uses along a significant transportation corridor.

It is important to note that despite the “Commercial/Retail” description of the 656 m<sup>2</sup> proposed building in Figure 2, only commercial uses in accordance with the CZBL will be permitted. Additional uses may be permitted through a Zoning By-law Amendment application.

As noted above, the subject lands are presently proceeding through a Site Plan Control application, which will address detailed Engineering and Planning components of the development including, but not limited to: noise, landscaping, fencing, location of garbage enclosures, and parking.

As such, Planning staff are of the opinion that the requested relief **meets** the general intent and purpose of the CZBL.

### **Is the Variance Appropriate for the Development of the Land?**

The proposal seeks relief to permit the commercial development of lands located along Highway 20, designated and zoned appropriately within the City of Thorold Official Plan and Comprehensive Zoning By-law. The requested relief facilitates the inclusion of a quick-service restaurant with drive through and an additional 656 m<sup>2</sup> commercial building. Control measures of created nuisances, such as noise mitigation, will be addressed through conditions of site plan approval at a later stage, prior to construction.

As such, Planning staff is of the opinion that the requested variances **are appropriate** for the development of the land.

### **Is the Variance minor in nature?**

*The Planning Act (R.S.O. 1990)* does not define what constitutes “minor”. It is the responsibility of the Committee to make a determination, based on the facts, context and circumstances of a particular application, as to whether the variance is “minor”. In determining whether a requested variance is “minor” the Committee should have consideration for the overall impact of the development, not simply a numerical assessment based on provisions in the Comprehensive Zoning By-law.

With regards to the reduced interior side yard and reduced planting strip, the purpose of these provisions is to ensure adequate separation from neighbouring properties and for noxious effect mitigation, such as noise, odour or visual impacts. As previously described in this report, the development will be subject to site plan control, through which these impacts will be addressed. Attenuation fencing will be required along all affected property lines to ensure the impact from a reduced side yard and planting strip setback is minor. Further measures will be established, through conditions of site plan control, to reduce any potential impacts.

As it relates to the requested relief in loading spaces from 2 to 1 is not anticipated to have a major impact on the operational capacity of the commercial development. The proposal provides for 1 loading space across 1033.34 m<sup>2</sup> of commercial space. As per

Table 4.5.1 only 1 loading space is required for commercial uses with a gross floor area of 250.0 m<sup>2</sup> to 2,000.0 m<sup>2</sup>. However, this provision applies to each use, not the property, so the proposal requires an additional loading space to accommodate the separate restaurant and commercial uses. Given the size of the commercial development, planning staff is of the opinion that all operations requiring a loading space can be effectively conducted through one provided space for all the businesses operating at 13126 Highway 20.

In summary, Planning staff are of the opinion that the requested variances **are minor** in nature.

**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 (See Appendix 1), which are summarized below.

NIAGARA REGION:

- Please see attached comment
- Regional staff recommend City staff consider the noise management plan detailed within the submitted Noise Impact Study, prepared by Vintec Acoustics Inc. (dated August 15, 2025) and whether the recommendation to curtail the operation of the rooftop AC units to 50% duty cycle during nighttime hours (11pm-7am) is feasible to implement.

The following agencies and departments were circulated for comment and either indicated no objections or did not provide comment at this time.

Indicated no objections	Did not provide comment
NPCA Cogeco	NEC Heritage Committee MNCFN City of Thorold Building City of Thorold Engineering City of Thorold Fire City of Thorold Public Works City of Thorold Community Services

	City of St. Catharines City of Welland Town of Pelham City of Niagara Falls Canada Post Ministry of Transportation CN Rail GIO Rail Niagara Region District School Board of Niagara Niagara Catholic District School Board St. Lawrence Seaway Alectra Utilities Bell Canada Enbridge Hydro One Ontario Power Generation Rogers TransCanada Pipeline Infrastructure Ontario
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### **Public Comments**

The City received one comment from the public, which raised the following concerns:

1. Traffic, Noise and Light Impact
2. Planting Buffer Along Adjoining Property
3. Property Impact and Mitigation for Value Loss
4. Municipal Water Servicing Clarification
5. Stormwater and Drainage
6. Lighting and Privacy Shielding
7. Garbage, Odour and Pest Control
8. Hours of Operation
9. Future Access or Cross-Easement

### **Response to Resident Concerns**

As previously identified in this report, many of these concerns (such as Traffic, Noise, Light, Municipal Water Servicing, Stormwater and Drainage, Lighting and Privacy, Garbage and Odour and Hours of Operation) will be addressed through the Site Plan Control process.

As part of standard conditions imposed during the Site Plan Control process, all entrances shall be constructed in accordance with plans approved by the City. Similarly, all lighting shall be directed in such a way to not interfere with adjacent properties and the travelling public, again to the satisfaction of the City.

Furthermore all stormwater management is required to be addressed on-site through constructed works to “collect and contain all storm water on site and channel such storm water to an approved outlet” at the City’s discretion. Likewise “the storage, collection and disposal of refuse, garbage and waste in the development shall be so conducted as to create no health hazards, rodent harbourage, insect breeding areas, accident, fire hazards or pollution.” A condition may be imposed to limit the hours of operation, supported through the Environmental Noise and Impact Study dated August 15, 2025, subject to approval by Council.

As it pertains to the Planting Buffer along the Adjoining Property, as described within this report, Planning staff are of the opinion that the proposal conforms to the relevant test under Section 45(1) of the *Planning Act*. As defined in the CZBL, a Planting/Buffer strip may include a “wall or opaque fence having a height not less than 1.5 m” to act as a buffer “or visual screen”. As such, Planning staff are of the opinion that the effect of the privacy concerns expressed by the public will be minimal with fencing and plantings, which will be further reinforced through conditions of Site Plan Control.

Relating to the loss of property value, this concerns fall outside the purview of the Planning department. Financial implications have no impact on what constitutes “good planning”. The proposal seeks to establish a use which is appropriately designated and zoned for the development-type under City of Thorold policies.

Finally, this application does not propose any vehicular or pedestrian access along or through the boundary adjoining any neighbouring properties.

## CONCLUSION

It is the recommendation of planning staff that Minor Variance Application D13-22-2025, at 13126 Highway 20 **BE APPROVED**, subject to the conditions listed within, for relief from interior side yard, planting/buffer strip and loading area provisions.

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**Prepared by:**

J. Greyvenstein  
Development Planner  
City of Thorold Planning

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**Submitted by:**

Marc Davidson  
Manager of Planning  
City of Thorold Planning

## Appendices

Appendix 1          Comments



## **COGECO COMMENTS**

**From:** [Jeremy Leemet](#)  
**To:** [City of Thorold Planning](#)  
**Subject:** Re: Notice of Hearing - D13-22-2025 -13126 Highway 20  
**Date:** October 17, 2025 3:48:08 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Good Afternoon  
Cogeco has no comment.  
Thanks Jeremy Leemet

On Fri, Oct 17, 2025 at 2:49 PM City of Thorold Planning <[Planning@thorold.ca](mailto:Planning@thorold.ca)> wrote:

Hello,

Please find attached the Notice of Hearing for the Minor Variance application D13-22-2025 – 13126 Highway 20 to be heard at the City of Thorold November 20<sup>th</sup>, 2025 Committee of Adjustment meeting.

Please review and provide comments to [Planning@Thorold.ca](mailto:Planning@Thorold.ca) **on or before 4:00 pm, October 31<sup>st</sup>, 2025**. If no comment or intention to provide response is received, we will consider this to mean there is no comment on the application.

Thank you,

Courtney Kaupp  
Planning Clerk



**City of Thorold Planning**  
Development Services  
**City of Thorold**  
905-227-6613  
P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON, L2V 4A7  
[www.thorold.ca](http://www.thorold.ca)

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**JEREMY LEEMET**  
Network Delivery Coordinator  
Niagara

phone # (437)553-7079

7170 McLeod  
Road  
Niagara Falls,  
Ontario L2G  
3H2 Canada  
[cogeco.ca](http://cogeco.ca)



# **NIAGARA PENINSULA CONSERVATION AUTHORITY COMMENTS**

**From:** [Paige Pearson](#)  
**To:** [City of Thorold Planning](#)  
**Subject:** RE: Notice of Hearing - D13-22-2025 -13126 Highway 20  
**Date:** October 17, 2025 3:38:18 PM  
**Attachments:** [image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)

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Good afternoon,

Based on the current NPCA mapping the subject property, 13126 Highway 20 (Lundys Lane) is not impacted by NPCA regulated features. As such, the NPCA can offer no objections to the proposal and Minor Variance file D13-22-2025.

Thank you,



**Paige Pearson (She/Her)**  
Watershed Planner

**Niagara Peninsula Conservation Authority (NPCA)**  
3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6

(O) 905.788.3135 Ext 205  
[www.npca.ca](http://www.npca.ca)  
[ppearson@npca.ca](mailto:ppearson@npca.ca)

The NPCA completed its [Watershed-based Resource Management](#) and [Conservation Area](#) Strategies, paving the way for sustainable conservation across the Niagara Peninsula watershed. It's [Watershed Natural Asset Analysis and Valuation](#) for the Niagara Peninsula watershed offers new insights that redefine how we view nature. **Explore them today!**

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**From:** City of Thorold Planning <[Planning@thorold.ca](mailto:Planning@thorold.ca)>

**Sent:** October 17, 2025 2:49 PM

**To:** Taran Lennard <[tlennard@npca.ca](mailto:tlennard@npca.ca)>; Paige Pearson <[ppearson@npca.ca](mailto:ppearson@npca.ca)>; Abby.LaForme@mnfcfn.ca; Dinesh Adhikari <[Dinesh.Adhikari@thorold.ca](mailto:Dinesh.Adhikari@thorold.ca)>; Building <[Building@thorold.ca](mailto:Building@thorold.ca)>; thoreng <[thoreng@thorold.ca](mailto:thoreng@thorold.ca)>; Alex Sales <[Alex.Sales@thorold.ca](mailto:Alex.Sales@thorold.ca)>; Jenny Rodriguez <[Jenny.Rodriguez@thorold.ca](mailto:Jenny.Rodriguez@thorold.ca)>; Abu Rashed <[Abu.Rashed@thorold.ca](mailto:Abu.Rashed@thorold.ca)>; Ugo Obiako <[Ugo.Obiako@thorold.ca](mailto:Ugo.Obiako@thorold.ca)>; Paula Wake <[Paula.Wake@thorold.ca](mailto:Paula.Wake@thorold.ca)>; Steven Polich <[Steven.Polich@thorold.ca](mailto:Steven.Polich@thorold.ca)>; FPO <[FPO@thorold.ca](mailto:FPO@thorold.ca)>; Mark Richardson <[Mark.Richardson@thorold.ca](mailto:Mark.Richardson@thorold.ca)>; andrew.carrigan@canadapost.ca; matthew.prestinaci@ontario.ca; katie.young@niagararegion.ca; Lori.Karlewicz@niagararegion.ca; Josh.Wilson@niagararegion.ca; Susan.Dunsmore@niagararegion.ca; devtplanningapplications <[devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca)>; planning@ncdsb.com; planninganddevelopment@bell.ca; moc.bell@bell.ca; jeremy.leemet@cogeco.com; municipalplanning@enbridge.com; zone2scheduling@hydroone.com; landuseplanning@hydroone.com; executivevp.lawanddevelopment@opg.com; jasmine.tranter@opg.com; talitha.laurenson@opg.com; TCEnergy@mhbcpplan.com; kwebber@mhbcpplan.com

**Subject:** Notice of Hearing - D13-22-2025 -13126 Highway 20

Hello,

Please find attached the Notice of Hearing for the Minor Variance application D13-22-2025 – 13126 Highway 20 to be heard at the City of Thorold November 20<sup>th</sup>, 2025 Committee of Adjustment meeting.

Please review and provide comments to [Planning@Thorold.ca](mailto:Planning@Thorold.ca) **on or before 4:00 pm, October 31<sup>st</sup>, 2025**. If no comment or intention to provide response is received, we will consider this to mean there is no comment on the application.

Thank you,

Courtney Kaupp  
Planning Clerk



# **NIAGARA REGION COMMENTS**

**From:** [Young, Katie](#)  
**To:** [Marc Davidson](#)  
**Cc:** [Jay Grevvenstein](#); [Courtney Kaupp](#)  
**Subject:** RE: City of Thorold November Committee of Adjustment  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
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[image010.png](#)  
[image011.png](#)  
[3\\_41196\\_Thorold-McDonald"s-SP1.0-2023-07-27.pdf](#)  
[Site Plan - 21138-MCDONALDS-HWY20 \(2\).pdf](#)

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Hi Marc,

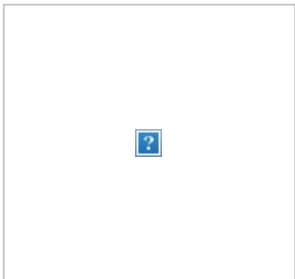
We certainly have had other applications across the region where this issue has come up. Pat informed me there was one recent example at 10 Sullivan Ave in Thorold with a Zoning By-law Amendment (Thorold File: D14-10-2022) and Site Plan (Thorold File: D11-05-2023). Comments included conditions for the site plan agreement to implement the noise study recommendations with respect to the rooftop HVAC as well as a noise barrier to shield the residence from the drive-thru. I've attached the site plan drawing I was able to find in our files. For this particular site, you can see that the McDonalds restaurant and drive-thru have been designed as far away from the residential uses further north, with the intercom and queuing closest to Sullivan Street.

I've also attached the site plan drawing for 13126 Highway 20. In contrast to 10 Sullivan, the McDonalds restaurant, with drive-thru intercom and queuing for 13126 Highway 20 is proposed between the residential uses to the north and the residential lot, 13132 Highway 20. Given the close proximity to these residential uses, the acoustical consultant has recommended a noise management plan. As noted in my comments, the City will need to determine the ability to be able to regulate the operation of the AC units, as currently recommended.

This impacts the minor variance application because if City staff wish for the applicant to change around the design of the site to explore the McDonalds restaurant with drive-thru intercom and queuing in a different location on-site, it could necessitate further variances.

Pat also provided me with another example in Lincoln with a Tim Horton's at 4398 Ontario Street, which went to the former OMB due to concerns from neighbours about noise from the drive-thru/menu board order speaker. I can provide some additional information on that as well if you would like.

Kind regards,  
Katie



**Katie Young, MsC (PI), MCIP, RPP**  
Senior Planner

Niagara Region, 1815 Sir Isaac Brock Way,  
Thorold, ON, L2V 4T7, PO Box 1042

**P:** (905) 980-6000 ext. 3727

**W:** [www.niagararegion.ca](http://www.niagararegion.ca)

**E:** [katie.young@niagararegion.ca](mailto:katie.young@niagararegion.ca)



***My workday may look different from your workday. Please do not feel obligated to respond outside of your normal working hours.***

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**From:** Marc Davidson <Marc.Davidson@thorold.ca>

**Sent:** Tuesday, October 21, 2025 10:39 AM

**To:** Young, Katie <Katie.Young@niagararegion.ca>



# **PUBLIC COMMENTS**

**From:** [Bel Chen](#)  
**To:** [City of Thorold Planning](#)  
**Subject:** Comments on Minor Variance Application D13-22-2025 – 13126 Highway 20, Thorold  
**Date:** October 29, 2025 8:38:46 PM

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To: Committee of Adjustment  
City of Thorold – Planning & Development Services  
[planning@thorold.ca](mailto:planning@thorold.ca)

Dear Secretary-Treasurer and Members of the Committee,

I am the owner of the neighbouring property located at 13132 Lundy's Lane, which directly adjoins the subject lands proposed for development at 13126 Highway 20 (File D13-22-2025).

While I support responsible commercial growth in the area, I have serious concerns about how the proposed drive-through and variance reductions will affect the enjoyment, privacy, and long-term value of my property.

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#### 1 Traffic, Noise, and Light Impact

The addition of a drive-through immediately behind my property will generate constant vehicle traffic, idling, and headlight glare, especially during evening hours. This will negatively affect both comfort and safety.

Request: That a solid 9–10 foot acoustic and privacy fence be required along the shared property line, with proper evergreen landscaping, to ensure full separation and noise mitigation.

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#### 2 Planting Buffer Along Adjoining Property

The proposed variance would reduce the required planting buffer from 5 m down to as little as 1.64 m and 2.81 m. The section abutting my property provides essential green separation and privacy screening.

Request: That the full 5 m planting buffer be maintained along the shared boundary with 13132 Lundy's Lane, with continuous evergreen or equivalent landscaping to preserve the current level of screening and visual quality.

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#### Additional Point – Consistent Boundary Fencing

The proposed fencing and buffering must be continuous and consistent along all portions of the property line adjoining 13132 Lundy’s Lane. Any gaps or lower sections would allow pedestrians or vehicles to cross into our lot, posing both privacy and safety concerns.

Request: That the fence be constructed to a uniform height (minimum 9–10 feet) along the entire shared boundary, including side and corner transitions, to ensure full enclosure and prevent unauthorized entry from the commercial site.

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#### 3 Property Impact and Mitigation for Value Loss

The proposed configuration—particularly the narrowed buffer and constant drive-through activity—will have a direct negative impact on the usability and future resale potential of my property.

Request: That the Committee recognize these adverse effects and require enhanced mitigation measures (fencing, buffering, lighting control, and drainage protection) to maintain surrounding property values.

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#### 4 Municipal Water Servicing Clarification

As a directly abutting landowner, I would appreciate clarification whether the new restaurant’s servicing will extend municipal water or create any service obligations or opportunities for neighbouring properties.

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#### 5 Stormwater and Drainage

The expansion of paved surfaces and drive-through lanes may alter runoff and drainage patterns.

Request: That a stormwater management plan confirm no water discharge, pooling, or drainage impacts on adjacent lands.

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### 6 Lighting and Privacy Shielding

Commercial lighting, drive-through canopy lights, and signage illumination could create excessive nighttime glare.

Request: That all lighting be fully down-shielded, directed away from residential properties, and use motion-controlled or timed fixtures to minimize spillover.

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### 7 Garbage, Odour, and Pest Control

Drive-through restaurants typically produce higher waste volumes and odour, which can attract pests.

Request: That all waste storage areas be fully enclosed, screened, and serviced regularly, with exhaust systems oriented away from neighbouring residential uses.

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### 8 Hours of Operation

The proposed drive-through could operate late into the night, increasing disturbance.

Request: That the City consider limiting hours of operation (for example, 7 a.m.–11 p.m.) to protect neighbouring residential uses from overnight activity.

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### 9 Future Access or Cross-Easement

Any potential cross-access or shared driveway along the property line may affect safety and privacy.

Request: That no vehicular or pedestrian access be permitted directly along or through the boundary adjoining 13132 Lundy's Lane without the written consent of the adjacent owner.

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Thank you for the opportunity to provide comments. I trust the Committee will give full consideration to these concerns and require appropriate mitigation to ensure this development proceeds responsibly and without undue impact on neighbouring properties.

Please confirm receipt of this submission and register me to attend the November 20, 2025 hearing at 9:30 a.m. for File D13-22-2025. I am open to attending either in person or virtually. Please also ensure I am notified of the Committee's decision once issued.

Sincerely,

Yu Chen (Bel)

[REDACTED]

St. Catharines, ON

[REDACTED]

[REDACTED]