

## COMMITTEE OF ADJUSTMENT

Department of Planning and Building Services  
3540 Schmon Parkway, P.O. Box 1044  
Thorold, ON L2V 4A7  
905-227-6613 ext. 252

November 16, 2023

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

**SUBJECT:** Consent Application D10-14-2023

23 George Street, Thorold, Ontario  
Parts of Units 26 & 27 Plan D-3  
**2731 000 032 26900 0000**

### PROPOSAL:

An application has been submitted for consent for the purposes of a partial discharge of mortgage over Part 3 as shown on the Preliminary Severance Sketch and addressed as 23 George Street in the City of Thorold.

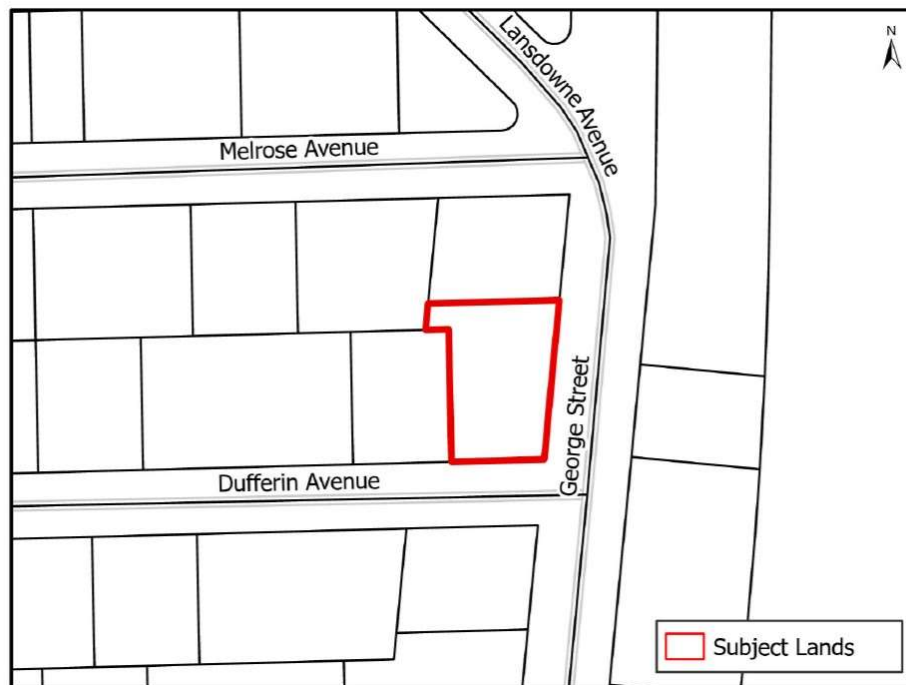


Figure 1: Location Map

## **RECOMMENDATION:**

That Consent Application D10-14-2023 to permit a discharge of mortgage over a parcel of land having 10.05 square metres of lot area **BE APPROVED** subject to the following conditions:

- 1) That the applicant provides the Secretary-Treasurer with a legal description, acceptable to the Registrar, of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
- 2) That the owner provides a lawyer's undertaking, to the satisfaction of the City Solicitor, and agrees to forward a copy of documentation confirming the transaction has been carried out, to the City within two years of issuance of the consent certificate, or prior to the issuance of a building permit, whichever occurs first.
- 3) That a final certification fee payable to the City of Thorold be submitted to the Secretary-Treasurer and that all conditions of consent be fulfilled.
- 4) That all outstanding property taxes be paid prior issuance of the Certificate of Consent.
- 5) That the Owner convey the lands described as Part 3, as illustrated on the Survey Sketch prepared by Suda and Maleszyk Surveying Inc., OLS dated, December 16, 2022 to the City of Thorold for the purposes of providing a daylighting triangle prior to final approval of the consent applications.

## Site Description

The subject lands are located at the northeast intersection of George Street and Dufferin Avenue just east of River Street within the Port Robinson East Special Policy Area Land Use Plan. The lands have previously received approval of a consent to sever a new lot for the purposes of development for a single-detached residence. The retained parcel (Part 1), as shown on the Severance Sketch prepared by Suda and Maleszyk Surveying Inc.) contains an existing single-detached residential dwelling that is intended to remain. The newly created parcel (Part 2) is intended to be developed with a single detached dwelling. Part 3 is intended as a daylighting triangle to be conveyed to the City of Thorold. Both George Street and Dufferin Avenue are classified as local roads on Schedule D of the City of Thorold Official Plan. There are no sidewalks along either George Street or Dufferin Street and the roads are developed with a rural cross-section.

## Background

The land was previously approved for a consent to create one new lot for single-detached residential development on June 15, 2023. Minor variances on both the severed and

retained parcels to accommodate the new lot creation were also approved as part of the application. All other requirements of the R1A zoning under Bylaw 2140 (97) applying to the lands are being maintained.

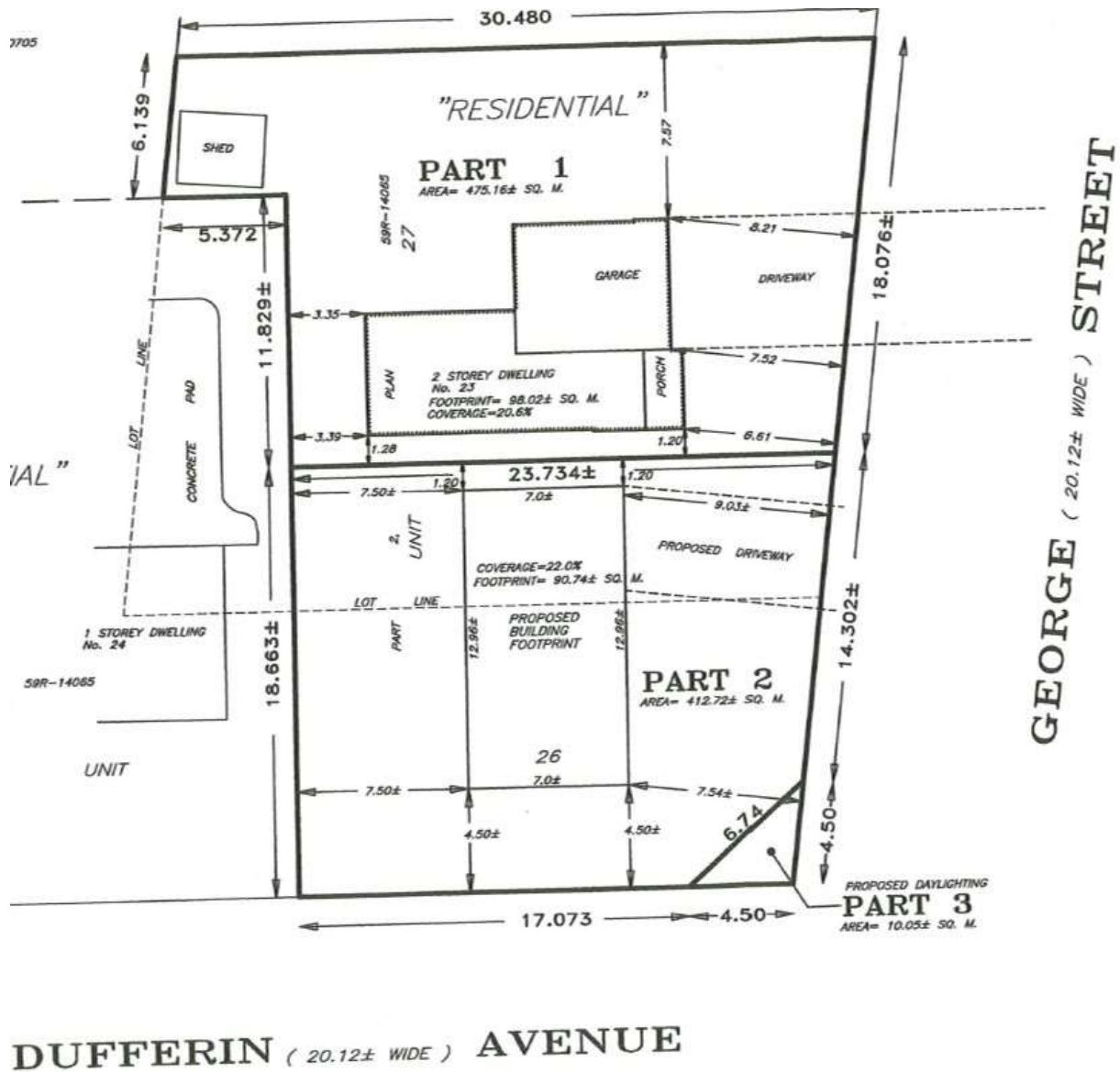


Figure 2: Severance Sketch



Figure 3: New single-detached dwelling on the retained lands are shown fronting onto George Street

#### City of Thorold Official Plan

The subject property is designated as “Urban Living Area” within the City’s Official Plan (OP). The purpose of the Urban Living Area designation is to accommodate a range of residential uses and encourages intensification and/or the redevelopment of under-utilized lands. Staff is of the opinion that the proposed consent for a partial discharge of mortgage assists in facilitating final approval of previous applications for the creation of an additional lot for single detached residential development and is appropriate and in keeping with the intent of the Official Plan.

The consent application conforms to the City’s Official Plan.

#### Planning Act

In making its recommendation concerning the consent requested, Planning staff has considered all of the criteria outlined in Section 51 (24) of the Planning Act, R.S.O. 1990,

c. P.13 as amended. Particularly, the proposed consent facilitates final approval of previous consent applications which received conditional approval in June of 2023.

#### Planning Policy Documents

The application for consent was reviewed with consideration of applicable policies in the *Provincial Policy Statement (2020)*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, the *Regional Official Plan*, and the *City of Thorold Official Plan*.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are within a “settlement area” according to the PPS. Settlement areas are to be the focus of growth and development.

The Growth Plan also directs development to settlement areas. Within settlement areas, the Growth Plan states that growth will be focused in “built-up” areas.

As per the Regional Official Plan (ROP), the subject lands are within the “Urban Built – Up Area”. A range of uses including residential uses are permitted and encouraged within such areas, in a manner that makes efficient use of existing services.

#### Comprehensive Zoning By-law 2140 (97)

The subject property is zoned Residential First Density Special ‘R1A’ Zone under Comprehensive Zoning By-law 2140 (97). The consent application is to facilitate a partial discharge of mortgage on a portion of the property that will be conveyed to the city as a daylighting triangle.

#### **CIRCULATION 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.

#### Building Division

- No comments or concerns.

#### Bell Canada

- No comments or concerns.

#### Cogeco

- No comments or concerns.

Engineering Division

- Water and Sanitary Services available on George Street

Hydro One

- No comments or concerns.

MTO

- No comments or concerns.

Tax Division

- Outstanding taxes to be paid

Niagara Region

- No concerns

Additional Public Comments

- One letter was received from an adjacent property owner on George Street in support of the proposed severance.

**CONCLUSION:**

It is the recommendation of Planning staff that consent application D10-14-2023 requesting consent for the partial discharge of a mortgage over Part 3 as illustrated on the severance sketch prepared by Suda and Maleszyk Surveying and addressed as 23 George Street be **approved** subject to conditions stated herein.

- 1) The application is consistent with or conforms to provincial, regional, and local policies, as applicable.

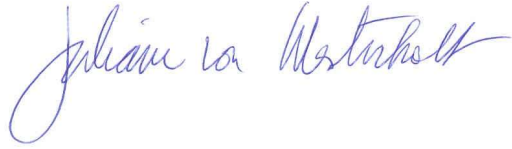
Prepared by:



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Nicolette van Oyen, BES, MCIP, RPP  
Senior Planner, MHBC Planning

Respectfully Submitted By:

A handwritten signature in blue ink that reads "Juliane von Westerholt". The signature is written in a cursive style with a large initial 'J'.

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Juliane von Westerholt, BES, MCIP, RPP

Associate, MHBC Planning