

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

June 14, 2024

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Minor Variance Application D13-15-2024
1040 Thorold Stone Road, Thorold, Ontario
THOROLD PT TWP LOT 25
2731 000 018 00600

PROPOSAL: An application has been submitted, for the construction of the second phase (Phase II) of a commercial development on the site at 1040 Thorold Stone Road, also known as the Thorold Gateway Centre. Phase II of the proposed development includes two (2) new structures comprising of two (2) stand alone and two (2) drive-thru restaurants. The subject lands are zoned Highway Commercial (C5) in accordance with the City's Comprehensive Zoning Bylaw 60-2019. In order to facilitate the proposed development, the following variances from the provisions of Part 7 – Commercial Zones, Table 7.3b of the City of Thorold Comprehensive Zoning Bylaw 60-2019 are being requested:

- To permit a minimum front yard setback (east side) of 6.42 metres whereas the bylaw requires a minimum front yard setback of 14.0 metres; and
- To permit a minimum planting/buffer strip abutting the front lot line (east side) of 1.5 metres whereas the bylaw requires a minimum planting/buffer strip abutting the front lot line of 5.0 metres.

RECOMMENDATION:

That Minor Variance Application (D13-15-2024) to reduce the minimum required front yard setback from 14.0 metres to 6.42 metres, and to reduce the minimum required planting/buffer strip abutting the front lot line from 5.0 metres to 1.5 metres, for the purpose of the proposed commercial development **BE APPROVED.**

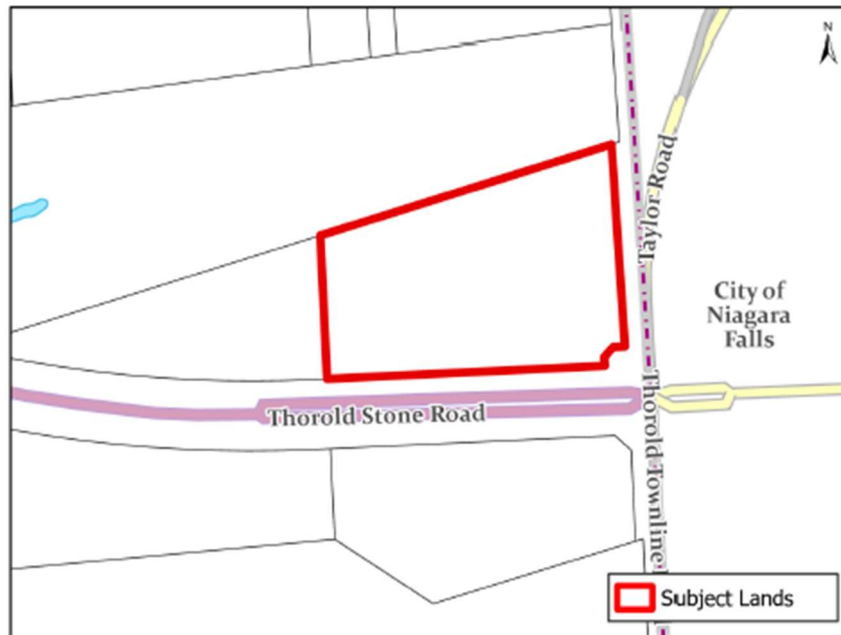


Figure 1: Location Map

Site Description and Proposal

The subject lands are located at the northwest corner of Thorold Stone Road and Taylor Road, along the eastern City limit, as shown above in **Figure 1**. The land is currently developed with a gas station, convenience store, and drive-thru restaurant located centrally on the property. The site is proposed to be further developed with two (2) new commercial buildings including a 227.61 m² building (Building A) and 407.43 m² building (Building B), on the eastern portion of the property.

Building A is proposed to contain a single drive-thru restaurant while Building B is proposed to contain two (2) standalone restaurants and one (1) drive-thru restaurant. The existing and proposed development for the site is shown on the proposed Site Plan (**Appendix 1**), as well as the Perspective View drawing provided in **Figures 2 and 3**.

Per the City's Official Plan, prior to the issuance of any building permit, the proposed new development will also be subject to Site Plan Control. This will further examine the design and technical components of the proposed development to ensure that it will be safe, functional, and compatible with its surroundings. The applicant has initiated the Site Plan Control approval process and the proposed minor variances would be required prior to completion of Site Plan Control approval.



THOROLD GATEWAY CENTRE
1040 THOROLD STONE RD.
THOROLD, ON.

Perspective View

RECEIVED
CITY OF THOROLD
APR 19 2024
PLANNING
& DEVELOPMENT

17th April 2024

ISSUED FOR MINOR VARIANCE.

File Number : D11-13-2021

Figure 2: Perspective Drawing – Building A



THOROLD GATEWAY CENTRE
1040 THOROLD STONE RD.
THOROLD, ON.

Perspective View

RECEIVED
CITY OF THOROLD
APR 19 2024
PLANNING
& DEVELOPMENT

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ISSUED FOR MINOR VARIANCE.

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Figure 3: Perspective Drawing – Building B

Background Review

The subject property is zoned Highway Commercial (C5) in the City of Thorold's Zoning Bylaw 60-2019, as amended. The C5 zone permits the proposed restaurant and accessory drive-through uses, in accordance with the regulations contained in Part 7 – Commercial Zones, Table 7.3 b - Lot, Building and Structure Requirements for Neighbourhood, General, Mixed Use and Highway Commercial Zones. A review of the proposed development, in comparison with the applicable provisions of the C5 zone is provided in the table below.

Table 1: Bylaw 60-2019 – Highway Commercial (C5) Zone Requirements

Provisions	Requirement	Provided
Minimum Lot Area	10,000 m ² (1 ha)	23,155 m ² (2.3157 ha)
Minimum Lot Frontage	75.0 m	144.04 m
Minimum Front Yard Setback (east)	14.0 m	6.42 m*
Minimum Rear Yard Setback	7.5 m	62.91 m
Minimum Interior Side Yard Setback	7.5 m	151.26
Minimum Exterior Side Yard Setback	7.5 m	17.69 m
Maximum Lot Coverage	15%	3.86%
Minimum Landscape Open Space	25%	52.13%
Maximum Height	-	6.41 m
Minimum Planting/Buffer Strip	5.0 m abutting any front or side lot line	1.5 m* abutting front lot line (east) 14.0 m abutting side lot line (south)
	3.0 m for every other lot line	15.0 m abutting rear lot line (west)
Parking Spaces	Building A -1 space for every 10 m ² of gross floor area (23)	24

Provisions	Requirement	Provided
	Building B -1 space for every 10 m ² of gross floor area (41)	42
Barrier Free Parking Spaces	4% of the total number of parking spaces in the parking area (2)	2
Loading Spaces	1	1
Bicycle Parking Spaces	3.0 spaces plus 1.0 spaces per 200.0 m ² of gross floor area (8)	8

*Denotes zoning deficiency

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 bylaw, 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 is provided below.

Is the general intent and purpose of the Zoning Bylaw maintained?

Variance 1 – The purpose of the minimum front yard setback in the Highway Commercial Zone is to ensure a relatively uniform setback along the street in order to establish the desired streetscape character, provide adequate buffering between adjacent lands or uses, and to ensure adequate space for parking.

Staff is of the opinion that the proposed reduced front yard setback will maintain compatibility with the surrounding area and will not negatively impact the adjacent properties. Furthermore, the proposed reduced front yard setback allows the required parking spaces to be located away from the roadway to the rear of the buildings, as is best practice for commercial developments.

As such, the variance requested to reduce the minimum front yard setback from 14.0 metres to 6.42 metres maintains the general intent and purpose of the bylaw.

Variance 2 – The intent of the planting/buffer strip along the front lot line is to ensure that there is adequate buffering between adjacent lands or uses. The applicant has noted that a reduction in the planting/buffer strip along the front lot line is required due to site constraints and to allow for efficiency of vehicular circulation within the site.

Within the cover letter submitted in support of the minor variance application and provided in **Appendix 2**, the applicant has proposed enhanced landscaping for the site, including a 1 meter high landscape wall to provide visual screening, and plantings along Thorold Stone Road. Detailed drawings and a 3D view of the proposed landscape wall and plantings along the front lot line is provided in **Figure 4**. The applicant has concluded that these enhanced landscape measures, in addition to the previously executed conveyance of land to the City for the purpose of a gateway feature during Phase I of the development, will offset the reduction of the required front lot line planting buffer.

Staff is in agreement that the proposed development offers suitable buffering between the subject land and the neighbouring properties. As such, the variance requested to reduce the minimum required planting/buffer strip abutting the front lot line from 7.5 metres to 1.5 metres maintains the general intent and purpose of the zoning bylaw.

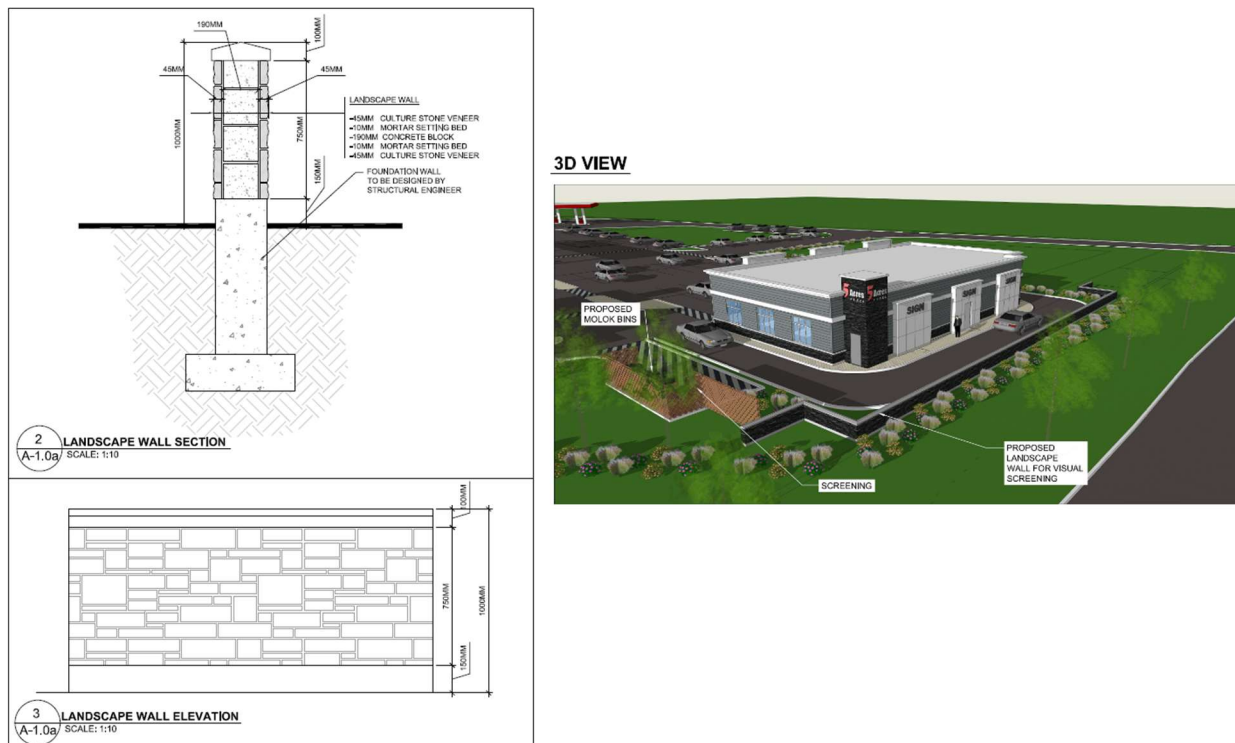


Figure 4: Proposed Landscaping Wall

Is the general intent and purpose of the Official Plan maintained?

The subject property is designated Rural Highway Commercial within the City's Official Plan. The purpose of the Rural Highway Commercial designation is to recognize existing commercial lands and provide policies to ensure future expansion and redevelopment of this area is orderly and safe.

The variances requested will facilitate the development of a permitted use that is contemplated in the Official Plan – Rural Highway Commercial designation, namely Section B2.7.2 (i) Restaurants including drive-throughs.

The existing established area contains a variety of rural residential, industrial and commercial uses. The proposed Phase II development of the commercial site is in keeping with the City's vision for the Rural Highway Commercial designation and North-East Gateway area, as set out by the City's Official Plan. The proposal includes enhanced landscaping for the site, which, in addition to the lands conveyed to the City for the purpose of a gateway feature during Phase I of the development, is anticipated to enhance the visual appearance of the site. This will positively contribute to the strategic gateway area with no negative impacts to the surrounding area anticipated, as the scale and character has been maintained.

Therefore, staff is of the opinion the requested variances would maintain the general intent and purpose of the Official Plan.

Are the variances appropriate for the development of the land?

This is not a subjective test as to whether the variance is appropriate to the Applicant or to neighbouring property owners. Rather, the test examines whether the variance is desirable from the standpoint of permitting appropriate development as a public interest.

The proposed minor variances will enable the further development of the site while maintaining the operation and functionality of the subject lands for both the existing and proposed uses. The proposed development will further serve residents and employees in the surrounding area, as well as the travelling public.

In staff's opinion, no impacts to the function of the site or surrounding properties are anticipated as a result of the proposed variances, and would permit appropriate development as a public interest.

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

Are the variances minor?

In making a determination of whether a variance is minor as required, Committee will have more regard for the degree of impact which could result from the relief and less regard to the magnitude of numeric or absolute relief sought by the applicant.

Variance 1 – In staff’s opinion, based on the proposed and adjacent land uses and future vision for the area, the proposed reduction in the front yard setback will not negatively impact the adjacent lots.

As such, the variance requested to reduce the minimum front yard setback from 14.0 metres to 6.42 metres is minor.

Variance 2 – In staff’s opinion, based on the adjacent land uses and proposed compensation measures, the proposed reduction of the planting/buffer strips along the front lot line will not negatively impact the adjacent lots, and will maintain compatibility with the surrounding area. It is staff’s opinion that the proposed 1 meter high landscape wall and additional proposed plantings will offer suitable landscaping for the subject land and the neighboring properties of the lot. No impacts to the function of the site or surrounding properties are anticipated as a result of the proposed decrease in required planting/buffer strip.

As such, the variance requested to reduce the minimum required planting/buffer strip abutting any front or side lot line from 7.5 metres to 1.5 metres is minor.

COMMENTS:

Agency & Department Comments

The application was circulated to internal departments and external agencies for comments, which are summarized below. A copy of the agency and department comments received are provided in **Appendix 3**.

It is understood that the applicant has initiated the Site Plan Control approval process and that any required agency approvals will be incorporated into the Site Plan Agreement as requirements prior to issuance of any building permit

The following Departments/Agencies provided comments noting no concerns with the proposal: Niagara Region, Cogeco, City Building Department, City Engineering Division, City Tax Department, City of Thorold Heritage Advisory Committee (LACAC), GIO Rail, Hydro One, and TransCanada Pipelines Limited.

The following Departments/Agencies did not provide comments on the proposal: Ministry of Transportation Ontario (MTO), Thorold Fire and Emergency Services, Bell Canada, Niagara Escarpment Commission, Ontario Power Generation, Trillium Railway, Canada Post, Canadian National Railway, District School Board of Niagara, and Niagara Catholic

District School Board.

Niagara Peninsula Conservation Authority (NPCA)

- NPCA staff noted that the subject property is impacted by possible unevaluated wetlands located along the west and north lot line as well as an unmapped floodplain.
- NPCA staff noted that they do not have any flooding concerns, and As such, the NPCA has no concerns with the variances.

Public Comments

The application was also circulated in accordance with the requirements of the Planning Act to property owners within 60 metres of the subject lands. At the time of writing of this report, no public comments have been received.

CONCLUSION:

In conclusion, it is the recommendation of Planning staff that minor variance application D13-15-2024 requesting minor variances to the City of Thorold Comprehensive Zoning Bylaw 60-2019 to reduce the minimum required front yard setback from 14.0 metres to 6.42 metres and to reduce the minimum required planting/buffer strip abutting the front lot line from 5.0 metres to 1.5 metres, for the purpose of a commercial development, be approved without conditions, for the reasons as described within this report.

Prepared by:

ORIGINAL SIGNED

Connor Maclsaac
Planner, Development Services

Respectfully Submitted By:

ORIGINAL SIGNED

Marc Davidson
Senior Development Planner,
Development Services



Appendix 1: Site Plan

MUNICIPAL ADDRESS & LEGAL DESCRIPTION:
 THOROLD GATEWAY CENTRE
 PART OF LOT 25,
 TOWNSHIP OF THOROLD
 IN THE CITY OF THOROLD
 REGIONAL MUNICIPALITY OF NICARA

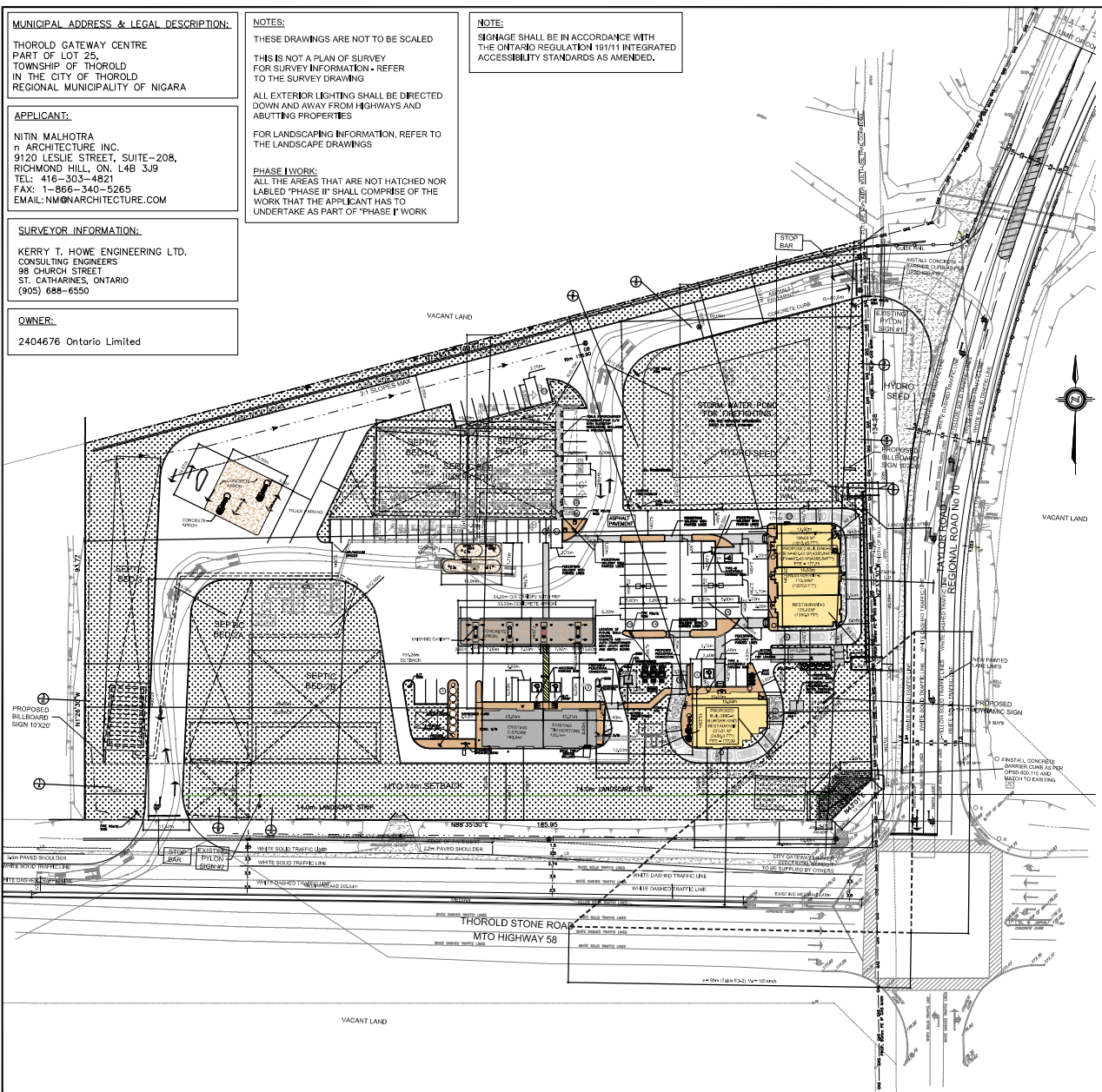
APPLICANT:
 NITIN MALHOTRA
 n ARCHITECTURE INC.
 9120 LESLIE STREET, SUITE-208,
 RICHMOND HILL, ON, L4B 3J9
 TEL: 416-303-4821
 FAX: 1-866-340-5265
 EMAIL: NM@NARCHITECTURE.COM

SURVEYOR INFORMATION:
 KERRY T. HOWE ENGINEERING LTD.
 CONSULTING ENGINEERS
 98 CHURCH STREET
 ST. CATHARINES, ONTARIO
 (905) 688-6550

OWNER:
 2404676 Ontario Limited

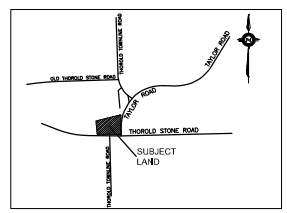
NOTES:
 THESE DRAWINGS ARE NOT TO BE SCALED
 THIS IS NOT A PLAN OF SURVEY
 FOR SURVEY INFORMATION - REFER
 TO THE SURVEY DRAWING
 ALL EXTERIOR LIGHTING SHALL BE DIRECTED
 DOWN AND AWAY FROM HIGHWAYS AND
 ADJUTING PROPERTIES
 FOR LANDSCAPING INFORMATION, REFER TO
 THE LANDSCAPE DRAWINGS
PHASE I WORK:
 ALL THE AREAS THAT ARE NOT HATCHED NOR
 LABELED "PHASE II" SHALL COMPRISE OF THE
 WORK THAT THE APPLICANT HAS TO
 UNDERTAKE AS PART OF "PHASE I" WORK

NOTE:
 SIGNAGE SHALL BE IN ACCORDANCE WITH
 THE ONTARIO REGULATION 19/11 INTEGRATED
 ACCESSIBILITY STANDARDS AS AMENDED.



LEGEND

- [Yellow Box] NEW BUILDING
- [Grey Box] EXISTING BUILDING
- [Dotted Box] ASPHALT
- [Hatched Box] PAVEMENT
- [Green Box] LANDSCAPING
- [Red Box] NEW WORK NOTES
- [S Symbol] ACCESSIBLE PARKING SIGNS
- [Fire Symbol] FIRE ROUTE SIGNS
- [Triangle Symbol] MAIN DOOR
- [Circle Symbol] OVERHEAD DOOR



PROJECT STATISTICS- EXISTING
 ADDRESS: THOROLD GATEWAY CENTRE, NIAGARA FALLS ON.

ZONE	REQUIRED	PROVIDED
ZONING 1 C5		
LOTTED AREA (sq') MIN.	10,000 SQ.M. (37,70 ACRES)	33,127 SQ.M. (81.72 ACRES)
LOT FRONTAGE MIN.	75 M. 144.04 M.	144.04 M.
C-STORE+TM HORTONS	200 SQ.M.	200 SQ.M.
COVERAGE MAX.	13% (3,685.124 PHASE2)	
LANDSCAPE (M ²)	20%	52,13%
BUILDING HEIGHT MAX.		

SETBACK

	REQUIRED	PROVIDED
FRONT YARD SETBACK (EAST)	14.0 M.	68.41M (PHASE-1)
REAR YARD SETBACK (WEST)	7.5 M.	98.85M (PHASE-1)
INTERIOR SIDE YARD SETBACK (NORTH)	7.5 M.	94.52M (PHASE-1)
EXTERIOR SIDE YARD SETBACK (SOUTH)	7.5 M.	17.88 (PHASE-1)

PARKING CALCULATIONS
 EXISTING

C-STORE	AREA	REQUIRED	PROVIDED
1 SPACE PER 25 SQ.M OF G.F.A.	139.3	6	6
TOTAL	120.7	12	12
BARBER FREE		1	2
4% OF TOTAL PARKING		18 (INCL. 1 B/F)	11 (INCL. 2 B/F)
LOADING SPACE		1	1

PROPOSED

RESTAURANT-1	AREA	REQUIRED	PROVIDED
1 SPACE PER 10 SQ.M OF G.F.A.	168.66	16	17
RESTAURANT-2	113.34	12	12
1 SPACE PER 10 SQ.M OF G.F.A.	125.42	13	13
BARBER FREE RESTAURANT	227.81	23	24
TOTAL	64 (INCL. 2 B/F)	64 (INCL. 4 B/F)	64 (INCL. 4 B/F)

TOTAL (BARBER FREE (Barber + Proposed))

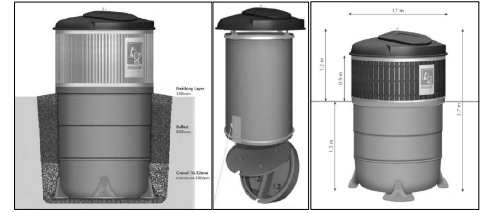
BARBER FREE	2	2	
4% OF TOTAL PARKING	-	2	
FREE PARKING	3 + 1/200 SQ.M OF G.F.A.	884.16	8
TOTAL (INCL. 4 B/F)	92 (INCL. 4 B/F)	92	

PROJECT STATISTICS- PROPOSED
 ADDRESS: THOROLD GATEWAY CENTRE, NIAGARA FALLS ON.

ZONE	REQUIRED	PROVIDED
ZONING 1 C5 HIGHWAY COMMERCIAL		
LOTTED AREA (sq') MIN.	10,000 SQ.M. (37,70 ACRES)	33,127 SQ.M. (81.72 ACRES)
LOT FRONTAGE MIN.	75 M. 144.04 M.	144.04 M.
RESTAURANT-1	168.66 SQ.M.	
RESTAURANT-2	113.34 SQ.M.	
RESTAURANT-3	125.42 SQ.M.	
BARBER FREE RESTAURANT	227.81 SQ.M.	
COVERAGE MAX.	13% (3,685.234 PHASE1)	
GFA (BUILDING-A)	227.81 SQ.M.	
GFA (BUILDING-B)	407.43 SQ.M.	
NET FLOOR AREA (BUILDING-A)	227.81 SQ.M.	
NET FLOOR AREA (BUILDING-B)	105.56 SQ.M.	
LANDSCAPE (M ²)	20%	52,13%
PAVED (M ²)	358.68 SQ.M.(1,558)	
BUILDING HEIGHT MAX.	6.41M	
LANDSCAPE BUFFER	5.0M (MIN)	1.0M (EAST)

SETBACK

	REQUIRED	PROVIDED
FRONT YARD SETBACK (EAST)	14.0 M.	6.42M (PHASE-2)
REAR YARD SETBACK (NORTH)	7.5 M.	62.91M (PHASE-2)
INTERIOR SIDE YARD SETBACK (WEST)	7.5 M.	151.28 (PHASE-2)
EXTERIOR SIDE YARD SETBACK (SOUTH)	7.5 M.	17.88M (PHASE-2)



WASTE TYPE- MIXED WASTE, PAPER, MIXED RECYCLABLES, CARDBOARD
 LID- STANDARD
 USER OPENING-FULL OPEN- 69 cm DIAMETER
 CARDBOARD- LID MODIFIED WITH SLOT OPENING FOR CARDBOARD

3 GARBAGE ENCLOSURES
 A-1.0 MOLOK DEEP COLLECTION - M5000

n Architecture Inc
 PRINCIPAL: NITIN MALHOTRA, ARCH. TECT.
 9120 Leslie Street, Suite-208
 Richmond Hill, Ontario, L4B 3J9
 T : 4 1 6 - 2 5 6 9 7 4 1
 E: info@narchitecture.com
 www.narchitecture.com

17 APRIL 2024
 PROJECT NORTH

17th APRIL 2024
 ISSUED FOR MINOR VARIANCE

No.	Date	Version	Dwn.
4.	17 APR 2024	ISSUED FOR MINOR VARIANCE	JB
3.	07 APR 2022	ISSUED FOR SITE PLAN APPLICATION 2	NG
2.	10 DEC 2021	ISSUED FOR SITE PLAN APPLICATION	NG
2.	19 JUNE 2019	ISSUED FOR PRE-CON MEETING	AB
1.	29 MAY 2018	ISSUED FOR PRE APPLICATION MEETING	AB

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PROJECT: **D-11-13-2021**

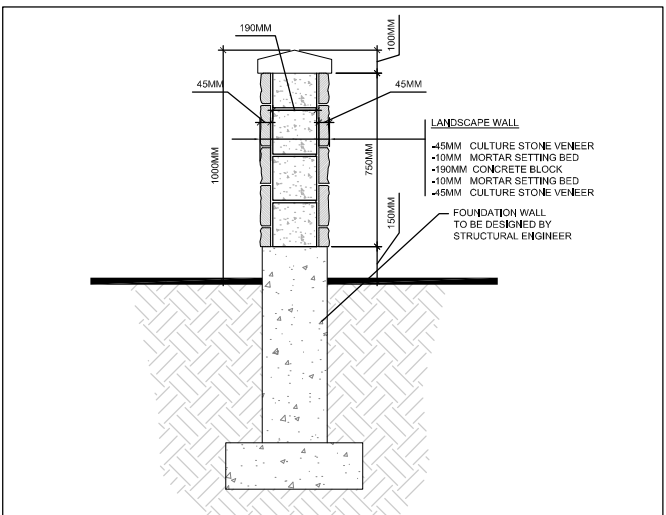
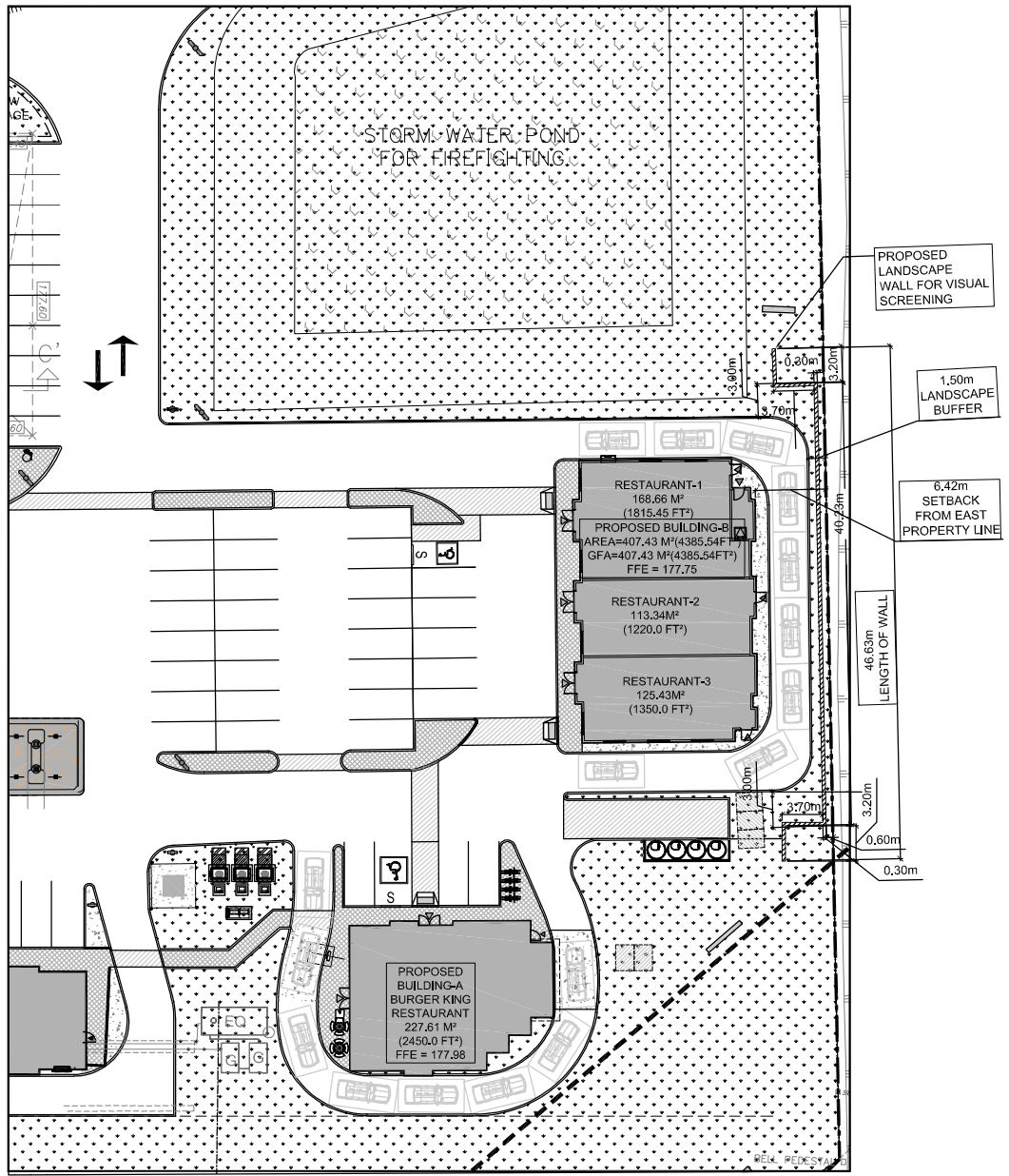
THOROLD GATEWAY CENTRE
 1040 THOROLD STONE RD.
 THOROLD, ON.

DRAWING TITLE:
PROPOSED SITE PLAN

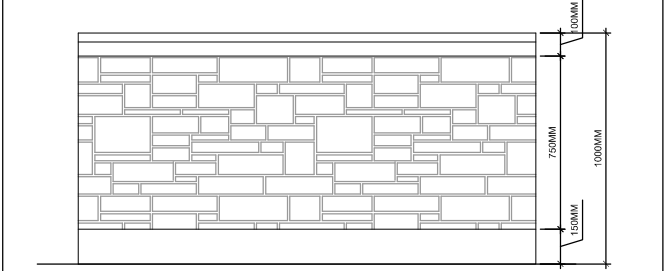
DRAWN BY: NG	DATE: NOVEMBER 20 2013
CHECKED BY: NM	SCALE: AS NOTED
PROJECT NO.:	DRAWING NO.:

13-66 A-1.0

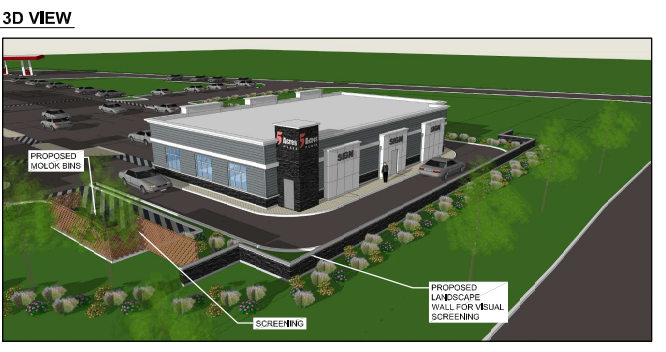
1 SITE PLAN
 A-1.0 SCALENTS



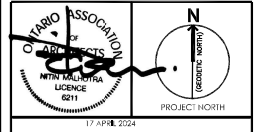
2 LANDSCAPE WALL SECTION
SCALE: 1:10



3D VIEW



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E: info@narchitecture.com
www.narchitecture.com



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PROJECT: **D-11-13-2021**

THOROLD GATEWAY CENTRE
1040 THOROLD STONE RD.
THOROLD, ON.

DRAWING TITLE:
PARTIAL SITE PLAN (SHOWING VARIANCES REQUESTED)

DRAWN BY: NG DATE: NOVEMBER 20 2013
CHECKED BY: NM SCALE: AS NOTED
PROJECT NO.: DRAWING NO.:

13-66 A-1.0a



Appendix 2: Applicant Supplemental Information



April 17th 2024
Attn: Mr. Connor MacIssac, Planner
Development Services Department
3540 Schmon Parkway. Thorold, ON L2V 4A7

RE: FILE NUMBER: D11-13-2021 – MINOR VARIANCE APPLICATION FOR THE PROPOSED DEVELOPMENT APPLICATION ON 1040 THOROLD STONE ROAD, THOROLD, ON

Good day Connor,

This letter concerns the submission for the minor variance application for the proposed development at 1040 Thorold Stone Road. This submission addresses the variances proposed on the property of which a relief is requested for the following items from the City of Thorold Comprehensive Zoning By-law No. 60-2019;

- 1- Reduction of the proposed landscape buffer from 5.0 m to 1.5 m east of the property;
- 2- Reduction of the proposed front yard setback from 14.0 m to 6.42 m.

Although reductions are being requested, some provisions have been proposed to compensate for these variances;

- 1- A 46.63m long and 1m high landscape wall within the landscape buffer fronting Regional Road No. 70, to provide visual screening from the Regional Road 70 (as per request from the Niagara Region – please see attached email);
- 2- Enhanced landscaping features as requested by the Region of Niagara on comments dated August 30, 2022, as a response to the second site plan application submission of the proposed development (please see attached sketch from the SPA II comments – dated August 30, 2022).

Also, the developer as part of Phase-I Development has conveyed large areas of the property to the City of Thorold and the Ministry of Transportation, as well as adhered to the requests of the Region of Niagara of which will allow this development to proceed. These provisions are highlighted in the following;

- 1- A portion of the Site for the Sight triangle and the gateway feature has already been dedicated. Gateway feature paid for by the Owner.
- 2- 14m setback as requested the Ministry of Transportation, fronting Thorold Stone Road.

The materials submitted with this application are listed below:

- 1- This Cover Letter;
- 2- The Minor Variance Application;
- 3- Email from the Niagara Region in regards to the requested visual screening (Dated February 28, 2024);
- 4- The sketch from the Niagara Region in regards to the Enhanced Landscape Features (Dated August 30, 2022);
- 5- Architectural Drawings;
- 6- 3D Views.

Prepared by

joline bouhamdan B. Arch. MRAIC | Intern Architect

Reviewed by

nitin malhotra. OAA. AIBC. AAA. SAA. NSAA. MRAIC. LEED AP | Principal Architect
9120 Leslie Street, Suite-208, Richmond Hill, Ontario. L4B3J9. Tel: 416-303-4821



THOROLD GATEWAY CENTRE
1040 THOROLD STONE RD.
THOROLD, ON.

Perspective View

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THOROLD, ON.

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n Architecture Inc

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1040 THOROLD STONE RD.
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Perspective View

17th April 2024

ISSUED FOR MINOR VARIANCE.

File Number : D11-13-2021



THOROLD GATEWAY CENTRE
1040 THOROLD STONE RD.
THOROLD, ON.

Perspective View

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Appendix 3: Agency & Department Comments



NIAGARA PENINSULA CONSERVATION AUTHORITY COMMENTS

Ashley D'Amico

From: Meghan Birbeck <mbirbeck@npca.ca>
Sent: May 30, 2024 10:25 AM
To: Angela Nesbitt
Subject: NPCA response regarding Thorold's June COA Hearing
Attachments: NPCA Response Regarding Thorold's June COA Hearing - 1706 Allanport Rd

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 Angela,

Please find the NPCA's full comments to the City of Thorold's June COA below:

- D13-14-2024 Minor Variance 1706 Allanport Road
 - o Comments provided May 23, 2024 (see attached email)

- D13-15-2024 Minor Variance 1040 Thorold Stone Road
 - o The provided materials indicate that a minor variance reduction is being proposed for the front yard setback and landscape buffer to construct phase two of the commercial development for two new structures.
 - o The provided plans highlight that the new structures being proposed are located in the southeast corner of the property.
 - o The subject property is impacted by possible unevaluated wetlands as well as an unmapped floodplain.
 - o The possible unevaluated wetlands are located along the west and north lot line.
 - o Technical staff have had a review of the proposed structures and note that they do not have any flooding concerns.
 - o As such, the NPCA has no concerns with the variances and will not require a review fee.

- D10-10-2024 Consent 197 St. Davids Road
 - o There are no NPCA regulated features on the subject property.
 - o As such, the NPCA has no comment and will not require a review fee.

- D13-16-2024 Minor Variance 45 – 53 Harmony Way Block 29
 - o The provided materials indicate that a minor variance increase is being proposed to the lot coverage.
 - o During the subdivision process a watercourse a regulated watercourse was realigned away from the lots in question.
 - o As such, the NPCA has no comment and will not require a review fee.

- D13-17-2024 Minor Variance 1201 Egerter Road
 - o The provided materials indicate that a minor variance is being proposed to expand a legal nonconforming use.
 - o The subject property is impacted by possible unevaluated wetland, the buffer of regulated PSW wetlands, as well as unmapped floodplains.
 - o The site plan identifies that the proposed expansion is on already disturbed lands.
 - o Technical staff have had a review and note that this floodplain is apart of the Towpath Drain and that it is expected that the development is outside of the floodplain.
 - o As such, the NPCA has no concerns and will not require a review fee.

- D10-11-2024 Consent 3 – 5 Hagar Street
- D13-18-2024 Minor Variance 3 Hagar Street Part 2

- D13-19-2024 Minor Variance 5 Hagar Street Part 1
 - o There are no NPCA regulated features on the subject property.
 - o As such, the NPCA has no comment and will not require a review fee.

Best,
Meghan



Meghan Birbeck (MS)
Watershed Planner

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

905.788.3135 Ext 278
www.npca.ca
mbirbeck@npca.ca

From: Angela Nesbitt <Angela.Nesbitt@thorold.ca>

Sent: Tuesday, May 21, 2024 4:26 PM

To: Bell <circulations@wsp.com>; Bell ROW <ROWCentre@bell.ca>; Canada Post <Andrew.Carrigan@Canadapost.ca>; CN <proximity@cn.ca>; Cogeco - Mike Embleton <mike.embleton@cogeco.com>; DSBN - Michelle McPhee (Michelle.McPhee@dsbn.org) <Michelle.McPhee@dsbn.org>; Enbridge <MunicipalPlanning@enbridge.com>; GIO Rail <aaron.white@giorail.com>; Heritage Thorold LACAC - Anne O'Hare <S. 14 MFIPPA >; Hydro One - Brettney Brunton <brettney.brunton@hydroone.com>; Hydro One - Land Use Planning <landuseplanning@hydroone.com>; Hydro One - Quinn Briscall <Quinn.Briscall@HydroOne.com>; Hydro One - Zone 2 scheduling <zone2scheduling@hydroone.com>; MNCFN - Adam LaForme <Adam.LaForme@mncfn.ca>; MTO - Kirandeep Kaur <KIRANDEEP.KAUR2@ontario.ca>; MTO - Usama Ali <Usama.Ali@ontario.ca>; MTO - Usman Akhtar <Usman.Akhtar@ontario.ca>; NCDSB <Planning@ncdsb.com>; NEC - Cheryl Tansony <Cheryl.Tansony@ontario.ca>; NEC - Kendra Adair <Kendra.Adair@ontario.ca>; Meghan Birbeck <mbirbeck@npca.ca>; Sarah Mastroianni <smastroianni@npca.ca>; Taran Lennard <tlennard@npca.ca>; OPG <executivevp.lawanddevelopment@opg.com>; Region - Alex Boekestyn <Alex.Boekestyn@niagararegion.ca>; Region - Development Planning <devtplanningapplications@niagararegion.ca>; St. Catharines <sritchie@stcatharines.ca>; TransCanada PipeLines (MHBC on behalf of) <TCEnergy@mhbcplan.com>; Trillium Railway <aaron.white@trilliumrailway.com>

Subject: Request for comments - City of Thorold Committee of Adjustment June 2024 - Due by Friday, June 7th

Good afternoon,

The June 2024 City of Thorold Committee of Adjustment Notices of Hearing and application materials can be found here - <https://files.thorold.ca/s/7arw76W8i46BndH> for the consent and minor variance applications listed below:

D13-14-2024	Minor Variance	1706 Allanport Road
D13-15-2024	Minor Variance	1040 Thorold Stone Road
D10-10-2024	Consent	197 St. Davids Road
D13-16-2024	Minor Variance	45 – 53 Harmony Way Block 29
D13-17-2024	Minor Variance	1201 Egerter Road
D10-11-2024	Consent	3 – 5 Hagar Street
D13-18-2024	Minor Variance	3 Hagar Street Part 2
D13-19-2024	Minor Variance	5 Hagar Street Part 1

Please review and provide comments to the undersigned **on or before 4:00 p.m. on Friday, June 7th, 2024.**

Thanking you in advance.

Respectfully,



Angela Nesbitt ACST-A

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

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IMPORTANT NOTICE

Effective April 15, 2024 the Niagara Peninsula Conservation Authority head office has moved to 3350 Merrittville Highway, Thorold Ontario L2V 4Y6