

COMMITTEE OF ADJUSTMENT

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

November 20, 2025

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Application for Minor Variance
D13-23-2025 – Couto Holdings
1970 Polloway Road, Thorold, Ontario
PT TWP LOT 136
Roll Number: 2731 000 026 19900

KEY FACTS

- Minor Variance for relief to reduce the minimum lot area within the Agricultural (A) zone.
- The subject lands (Part 1) are a lot of record and currently do not meet the minimum lot area provisions of the zone.
- The addition of Part 3 through Consent D10-09-2025 will increase the total lot area and bring the lot into greater compliance.
- Staff have reviewed the application in accordance with Section 45(1) of the *Planning Act* and recommend approval.

RECOMMENDATIONS

That the City of Thorold Committee of Adjustment **APPROVE** application D13-23-2025, submitted by Craig Larmour on behalf of Couto Holdings, for lands known municipally as 1970 Polloway Road (PT TWP LOT 136), as it relates to:

1. Decrease in the minimum lot area from 40 hectares to approximately 6.6 hectares (Section 9.3 - Table 9.3 - Lot, Building and Structure Requirements for the Agricultural Rural Zones).

PROPOSAL

The applicant is seeking relief from the provisions of Section 9.3 – Table 9.3 (Lot, Building and Structure Requirements for the Agricultural Rural Zones) to satisfy a condition of Consent application D10-09-2025 – 1111 Barron Road.

The subject lands are known municipally as 1970 Polloway Road, and the lands are presently zoned Agricultural (A) 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 Agricultural and Prime Agricultural Area, 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.

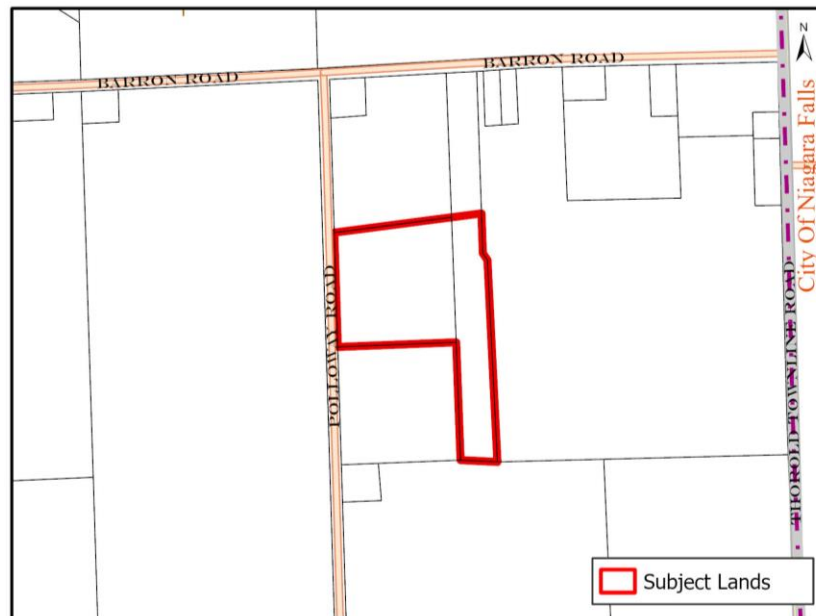


Figure 1: Location Map

Site Description

The subject lands are zoned Agricultural (A) within the Comprehensive Zoning By-law 60(2019) and are located mid-block on the east side of Polloway Road with Barron Road to the north and Turner Road to the south. The lands comprise approximately four (4) hectares within the Agricultural area of the City of Thorold Official Plan. A Consent application (D10-09-2025), was provisionally approved on August 21, 2025, adding approximately 2.6 hectares from 1111 Barron Road bringing the total land area for 1970 Polloway Road to approximately 6.6 hectares. Currently the subject lands contain a residence and several structures related to a business, Meadowview Pet Resort, a pet kennel.

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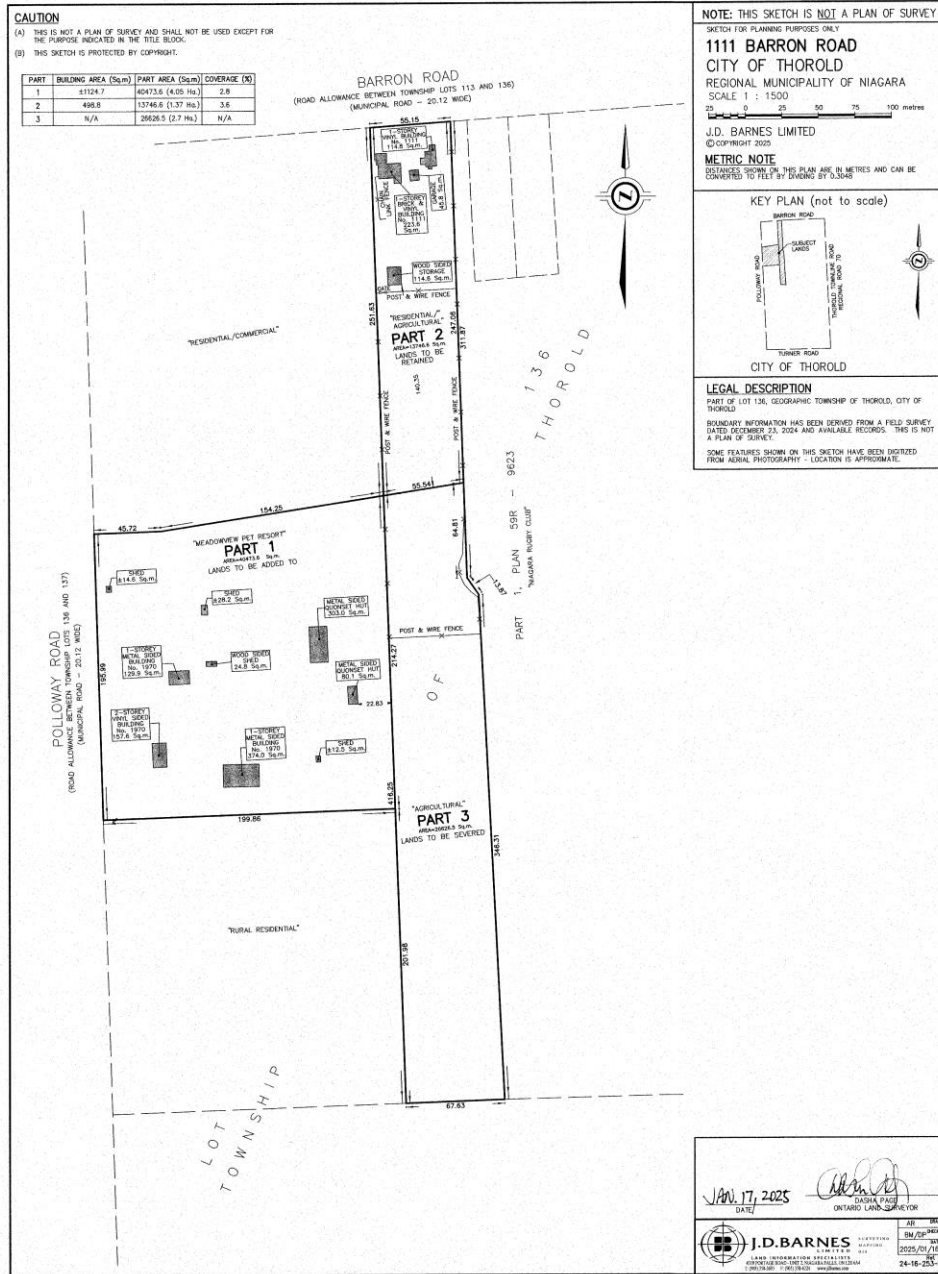


Figure 2: Proposed Plan

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:

4.3.1.1 - Planning authorities are required to use an *agricultural system* approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*.

4.3.3.1 - Lot creation in *prime agricultural areas* is discouraged and may only be permitted in accordance with provincial guidance for:

a) *agricultural uses*, provided that the lots are of a size appropriate for the type of *agricultural use(s)* common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;

b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;

c) one new residential lot per farm consolidation for a *residence surplus to an agricultural operation*, provided that:

1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and

2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be

recommended by the Province, or based on municipal approaches that achieve the same objective; and

d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

4.3.3.2 - Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

4.3.5.2 - Impacts from any new or expanding non-agricultural uses on the *agricultural system* are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

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 Prime Agricultural Area within the NOP (2022). The following policies of the NOP relate to the submitted application:

4.1.2.3 - In *specialty crop areas* and *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected and a full range of *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* are permitted.

4.1.3.7 - Where *agricultural uses* and non-agricultural uses *interface*, land use compatibility shall be achieved by avoiding or, where avoidance is not possible, minimizing and mitigating adverse impacts on the *agricultural system*, by incorporating measures as part of new or expanding non-agricultural uses, as appropriate, within the area being developed.

4.1.6.1 - In *prime agricultural areas* outside of *specialty crop areas*, consents to convey may be permitted only in those circumstances set out in the following provisions and the general consent provisions of Policy 4.1.4.2:

d. the consent is for a lot adjustment for *legal or technical reasons*;

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 Agricultural within the CTOP (2016). The following policies of the CTOP relate to the submitted application:

B2.1.1 - The purpose of the *Agricultural* designation is to protect and maintain land suitable for agricultural production and permit uses which support and/or are compatible with agriculture and support the economic viability of agricultural land and business. Lands within the Agricultural designation shall be protected in the following order of priority: Canada Land Inventory class 1, 2 and 3 lands, followed by any associated class 4 through 7 lands.

B2.1.3.3 - Consents may be granted for legal or technical reasons, or to provide for minor lot line adjustments or correct lot boundaries provided such consents do not result in the creation of a new lot. Consents to sever land may also be considered for infrastructure where there is a public interest to sever land for such infrastructure instead of an easement or legal right-of-way.

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

The City of Thorold CZBL, adopted May 23, 2024, is intended to implement the policies of the CTOP. The CZBL 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 Agricultural (A) under the City of Thorold CZBL. The following provisions of the CZBL relate to the submitted application:

1.6(b) - No *person* shall change the purpose of which any land or *building* or structure is used or erect any new *building, structure* or *addition* to any *existing building* or *structure* or sever any lands from an *existing* parcel if the effect of such action is to cause the

original adjoining or remaining *buildings, structures* or lands to be in contravention of this By-law.

9.3 – Table 9.3 - Lot, Building and Structure Requirements for the Agricultural Rural Zones

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 is provided below.

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

The CTOP and NOP emphasize the preservation of lots within the agricultural system to maintain a level of productivity which larger lots allow. This application seeks to increase the size of an existing lot within the Agricultural and Prime Agricultural Area, respectively. Currently the subject land is not used for agricultural production and no development is proposed with the application. No agricultural productivity is being lost as a result of the application. Furthermore, the application does not create adverse impacts on surrounding agricultural lots.

As such, Planning Staff are of the opinion that the requested variance **meets** the general intent of the Official Plans.

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

The application is seeking relief from minimum lot area as part of the conditional approval of Consent application D10-09-2025 for 1111 Barron Road. Section 1.6(b) of the CZBL outlines that any severance of lands from an existing parcel must ensure that the severed

lands must be compliant with the provisions outlined in the existing zone. While the subject lands will increase in area as the benefitting lot of the Consent application, the increased lot area will fall short of the provisions for minimum lot area. This application for relief will ensure Section 1.6(b) of the CZBL is maintained.

As such, Planning Staff are of the opinion that the requested variance **meets** the general intent of the Zoning By-law.

Is the Variance Appropriate for the Development of the Land?

The application proposes to reduce the minimum lot area from forty (40) hectares to approximately 6.6 hectares. The subject lands currently includes Meadowview Pet Resort, a pet kennel, which is defined in the CZBL as a “rural” use and is permitted within the “Rural” land use designation of the CTOP. Staff notes that in September 2024, 1970 Polloway Road was granted a minor variance for the expansion of the existing legal non-conforming use to expand the kennel operation with a 410 m² addition. These applications do not facilitate the expansion of the legal non-conforming use on the receiving lands of the consent application (Part 3), and any further expansion would require an additional application for minor variance to expand that use. Given that the existing uses on the subject lands (Part 1) are not agricultural, and that the minor variance is anticipated to help facilitate the severance, there are no negative impacts anticipated.

As such, Planning Staff are of the opinion that the variance **is 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 use of the land, not simply a numerical assessment based on provisions in the Comprehensive Zoning By-law.

The existing lot area is currently deficient in relation to minimum lot area provisions. This application seeks to facilitate a provisionally approved severance which will increase the subject land’s lot area. No further development is proposed with this application and no

changes to the permitted uses are being sought. The anticipated impact from approval of the relief is negligible.

As such, Planning Staff are of the opinion that the requested variance **is 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, which are summarized below.

The following agencies and departments were circulated for comment (see Appendix 1) and either indicated no objections or did not provide comment at this time.

Indicated no objections	Did not provide comment
NPCA City of Niagara Falls Cogeco Niagara Region	MNCFN City of Thorold Building City of Thorold Engineering City of Thorold Fire City of Thorold Public Works City of Thorold Community Services Canada Post Ministry of Transportation Niagara Catholic District School Board Enbridge Hydro One Ontario Power Generation TransCanada Pipeline

Public Comments

No Public comments were received as of the date of the writing of the report. If any comments are received after the generation of this report they will be attached to an addendum for consideration at the next meeting.

CONCLUSION

Planning Staff are of the opinion that Minor Variance Application D13-23-2025 meets the four tests for a minor variance in accordance with Section 45(1) of the Planning Act for the lands known municipally as 1970 Polloway Road, to reduce the minimum lot area from 40 hectares to approximately 6.6 hectares. It is recommended that the application be **APPROVED**.

Prepared by:
Courtney Kaupp
Planning Clerk

Submitted by:
Marc Davidson
Manager of Development Planning

Appendices

Appendix 1 Comments



COGECO COMMENTS

From: [Jeremy Leemet](#)
To: [City of Thorold Planning](#)
Subject: Re: Notice of Hearing - D13-23-2025 - 1970 Polloway Road
Date: October 17, 2025 3:50:45 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

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> wrote:

Hello,

Please find attached the Notice of Hearing for the Minor Variance application D13-23-2025 – 1970 Polloway Road to be heard at the City of Thorold November 20th, 2025 Committee of Adjustment meeting.

Please review and provide comments to Planning@Thorold.ca **on or before 4:00 pm, October 31st, 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
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Network Delivery Coordinator
Niagara
phone # (437)553-7079

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Niagara Falls,
Ontario L2G
3H2 Canada
cogeco.ca



CITY OF NIAGARA FALLS COMMENTS

From: [Brian Dick](#)
To: [City of Thorold Planning](#)
Cc: [Tara O'Toole](#); [Signe Hansen](#)
Subject: Notice of Public Hearing for Minor Variance D13-23-2025 1970 Polloway Road, Thorold
Date: October 23, 2025 11:29:10 AM

Hello City of Thorold Planning,

The City of Niagara Falls was circulated Minor Variance application D13-23-2025 where the applicant is seeking a Minor Variance to fulfil a condition for Consent application D10-09-2025 (for 1111 Barron Road).

City Planning staff have reviewed the submitted application and have no comments or concerns.

Sincere thanks,

Brian Dick

Brian Dick, MCIP, RPP | Senior Manager, Policy Planning | Planning, Building & Development | City of Niagara Falls
4310 Queen Street | Niagara Falls, ON L2E 6X5 | (905) 356-7521 ext 4247 | Fax 905-356-2354 | bdick@niagarafalls.ca



NIAGARA PENINSULA CONSERVATION AUTHORITY COMMENTS

From: [Paige Pearson](#)
To: [City of Thorold Planning](#)
Subject: RE: Notice of Hearing - D13-23-2025 - 1970 Polloway Road
Date: October 17, 2025 3:46:13 PM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

Good afternoon,

Based on the current NPCA mapping, the subject property, 1970 Polloway Road does not contain NPCA regulated features. As such, the NPCA offers no objections to the Minor Variance, D13-23-2025.

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
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!**

From: City of Thorold Planning <Planning@thorold.ca>

Sent: October 17, 2025 2:49 PM

To: Taran Lennard <tlennard@npca.ca>; Paige Pearson <ppearson@npca.ca>; Abby.LaForme@mncfn.ca; Dinesh Adhikari <Dinesh.Adhikari@thorold.ca>; Building <Building@thorold.ca>; thoreng <thoreng@thorold.ca>; Alex Sales <Alex.Sales@thorold.ca>; Jenny Rodriguez <Jenny.Rodriguez@thorold.ca>; Abu Rashed <Abu.Rashed@thorold.ca>; Ugo Obiako <Ugo.Obiako@thorold.ca>; Paula Wake <Paula.Wake@thorold.ca>; Steven Polich <Steven.Polich@thorold.ca>; FPO <FPO@thorold.ca>; Mark Richardson <Mark.Richardson@thorold.ca>; shansen@niagarafalls.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>; 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 - D13-23-2025 - 1970 Polloway Road

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Thank you,

Courtney Kaupp
Planning Clerk