



**COMMITTEE OF ADJUSTMENT**

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

**NOTICE OF DECISION – February 20, 2025**

**FILE NO.:** D10-02-2025  
**ROLL NO:** 2731 000 002 07410 0000  
**SUBJECT LAND:** 74 Chapel St. N, Thorold  
Plan 686 PT Lots 20 and 23 NP895  
**APPLICANT:** Barnes, Steven George Frank  
**AGENT:** Roberto Biagi

**In the Matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13, and in the Matter of an Application for Consent.**

The Committee of Adjustment considered all the written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the City of Thorold Official Plan.

In compliance with the Planning Act the City of Thorold Committee of Adjustment decision is enclosed. The last date of filing an appeal to the Ontario Land Tribunal (OLT) under Section 53 of the Planning Act is **March 20, 2025**.

**Type of Transaction for which application for consent is being made:**

√: Conveyance    △ Mortgage or Charge    √ Partial Discharge of Mortgage    △Other:

**DECISION:** GRANTED WITH CONDITIONS

**CONDITION(S):** SEE SCHEDULE “A” ATTACHED

**REASONS:**

The Committee of Adjustment considered all the written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the City of Thorold Official Plan.

1. The application complies with the requirements of the zoning by-law and conforms to the policies of the Official Plan.
2. This decision is rendered having regard to the provisions of Section 51(24) of the Planning Act, R.S.O. 1990 as amended.
3. The application is considered desirable within the existing neighbourhood.
4. For reasons as outlined in the Planning Report.

**NOTICE OF DECISION – D10-02-2025 – 74 Chapel Street N**

Electronically Signed By J. Theisen, Chair/Member	In favour
Electronically Signed By E. Pizzo, Member	In favour
G. Jackson, Member - Absent	No vote
Electronically Signed By K. Daniels, Member	In favour
P. DiPaola, Member - Absent	No vote
Electronically Signed By G. Ravenek, Member	In favour



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### SCHEDULE "A"

This is Schedule "A" attached to and forming part of the decision regarding Consent Application D10-02-2025 – 74 Chapel St. N., Thorold, ON;

#### CONDITIONS:

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

- 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, to forward a copy of documentation confirming the transaction has been carried out, with the document to be provided 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 the payment of 5% of the value of the new lot, being Part 2, of the submitted severance sketch be made to the City of Thorold in lieu of dedication of land for park purposes pursuant to Section 53(13) of the Planning Act, R.S.O. 1990, as amended.
- 5) That the applicant provides a lawyer's undertaking, to the City's satisfaction, of the following:
  - a) That if deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, the Niagara Regional Police Services and coroner shall be contacted to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan; and
  - b) Although it is not a condition of consent, it is strongly recommended that the applicant use minimum noise mitigation measures during the construction of the future dwelling
- 6) That all of these conditions shall be fulfilled within a period of two years after the giving of the Notice of Decision of the Committee of Adjustment, pursuant to Subsection 53(41) of the Planning Act, failing which this consent shall be deemed to be refused

<b>Date of Decision:</b>	<b>February 20, 2025</b>
<b>Date of Decision Notice:</b>	<b>February 28, 2025</b>
<b>Last date to file a notice of appeal:</b>	<b>March 20, 2025</b>
<b>Last date to fulfill all conditions:</b>	<b>February 28, 2027</b>



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Notice of appeal must be filed with the Secretary Treasurer for the City of Thorold Committee of Adjustment, must set out the reasons for the appeal and must be accompanied by the fee required by the Ontario Land Tribunal (OLT).  
<https://olt.gov.on.ca/appeals-process/fee-chart/>

Please note neighbours and other interested parties not defined by the Planning Act are no longer eligible to file appeals for this application as per Bill 23, More Homes Built Faster Act, 2022.

Planning Act appeals may be file by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” (as defined by Planning Act 1(1)), and any “public body” (as defined by Planning Act 1(1)).

Information regarding the Ontario Land Tribunal (OLT) can be found at:  
<http://www.ontario.ca/document/citizens-guide-land-use-planning/ontario-land-tribunal>

I, Conor Warren, Secretary Treasurer of the Committee of Adjustment of the City of Thorold certify that the above is a true copy of the Decision of the Committee of Adjustment.

ORIGINAL SIGNED

Conor Warren  
Secretary Treasurer to the Committee of Adjustment

Date of Decision: February 20, 2025      Date of Mailing: February 28, 2025