



## Committee of Adjustment -Meeting Minutes-

Wednesday, January 17th, 2024

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Members Present: Dan O'Hara, Chair  
Angie Desmarais, Committee Member  
Dave Elliott, Committee Member  
Gary Bruno, Committee Member  
Eric Beauregard, Committee Member

Staff Present: Chris Roome, Planner  
Taya Taraba, Acting Secretary-Treasurer

1. Call Meeting to Order  
The Chair called the meeting to order at approximately 6:06 pm.
2. Reading of Meeting Protocol  
The Chair read the Meeting Protocol.
3. Disclosures of Interest  
Member Beauregard declared an indirect pecuniary interest on application B19-23-PC, B20-23-PC, and B21-23-PC as the applicant is a client of his employer.
4. Requests for Deferrals or Withdrawals of Applications
  - a. Application: A26-23-PC  
Action: Minor Variance  
Agent: Craig Esposti  
Owners: Diane Leon  
Location: 3637 Firelane 12

The Chair introduced the application.

The Agent for the respective application requested for a deferral.

The Chair motioned to defer the application and asked the Agent how long they would require the deferral to be.

The Agent expressed that they received comments from the Region and NPCA that needed further addressing, as they were received later than anticipated.

The Chair addressed an error on the circulated notice, stating that Item Two within the documentation should have stated “maximum” in place of “minimum”.

Motion: *Angie Desmarais*

Seconded: *Gary Bruno*

Carried: 5-0

5. Adjourned Application(s)

a. Application: A22-23-PC

Action: Minor Variance

Agent: Chris Lamb

Owners: The Landscape Depot

Location: Vacant Lot Catharine Street

The Chair asked the Agent if there were any new developments regarding the application.

The Agent responded that after presenting options to City Staff and GeoRail following the previous Hearing, if the laneway was not transferred into their [the Agent] name, the parking would have to be relocated. A meeting was held to which GeoRail reported that any decision made on the laneway would be amenable provided no visual obstructions were apparent.

Member Bruno asked the Planner if there were any safety concerns encompassing GeoRail providing such correspondence, as the land belongs to Port Colborne and not GeoRail.

The Planner mentions that GeoRail would be treated as an additional commenting agency; they would sign off on such matters and it would be stored in the application's file.

The Chair asked the agent what size the strip of land would be once the transfer and sale occurred and how much of a variance from the By-Law would be required.

The agent responded the size of the strip of land would be determined by how much land was included in the transfer and sale and would subsequently impact the amount of variance required.

The chair sought clarification from the Planner if the Committee would be allowed to grant a variance for the 7.5 meters if assumed the applicant had a total of 6-meters to close the application.

The Planner confirmed that the By-Law does require those provisions.

The Chair clarified with the Agent if the other variances would remain the same.

The Agent confirmed that there would be no changes made to the other items encompassing the variance.

The Chair concludes that item two on the application can be altered to reflect the new information, as the reoccurrence of an adjournment may prove to be detrimental.

Member Beauregard expressed concerns regarding the 0m buffer condition, as it would provide a buffer over the property as opposed to the north property line.

The Chair clarified the 0m buffer and what it would express for the property.

The Chair asked if there were any residual questions or concerns.

Motion: *Dan O'Hara*      Seconded: *Angie Desmarais*  
Carried: 5-0

## 6. New Business

- a. Application:      B19-23-PC, B20-23-PC, B21-23-PC
- Action:          Consent
- Agent:            Dylan Earl
- Owners:          Leo Di Fabio
- Location:        19 Lakeshore Road West

The Secretary-Treasurer read the correspondence received for the application.

The Chair asked the present Agent if they wanted to add any further information on the application.

The Agent summarized the application and concurs with the comments made in the Planning Report.

The Chair asked if there was anybody who would like to speak to the application in the audience.

The delegate entered the Hearing and expressed their concerns regarding the intensification of the neighbourhood, the functionality of the sewer lines, zoning of the property, and the overall setbacks mentioned in the proposed development.

The Chair said to the Delegate that the comments would be taken into consideration.

Member Bruno mentioned to the Planner if it would be easier to resolve the zoning issue as a way to address the other concerns.

The Planner mentioned that it is not an overarching issue and that this is more of a legislative technicality.

Member Desmarais concurred that the Delegate raised some valid concerns, especially regarding the aesthetic of the property and the neighbourhood. This property would not fit the overall image of the surrounding landscape and would encourage intensification rather than beneficial growth.

Member Elliott supported the Delegates concerns and mentioned that the overall development is unfitting for the characteristic of the neighbourhood.

The Chair asks if there are any other members of the public that wish to speak to the application.

That consent application **B19-23-PC**, **B20-23-PC**, and **B21-23-PC** be **denied** for the following reasons:

The proposed severance and residential development does not keep with the aesthetics, nor does it adhere to the existing character of the neighbourhood. Furthermore, the intensification of the development is not appropriate for the subject lands and would be better suited to an alternative location.

Motion: *Dave Elliot*

Seconded: *Gary*

Carried: 4-0

## 7. Other Business

The Chair noted that the Ontario Association of Committees of Adjustment and Consent Authorities (OACA) membership has expired and will need to be renewed in the near future.

## 8. Approval of Minutes

That the minutes from the November 8<sup>th</sup> and December 13<sup>th</sup>, 2023, Committee of Adjustment meeting be approved.

Motion: *Gary Bruno*

Seconded: *Dave Elliott*

Carried: 4-0

**Note:** *The minutes were not signed for the November 8<sup>th</sup>, 2023, Committee of Adjustment meeting and were done so during this meeting.*

9. Adjournment

There being no further business, the meeting was adjourned at approximately 8:13 pm.

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Dan O'Hara, Chair

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Taya Taraba, Acting Secretary-Treasurer