



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

PORT COLBORNE

DEVELOPMENT AND GOVERNMENT RELATIONS DEPARTMENT

Consent Application

File No. B15-24-PC

IN THE MATTER OF the *Planning Act, R.S.O., 1990, c.P. 13, section 53 (1)*;

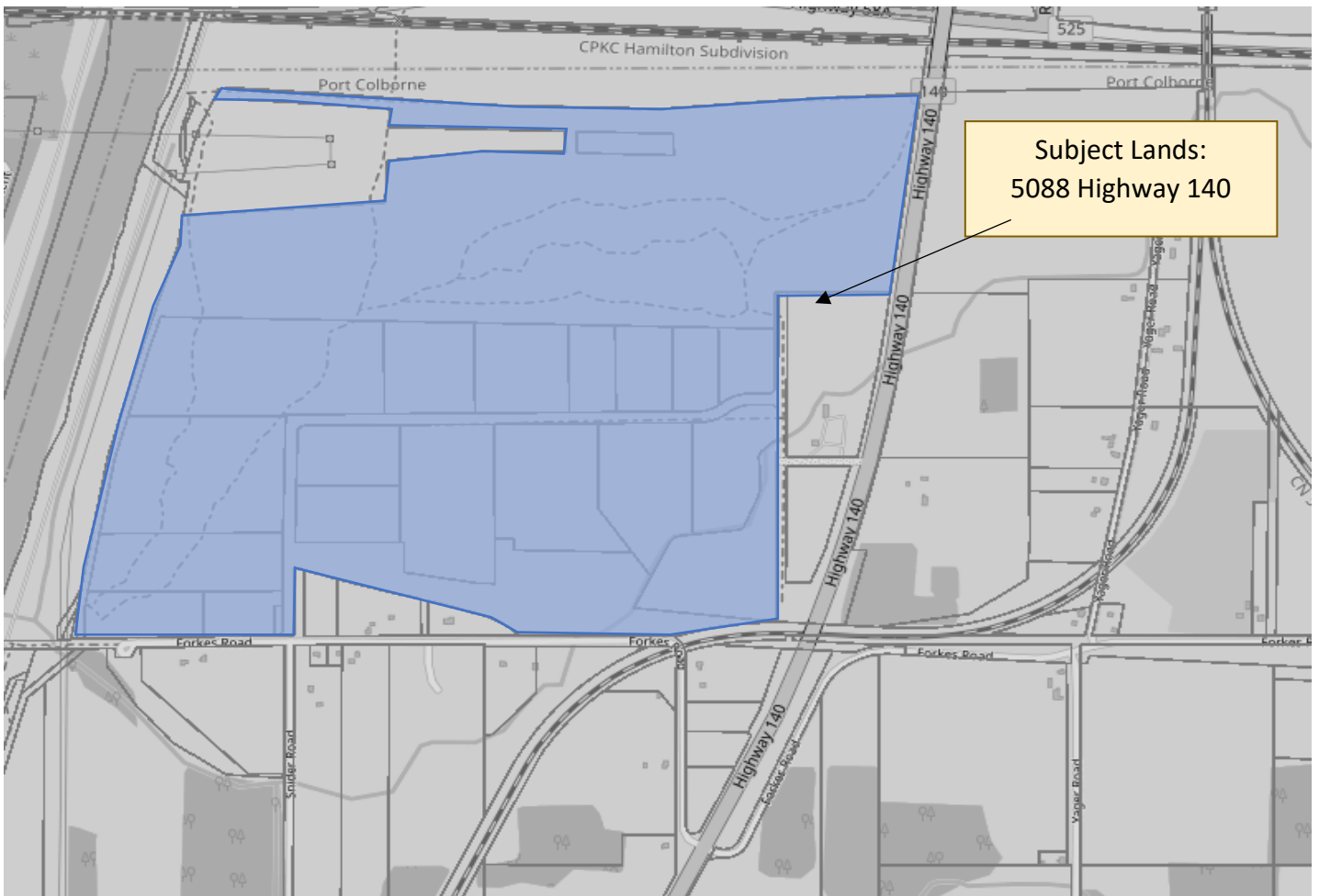
AND IN THE MATTER OF the lands legally known as Concession 5, Part of Lots 16 to 19 and Part Road Allowance, Reference Plan 59R15312, Parts 1, 5, 6, 8 to 11, 14, 16 to 19, 37, 39, and 42, formerly in the Township of Humberstone, now in the City of Port Colborne, located in a special provision of the Heavy Industrial zone (HI-46) and a special provision of the Industrial Development zone (ID-47-H), municipally known as 5088 Highway 140;

AND IN THE MATTER OF AN APPLICATION by the agent Weston Consulting, on behalf of the owners One Forty Development Inc., for consent to register multiple easements for the purpose of access, utilities, servicing, and stormwater management. The subject parcels are shown as Parts 5 to 11 on the proposed sketch, where Parts 5 to 9 and Part 11 are proposed to be conveyed for a future industrial use, and Part 10 is proposed to be retained for a future industrial use. A sketch of the subject lands is shown on the reverse side of this notice. A higher resolution PDF version of this sketch can be found on the City's website.

Associated Applications

A request for a Minister's Zoning Order (MZO) has been submitted to the Minister of Municipal Affairs and Housing. The purpose of the MZO (Environmental Registry of Ontario file number 019-8690) is to facilitate the development of an electric battery separator industrial operation. These lands are also the subject of consent application B11-24-PC.

LOCATION MAP



PLEASE TAKE NOTICE that this application will be heard in-person and virtually by the Committee of Adjustment as shown below:

Date: September 11, 2024
Time: 6:00 P.M.
Location: 66 Charlotte Street – Third Floor Council Chambers and Virtually via Zoom

Additional information regarding this application will be available for public inspection. An appointment can be scheduled in the office of the Planning and Development department, Monday to Friday, during the hours of 8:30 A.M. to 4:30 P.M., by telephone at (905)-228-8124 or through email at taya.taraba@portcolborne.ca.

PUBLIC HEARING: You are entitled to participate and express your views about this application, or you may be represented by counsel for that purpose. The Planning Division's report may be available for public inspection by **Friday, September 6, 2024**.

NOTE: If you are receiving this notice as the owner of land that contains multiple residential units, please post this in a location that is visible to all tenants.

Electronic Hearing Procedures
How to Get Involved in the Hearing

The meeting will be held in person and will be livestreamed on the City's YouTube channel.

Anyone wishing to participate in the meeting can attend either virtually or in-person and is encouraged to submit a written submission that will be circulated to the Committee of Adjustment prior to the meeting. All comments submitted are part of the public record. If anyone wishes to orally participate in the meeting, they must pre-register with the Secretary-Treasurer. **Written submissions and participation requests must be received by 12:00 p.m. on Tuesday, September 10, 2024**, by emailing taya.taraba@portcolborne.ca or by calling (905)-228-8124. Written submissions may also be submitted to the mail slot located in the front-left of City Hall; 66 Charlotte Street.

If you have any questions about the application(s) or submission process, please email taya.taraba@portcolborne.ca or call (905)-228-8124.

If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Secretary-Treasurer. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal. If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to this application does not make written submissions to the Committee of Adjustment before it gives or refuses to give provisional consent, the Ontario Land Tribunal may dismiss the appeal.

By order of the Committee of Adjustment,

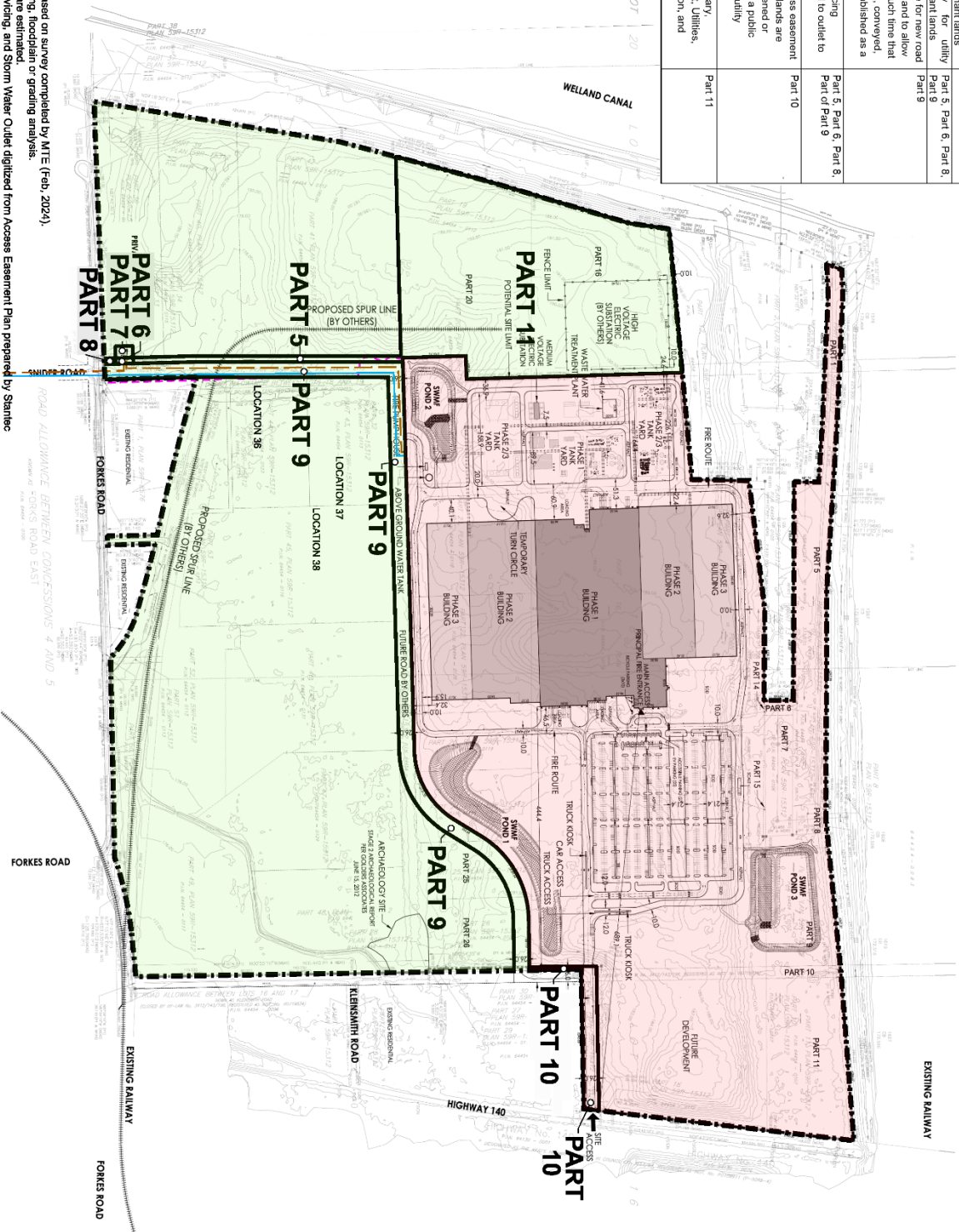
Date of Mailing: August 28, 2024



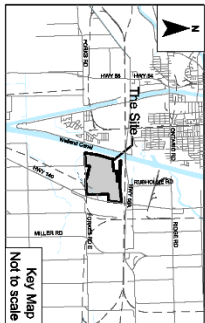
Taya Taraba
Secretary-Treasurer

SKETCH

Essement Number	Essement Purpose	Applicable Parts on 5. Essement Plan (Proposed)
Essement 1	BMI Group to allow private sanitary pump station, access to pumping station for maintenance and repair of servicing within BMI remnant lands	Part 6, Part 7
Essement 2	BMI Group to allow for utility essements on BMI remnant lands	Part 5, Part 6, Part 8, Part 9
Essement 3	BMI Group is responsible for new road alignment for future road and to allow access essement, until such time that such lands are dedicated, conveyed, opened or otherwise established as a public highway	Part 5, Part 6, Part 8, Part 9
Essement 4	BMI Group to allow servicing essement and swm pond to outlet to existing watercourse	Part 10
Essement 5	BMI Group to retain access essement, until such time that such lands are dedicated, conveyed, opened or otherwise established as a public highway and to allow for utility essements.	Part 10
Essement 6	BMI Group to allow Sanitary Stormwater Management, Utilities, electrical stations/substation, and Access	Part 11



- Notes:
- Property Boundary is based on survey completed by MTE (Feb, 2024).
 - Not based on engineering, floodplain or grading analysis.
 - Areas and dimensions are estimated.
 - Estimates Sanitary, Servicing, and Storm Water Outlet digitized from Access Essement Plan prepared by Stattec and are approximate. See referenced plan for further details. Plan dated June 6, 2024.
 - Site Plan for Prepared by Stattec (June 18, 2024).
 - Proposed essements per Stattec Essement Consent Plan - Figure 1 (July 31, 2024)



- LEGEND
- Subject Lands
 - MZO Area
 - Estimated Sanitary Pipe Location
 - Estimated Servicing Pipe Location
 - Existing Water Course
 - Proposed Essements (to be right on BMI Lands)
 - Lands to be Sewered
 - Lands to be Released

- DRAWN / REVISED
- 27 AUG 2024 Add Essement 1, 2, 3 & modify Title block
 - 19 AUG 2024 Revisions to Sewered Area as per Client's comments
 - 12-15 AUG 2024 Minor Revisions; Add Sewerage Fee; Add Parts 29 and 30
 - 08 AUG 2024 Remove adjacent property Essements
 - 07 AUG 2024 Revises per Stattec Essement Consent Plan July 31, 2024
 - 11 JUL 2024 Revises essements per comments
 - 27 JUN 2024 First Draft

PROPOSED EASEMENT PLAN
HIGHWAY 58A & HIGHWAY 140
CITY OF PORT COLBORNE
REGION OF NIAGARA

WESTON CONSULTING

SCALE 0 50 100 150 200m

File Number: 11716
 Date: 2024-08-27
 Drawn By: MDC/SBH
 Planner: MD
 CAD: 11716_Proposed Essement Plan_2024-08-27.dgn

Drawing
PEP