



PORT COLBORNE

Committee of Adjustment -Meeting Minutes-

Wednesday, August 14, 2024

Members Present: Dan O'Hara, Chair
Angie Desmarais, Committee Member
Gary Bruno, Committee Member

Staff Present: Denise Landry, Chief Planner
Diana Vasu, Planner
Taya Taraba, Acting Secretary-Treasurer
Tyler Christian, Planning Assistant

1. Call Meeting to Order

The Chair called the meeting to order at approximately 6:10 p.m.

2. Reading of Meeting Protocol

The Chair read the Meeting Protocol.

3. Disclosures of Interest

Nil.

4. Requests for Deferrals or Withdrawals of Applications

a. Application: A20-24-PC
Action: Minor Variance
Agent: Issac Adams
Applicant: Emily and Andrew Brondes
Location: 1628 Third Concession Road

The request for deferral of this application was made by Planning Staff to further investigate outstanding issues with the application.

b. Application: B11-24-PC
Action: Consent
Agent: Weston Consulting
Applicant: One Forty Development Inc.
Location: 5088 Highway 140

The request for deferral of this application was made by Planning Staff to allow the applicant to make adjustments to their application.

5. Order of Business

- a. Application:** B10-24-PC
Action: Consent
Agent: Joseph DeFillippis
Applicant: Chris Laverick (Laverick Properties Ltd.)
Location: 2970 Highway 3

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

The Chair asked the applicant if they wanted to add any further information on the application, but the applicant had no additional information to add.

Member Bruno commented on the pending municipal drain assessment that would impact a future owner of the property and requested that the applicant inform future purchasers of the property of the same.

There were no further comments from the Committee or members of the public.

That consent application **B10-24-PC** be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds in triplicate for the conveyance of the subject parcel or a registrable legal description of the subject parcel, together with a paper copy and electronic copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
2. That a final certification fee of \$240 payable to the City of Port Colborne is submitted to the Secretary-Treasurer.
3. That the owner enters into a Development Agreement with the City Port Colborne to implement the recommendations of the Revised Hydrogeological Assessment, prepared by Terra-Dynamics Consulting Inc. (dated June 7, 2024), for Part 1 and 2, prior to any construction or site alteration, to the satisfaction of the Niagara Region and City staff.
4. That a drainage apportionment agreement be completed by the City's Drainage Superintendent or by an approved engineer at the cost of the applicant. A copy of the deposited plan must be delivered to the Drainage Superintendent through the planning department for the apportionment agreement to be completed.

5. That Part 1 and Part 2 be provided with separate driveway entrances, to the satisfaction of City staff.
6. That the applicant(s) sign the City of Port Colborne's standard "Memorandum of Understanding" explaining that development charges and cash-in-lieu of the dedication of land for park purposes, based on an appraisal, at the expense of the applicant, wherein the value of the land is to be determined as of the day before the issuance of a building permit, is required prior to the issuance of a building permit pursuant to Section 42 of the Planning Act. R.S.O 1990, as amended.
7. That all conditions of consent be completed by August 14, 2026.

Motion: Angie Desmarais

Seconded: Gary Bruno

Carried: 3-0

7. Approval of Minutes

Motion: Angie Desmarais

Seconded: Gary Bruno

Carried: 3-0

8. Adjournment

There being no further business, the meeting was adjourned at approximately 6:47 pm.

Dan O'Hara, Chair

Taya Taraba, Acting Secretary-Treasurer