



PORT COLBORNE

Committee of Adjustment -Meeting Minutes-

Wednesday, February 12, 2025

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

Staff Present: Diana Vasu, Planner
Taya Taraba, Secretary-Treasurer

1. Call Meeting to Order

The Chair called the meeting to order at approximately 6:00 p.m.

2. Reading of Meeting Protocol

The Chair read the Meeting Protocol.

3. Disclosures of Interest

Member Beaugard declared conflict of interest regarding applications A02-25-PC and B04-25-PC due to a direct pecuniary interest as the owners are clients of Member Beaugard's employer.

4. Requests for Deferrals or Withdrawals of Applications

Nil.

5. Order of Business

a. Application: A02-25-PC

Action: Minor Variance

Applicant: 1000367026 Ontario Inc

Location: 179 Mellanby Ave & 56-56.5 Main Street West

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

The Chair asked the applicant if they wished to add any further information to the application. The applicant provided some additional background information on the application regarding communication with the City.

Member Bruno posed a clarifying question regarding the feasibility of adjusting the site plan to accommodate more parking spaces.

The applicant indicated that the development had already been adjusted to reach the proposed number and that decreasing the quantity any further would jeopardize the feasibility of the project.

Member Elliot raised several concerns with the development, including the restriction of one space per unit and the reliance on utilizing public and/or street parking for visitors. Member Bruno inquired into the provision of parking for visiting medical staff/ personal support worker(s) (PSWs).

Member Desmarais inquired about the feasibility of adding a third parking deck, to which the applicant noted that doing so would render the project unviable. Member Desmarais also inquired about the provisions of parking for medical staff and PSW's.

Member Bruno inquired as to if the applicant has investigated other potential sources of parking through the acquisition of additional parcels of land. The applicant reiterated that all other options have been explored, leading to the current application being a last resort option.

The Chair inquired into the proposed number handicap parking spots. Member Bruno requested the Planner provide clarification on the number of handicap spots required. The Planner provided clarification.

The Chair asked if any members of the public wished to speak to the application; Gino Stinziani expressed concern for the lack of visitor parking proposed.

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

That minor variance application **A02-25-PC** be **granted** for the following reasons:

1. **The application is minor in nature**
2. **It is appropriate for the development of the site**
3. **It is desirable and in compliance with the general intent and purpose of the Zoning By-Law**
4. **It is desirable and in compliance with the general intent and purpose of the Official Plan**

Motion: Dan O'Hara
Carried: 4-0

Seconded: Angie Desmarais

b) **Application:** B03-25-PC
Action: Consent
Agent: Carol Moroziuk
Applicant: Francis and Paula Sneek
Location: 2790 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, to which the applicant provided clarification on the nature of the application.

Member Beauregard asked a clarifying question pertaining to the sketch.

Member Bruno asked a question regarding the fees charged.

There were no comments received from members of the public.

That application B03-25-PC be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds for the conveyance of the subject parcel or a registrable legal description of the subject parcel, and a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
2. That a final certification fee of \$400 payable to the City of Port Colborne is submitted to the Secretary-Treasurer.
3. 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.
4. That all conditions of consent be completed by February 12, 2027.

For the following reasons:

1. The application is consistent with the Provincial Planning Statement and conforms to the Niagara Official Plan, City of Port Colborne Official Plan, will comply with the provisions of Zoning By-law 6575/30/18, as amended.

Motion: Gary Bruno

Seconded: Dave Elliot

Carried: 5-0

c) **Application:** B04-25-PC
Action: Consent
Agent: Carol Moroziuk
Applicant: Michael Smith
Location: 153 Kent Street

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, to which the agent provided some clarification.

There were no further questions from the committee and no members of the public were present to speak to the application.

That application B03-25-PC be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds for the conveyance of the subject parcel or a registrable legal description of the subject parcel, and a copy of the deposited reference plan, 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 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.
4. That all conditions of consent be completed by February 12, 2027.

For the following reasons:

1. The application is consistent with the Provincial Planning Statement and conforms to the Niagara Official Plan, City of Port Colborne Official Plan, will comply with the provisions of Zoning By-law 6575/30/18, as amended.

Motion: Angie Desmarais

Seconded: David Elliot

Carried: 4-0

6. Other Business

Nil.

7. Approval of Minutes

That the minutes from the January 15th, 2025 meeting be approved.

Motion: David Elliot

Seconded: Gary Bruno

Carried: 4-0

8. Adjournment

There being no further business, the meeting was adjourned at approximately 7:00 pm.

Dan O'Hara, Chair

Taya Taraba, Acting Secretary-Treasurer