



Committee of Adjustment -Meeting Minutes-

Wednesday, May 8th, 2024

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 Vice Chair called the meeting to order at approximately 6:00 pm.
2. Reading of Meeting Protocol
The Vice Chair read the Meeting Protocol.
3. Disclosures of Interest
Member Beauregard declared an indirect pecuniary interest on application A09-24-PC, as the applicant is a client of his employer.
4. Requests for Deferrals or Withdrawals of Applications
Nil.
5. Order of Business
 - a. Application: A04-24-PC
Action: Minor Variance
Applicant: 1825081 Ontario Inc.
Agent: Wendy Singh and Michael Donatelli
Location: 803 King Street

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

The Chair asked the present applicants if they wanted to add any further information on the application, to which, they presented the Committee with some background information on the property and their plans regarding the development.

The Chair asked if any members of the public wished to speak towards the nature of the application. Two delegates provided their comments to the application; there were no major concerns.

That minor variance application **A04-24-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: *Eric Beauregard*

Seconded: *Angie Desmarais*

Carried: 5-0

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|-----------------|----------------------------|
| b. Application: | A08-24-PC; B09-24-PC |
| Action: | Minor Variance and Consent |
| Applicant: | Jeffery Roy |
| Agent: | Steven Rivers |
| Location: | 232 Humboldt Parkway |

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 provided some background information regarding the application and the respective development to the Committee.

Member Beauregard inquired about the services on the property as he was concerned the laterals potentially cross the proposed boundary line.

The Chair recommended that a variance should be proposed to reduce the front yard setback to bring both lots into compliance.

The Chair asked if any members of the public wished to speak towards the nature of the application, to which, there were no concerns.

That minor variance application **A08-24-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.**

That consent application B09-24-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 a driveway be installed on Part 1, that meets the requirement of the Zoning By-law.
4. That the existing garage and deck on Part 2 be removed.
5. That a minor variance be granted to reduce the front yard setback on the retained portion per Sketch Parcel 1.
6. That a 3.5m x 3.5m daylighting triangle be conveyed to the City on the north-east corner of Part 1.
7. That the applicant signs 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.
8. That the applicant confirm, to the satisfaction of the Planner, that the existing services to the retained portion (Part 1) do not cross the severed portion (Part 2).
9. That all conditions of consent be completed by May 8th, 2026.

Motion: *Dan O'Hara*

Seconded: *Eric Beauregard*

Carried: 5-0

c. Application: A09-24-PC
Action: Minor Variance
Applicant: Bridge and Quarry Ltd.
Location: 730-742 Clarence Street

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

The Chair asked the present applicants if they wanted to add any further information on the application, to which, they presented the Committee with information concerning the size of the decks and answered any residual questions.

The Chair asked if any members of the public wished to speak towards the nature of the application, to which, there were no concerns.

That minor variance application **A09-24-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: *Gary Bruno*

Seconded: *Angie Desmarais*

Carried: 4-0

6. Other Business

Nil.

7. Approval of Minutes

Nil.

8. Adjournment

There being no further business, the meeting was adjourned at approximately 7:13 pm.

Dan O'Hara, Chair

Taya Taraba, Acting Secretary-Treasurer