



Committee of Adjustment -Meeting Minutes-

Wednesday, April 24th, 2024

Members Present: Dan O'Hara, Chair
Angie Desmarais, Acting Chair (Vice Chair)
Gary Bruno, Committee Member
Eric Beauregard, Committee Member

Staff Present: Chris Roome, Planner
Taya Taraba, Acting Secretary-Treasurer
Hannah Walker, Planning Assistant

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
Nil.
4. Requests for Deferrals or Withdrawals of Applications
Nil.
5. Order of Business
 - c. Application: B05-24-PC; A03-24-PC; A03-24-PC
Action: Consent and Minor Variance
Applicant: Peter Smith
Location: VL Firelane 3

The Vice Chair reconvened the application from adjournment at the prior April 10th, 2024, Committee of Adjustment meeting.

The Planner had recapped the applications, addendum, and the nature of the adjournment under Section 3.4 of the Official Plan and an analysis of the criteria under Section 51.24 of the Planning Act.

The Vice Chair asked the Members if they have any questions regarding the applications, to which Member Bruno posed an inquiry regarding the remnant parcel.

The Planner clarified that there will be no remnant parcel, as there are six confirmed parcels that will be consolidated into two.

That consent application **B05-24-PC** be **granted** subject to the conditions outlined in the staff report dated April 10th, 2024:

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 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.
4. That Lot 33 and Part of Lot 32 be merged in title to create Part 2.
5. That Lot 32 and Part of Lot 32 be merged in title to create Part 1.
6. That the owner enters into a Development Agreement to implement the recommendations of the Hydrogeological Assessment, prepared by Terra-Dynamics Consulting Inc. (dated September 22nd, 2021).
7. That a Stage 1 and 2 Archaeological Assessments be completed by a licensed professional archaeologist in accordance with the Ontario Heritage Act and the Standard and Guidelines for Consultant Archaeologists. Required archaeological assessments shall be submitted to the Province for review. No demolition, grading, or other soil disturbances shall take place on the property until the Province has verified that the required archaeological assessment report(s) have met licensing and resource conservation requirements.
8. That minor variance applications A02-24-PC and A03-24-PC be approved.
9. That all conditions of consent be completed by April 10th, 2026.

For the following reasons:

1. The application is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, City of Port Colborne Official Plan, and will also comply with the provisions of Zoning By-law 6575/30/18, as amended.

That minor variance application **A02-24-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 minor variance application **A03-24-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: *Gary Bruno*

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 6:15 pm.

Angie Desmarais, Vice Chair

Taya Taraba, Acting Secretary-Treasurer