



PORT COLBORNE

DEVELOPMENT AND LEGISLATIVE SERVICES

COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING APPLICATION FOR CONSENT

APPLICATION NO. B03-23-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 Lot 31 & 32 Registered Plan Number 835, in the City of Port Colborne, located in the Second Density Residential (R2) zone, municipally known as 19 Dolphin Street.

AND IN THE MATTER OF AN APPLICATION by the agent John Ikola on behalf of the owner Frank Steven Hoffman for a consent for the purpose of a perpetual easement agreement. The application is proposing to establish a perpetual utility easement over Part 2, in favour of Part 4. The purpose of the easement is to permit the existing utilities to service the dwelling on Part 4. A sketch of the subject lands is shown on the reverse side of this notice.



LOCATION MAP

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

DATE: March 8, 2023
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 by appointment in the office of the Planning and Development Department, during the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday, by telephone at 905-835-2900, Ext. 204 or email at Diana.Vasu@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, February 24th, 2023**.

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 Virtual Hearing

The Public Meeting will be held in-person, while being live-streamed on the City's YouTube channel.

Anyone wishing to participate in the meeting can attend 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 and become public. 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 noon on Tuesday, March 7, 2023**, by emailing Diana.Vasu@portcolborne.ca or calling (905) 835-2900 ext. 204. Written submissions may also be submitted to the mail slot in the front-left of City Hall, 66 Charlotte Street.

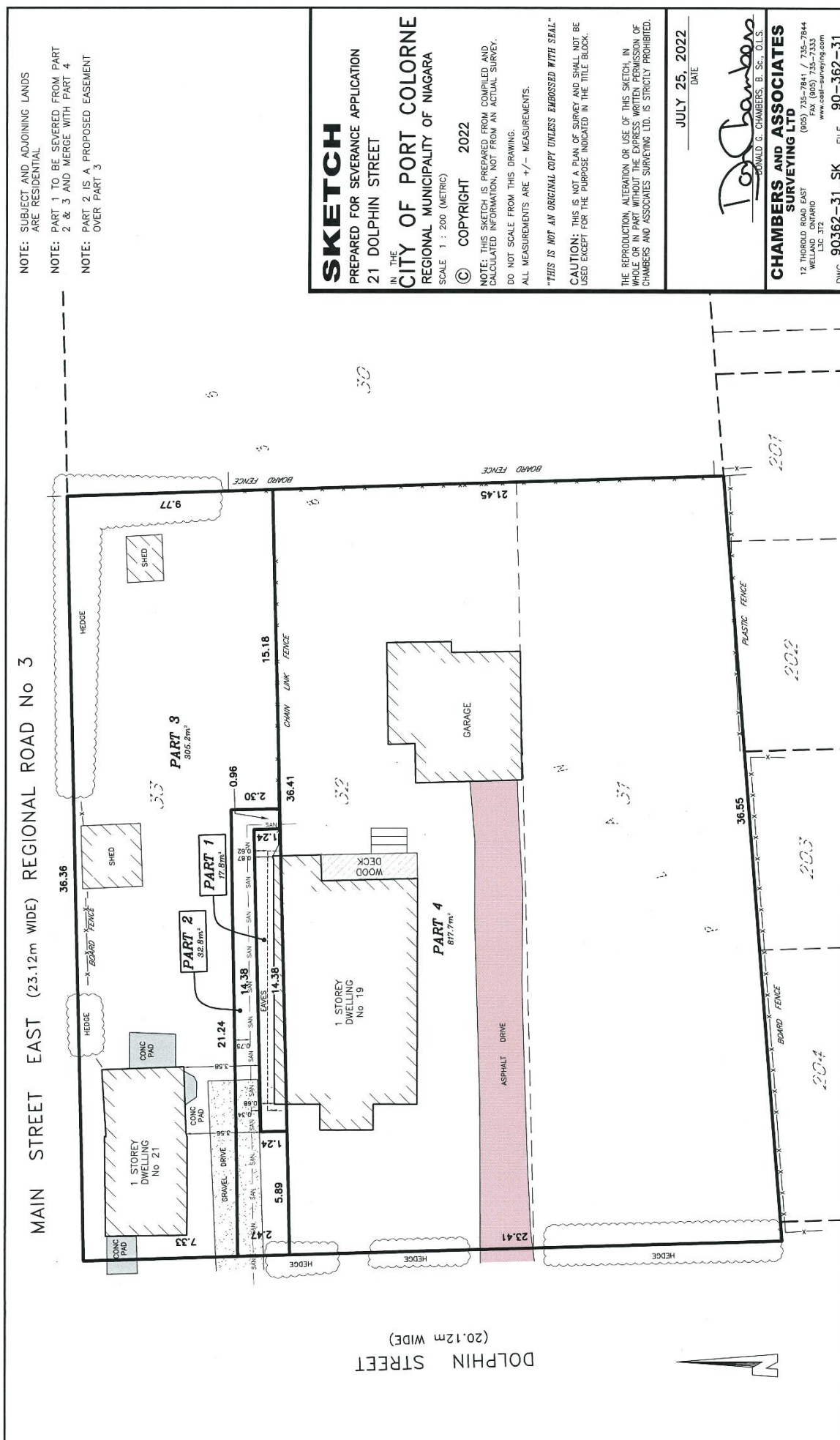
If you have any questions about the submission process or would like to explore alternative submission methods, please email Diana.Vasu@portcolborne.ca or call (905) 835-2900 ext. 204.

The owner or agent must be present, in person or virtually, at the Hearing. If you do not attend the Hearing, the Committee may adjourn the file or proceed in your absence and make a decision. If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the *Planning Act*, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

By order of the Committee of Adjustment,

Date of Mailing: February 22, 2023

Diana Vasu
Secretary-Treasurer





PORT COLBORNE
• PLANNING AND LEGISLATIVE SERVICES •

File No. B03-23-PC

THE CITY OF PORT COLBORNE
THE PLANNING ACT – SECTION 53.
APPLICATION FOR:

CONSENT

This application form is to be used by persons applying to the City of Port Colborne Committee of Adjustment for approval for Consent.

The Applicant is required to provide appropriate answers to **all** questions on the application form. If all prescribed information is not provided, the application will not be accepted.

SUBMISSION OF APPLICATION:

Please submit the completed application form together with fees and other information as set out herein to:

City of Port Colborne
Samantha Yeung
Secretary - Treasurer of the Committee of Adjustment
City Hall
66 Charlotte Street
Port Colborne, Ontario L3K 3C8
Telephone: 1-905-835-2900 ext. 204
FAX: 1-905-835-2939
Email: Samantha.yeung@portcolborne.ca

COMPLETENESS OF APPLICATION:

The information required in this application form complies with the *Planning Act* and will assist in ensuring a complete evaluation. The *Planning Act* allows the Committee of Adjustment to refuse to accept or further consider any application that does not provide the information, material and fees prescribed.

A Consent approved by the Committee of Adjustment of the City of Port Colborne must sometimes be reviewed by the Regional Municipality of Niagara and other regional or provincial agencies. The Niagara Region and Niagara Peninsula Conservation Authority have additional fees / information requirements.

PRE-CONSULTATION / OFFICIAL PLAN POLICY AND PROVINCIAL POLICY STATEMENT:

To help you complete the application form, please call and make an appointment with the Planning and Development Services Division at City Hall.

In making decisions on planning applications, Committee of Adjustment shall have regard to Official Plan Policy and be consistent with the Province of Ontario's Provincial Policy Statement which came into effect on May 1st, 2020. Both provide policy direction on matters relating to land use planning and development. A copy of the Provincial Policy Statement can be obtained from the Ministry of Municipal Affairs website

(www.mah.gov.on.ca) and clarification of Official Plan Policy can be received from the Planning & Development Services Division.

To avoid delays, the applicant must be informed of Official Plan Policy and the Provincial Policy Statement and should also consult with staff prior to submitting an application. Through pre-consultation, agencies will discuss Official Plan Policy and the Provincial Policy Statement. An application for a pre-consultation meeting can be found on the City of Port Colborne's website under Planning & Development.

PROCEDURES FOR PROCESSING APPLICATIONS FOR CONSENT

Under the provisions of Sections 50 and 53 of the Planning Act, as amended, the approval of the Committee of Adjustment is required for land transactions covering the separation of a parcel of land from existing holdings. This approval is called a "consent". Consent is also required for leases, rights-of-way or easements if such extend beyond a period of 21 years and to mortgage or discharge a mortgage over part of a parcel of land.

As provided for by the Planning Act and Regulation 197/96 under The Act, every application for consent must be brought to the attention of certain authorities and to property owners within 60 metres of the subject land, either by personal service or prepaid first class mail or by posting notice of the application at every separately assessed property in the area that constitutes the subject land. In addition, and by policy of the City Council and the Committee of Adjustment, other agencies may be consulted if the location of the subject lands falls within their respective field of responsibility. Refer to "A Suggestion to the Applicant".

It is this Committee's policy to conduct a public hearing on each application for consent. Notice of this hearing is circulated to the applicant/agent/solicitor and all other persons or agencies as required at least 14 days prior to the date of hearing.

Prior to the hearing, members of the Committee may conduct a site visit of the subject lands at their discretion and may contact applicants. **Please note that the Committee is considered a quasi-judicial body of the Government and should not be contacted by a member of the public.** Any comments, questions or concerns should be addressed through the Planning and Development Services Division. x F.H.

To assist the members and other interest persons or agencies in locating the lands under consideration, the applicant will be required to place one or more posters, 14 days prior to the hearing, on the lands subject of the application. This poster MUST remain in place for the entire 14 day period. If removed, the meeting date will be re-scheduled as proper notice will not have been given. The poster and instructions for its use will be given to the applicant/agent/solicitor by the Secretary-Treasurer of the Committee when application is made or shortly thereafter.

Following the hearing, the applicant/agent/solicitor is notified in writing of the decision of the Committee. In addition, any other person or agency who files a written request for the decision of the Committee will be sent a copy of the decision.

Any person objecting to the decision of the Committee or the condition(s) imposed by the Committee may appeal either the decision and/or the conditions of consent to the Local Planning Appeal Tribunal within 20 days after the giving of the notice of decision. The notice of appeal, together with written reasons supporting the appeal and the fee, by certified cheque or money order payable to the Minister of Finance, must be filed with the Secretary-Treasurer, who in turn, will forward the appeal to the Local Planning Appeal Tribunal. The fee is \$300.00 for the first application to be appealed and \$25.00 for each additional related consent appeal.

Prior to final consent being issued, written proof must be submitted to the Secretary-Treasurer to the effect that any conditions imposed by the Committee in granting consent have been fulfilled. According to the *Planning Act*, if the consent granted by the Committee is conditional, the conditions must be fulfilled within one year of the giving of the notice of decision. Failure to do so will cause the consent to lapse.

POLICIES

In addition to the matters set out in "Procedures for Processing Applications for Consent", the Committee has adopted the following general policies:

THE REQUIREMENTS TO COMPLETE ONE APPLICATION ARE:

- One fully completed application for consent form signed by the applicant(s) or authorized agent and properly witnessed by a Commissioner for the taking of affidavits.
- A letter of authorization for the applicant(s) for applications which are signed by someone other than the owner(s).
- Two (2) copies of a sketch prepared by a licensed Land Surveyor.
- Payment of the appropriate fee submitted at the time of application as cash or as a certified cheque or a money order payable to the Treasurer of the City of Port Colborne.
- Payment of the appropriate Regional Review & Approval fee(s) required by the region, submitted to the City of Port Colborne at the time of the preliminary review. If this does not occur, then the fee will be due at the time the application is submitted to the Region for review (usually at the time of the Notice of Public Meeting). Failure to pay the Region's fee may result in the Region refusing to consider the Consent Application until the fee has been received. The Region's fees are available on its web site.

https://www.niagararegion.ca/business/fpr/forms_fees.aspx

The applicant and/or representing agent must be present at the hearing to represent the application.

In granting consent to an application, the Committee may impose conditions as requested by municipal or other agencies.

SUPPLEMENTARY INFORMATION REQUESTED TO ASSIST THE CITY

To assist the City of Port Colborne in processing the Consent application the following supplementary information / sketches are requested:

1. As provided for in Ontario Regulation 197/96, as amended, and as required by this Committee of Adjustment, an application must be accompanied by two (2) copies of a preliminary drawing prepared, signed and dated by an Ontario Land Surveyor.
2. One (1) copy of each separate type of plan reduced to legal size.
3. One (1) copy of an Ontario Land Surveyor's Plan or Reference Plan to describe the subject lands.
4. One (1) copy of a Registered Deed including full legal description of the subject lands.

NIAGARA PENINSULA CONSERVATION AUTHORITY REVIEW

Fees which are payable directly to Authority vary depending on the location and on the type of application. For land: abutting or within 15 metres of a water course; on or within 30 metres of the Lake Erie shoreline; on land identified as "Hazard Land" or "Environmental Protection" by the Port Colborne Official Plan or Zoning Bylaw; or within

a groundwater recharge / discharge area, aquifer or headwater on the property or within 30 metres of the property, the Niagara Peninsula Conservation Authority will charge an additional Plan Review Fee. These fees are provided on the Niagara Peninsula Conservation Authority's website.

NOTICE REQUIREMENTS

Notice of Public Hearing MUST be posted on the property where it is clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the Manager of Planning and Development Services. The notice of public hearing must be posted 14 days prior to the hearing and must remain in that location until after the hearing is held. If the notice is removed during this 14 day period, the public hearing date may be rescheduled.



PORT COLBORNE

· PLANNING AND DEVELOPMENT DEPARTMENT ·

APPLICATION FOR CONSENT

PLEASE TYPE OR USE BLACK INK

Section 1

1. Registered Owner (s):	
Name: Frank Steven Hoffman	
Mailing Address: 21 Dolphin Street	
City: Port Colborne	Province: Ontario
Postal Code: L3K 2H9	Telephone:
Fax:	Email:

1.2 Owner's SOLICITOR (if applicable)	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.3 Owner's Authorized AGENT (if applicable)	
Name: John Ikola	
Mailing Address: 190 Division Street	
City: Welland	Province: Ontario
Postal Code: L3B 4A2	Telephone: 905-732-4481
Fax: 905-732-2020	Email: jikola@flettbeccario.com

1.4 MORTGAGES, Charges & Other Encumbrances:
List the name(s) and address(es) of any mortgages, charges, or other encumbrances in respect of the land.
None known

1.5 Date and Subject Land was acquired by the Current Owner:
June 19, 2009

1.6 Owner's ONTARIO LAND SURVEYOR (if applicable)
CHAMBERS AND ASSOCIATED SURVEYING LTD.

Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.7 All communications should be sent to the:
<input type="checkbox"/> Owner <input type="checkbox"/> Solicitor <input checked="" type="checkbox"/> Agent

Section 2: LOCATION

Former Municipality:Port Colborne	
Concession No.	Lot(s):33
Registered Plan No.835	Lot(s):
Reference Plan No.	Part(s):
Name of Street:Dolphin Street	Street No.21

2.1 Type of proposed transaction: (Check appropriate space(s))
<input type="checkbox"/> Creation of New Lot <input type="checkbox"/> Addition to lot <input type="checkbox"/> Mortgage or Charge <input type="checkbox"/> Lease <input type="checkbox"/> Disposal of Surplus Farm Dwelling <input type="checkbox"/> Farm Retirement Lot <input type="checkbox"/> Partial Discharge or Mortgage <input type="checkbox"/> Right-of-Way <input checked="" type="checkbox"/> Easement _____
Reason for proposed transaction: Transfer of Property to deal with encroachment of 19 Dolphin Street Part 2 to grant Easement

2.2 If a lot addition, identify the lands to which the parcel will be added:
_____ _____ _____

2.3 Name of person(s), if known, to whom land or interest in land is intended to be conveyed, leased, or mortgaged:
Sandra Elisabeth McKay, Samuel James Lyle McKay, Jacoba Lamberta Winfield, Kevin Edward Winfield

Section 3: OFFICIAL PLAN & ZONING

3.1 What is the current designation of the land in the Official Plan and the Regional Plan?
Port Colborne Official Plan: 835
Regional Policy Plan: BUILT UP AREA

3.2 What is the Zoning of the land (By-law 6575/30/18)?
R2

3.3 Is the proposal consistent with Provincial policy statements issued under Subsection 3(1) of the Planning Act, 1990, R.S.O., as amended?
<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> No

Section 4

Are there any existing EASEMENTS OR RESTRICTIVE COVENANTS affecting the land?	
<input type="checkbox"/> Yes	If “Yes” describe the easement or covenant and its effect:
<input checked="" type="checkbox"/> No	

Section 5

Type of ACCESS
<input type="checkbox"/> Provincial Highway
<input type="checkbox"/> Regional Road
<input type="checkbox"/> Municipal Road maintained all year
<input type="checkbox"/> Other Public Road
<input checked="" type="checkbox"/> Municipal Road maintained seasonally
<input type="checkbox"/> Right-of-Way
<input type="checkbox"/> Water Access
<input type="checkbox"/> Private Road

Section 6

What type of WATER SUPPLY is proposed?
<input checked="" type="checkbox"/> Publicly owned and operated piped water supply
<input type="checkbox"/> Lake
<input type="checkbox"/> Well (private or communal)
<input type="checkbox"/> Other (specify)

Section 7

What type of SEWAGE DISPOSAL is proposed?
<input checked="" type="checkbox"/> Publicly owned and operated sanitary sewage system
<input type="checkbox"/> Septic system (private or communal)
<input type="checkbox"/> Other (specify)

Section 8

What type of STORMWATER DISPOSAL is proposed?
<input checked="" type="checkbox"/> Publicly owned and operated stormwater system
<input type="checkbox"/> Other (specify) _____

Section 9

Part No. On Sketch: 2_____

DESCRIPTION OF PARCEL TO BE SEVERED (in metric units)		
Frontage: 2.30	Depth: 21.24	Area: 48.85
Existing Use: Residential		
Proposed Use: Residential		

Existing and proposed buildings and structures on the subject land. For each existing and / or proposed building or structure, the type of building or structure, the setback from the front lot line, rear lot line and side lot lines, and the height of the building or structure and the dimensions or floor area of the building or structure IN METRES. Please use additional sheets if necessary:

Existing: Residential
Proposed: Residential

Section 10

Part No. On Sketch: 3_____

DESCRIPTION OF PARCEL TO BE RETAINED (in metric units)		
Frontage: 9.77	Depth: 36.36	Area: 355.237
Existing Use: Residential		
Proposed Use: Residential		

Existing and proposed buildings and structures on the land to be retained. For each existing and / or proposed building or structure, the type of building or structure, the setback from the front lot line, rear lot line and side lot lines, and the height of the building or structure and the dimensions or floor area of the building or structure IN METRES. Please use additional sheets if necessary:

Existing: Residential
Proposed: Residential

Section 11

Has the land ever been the subject of an application for approval of a PLAN OF SUBDIVISION or a CONSENT?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
<input checked="" type="checkbox"/> Unknown

If the answer is “Yes,” please provide the following information:

File Number:
Decision:

Section 12

HAS THE LAND BEEN SEVERED from the parcel originally acquired by the owner of the land?	
<input type="checkbox"/> Yes	
<input checked="" type="checkbox"/> No	

If the answer is "Yes", please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's (Purchaser's) name:
Land Use on severed parcel:
Date Parcel Transferred:
Consent file number (if known): B _____

Section 13: OTHER APPLICATIONS

13.1 If known, identify whether the subject land or any land within 120 metres of the subject land is the subject of an application made by the applicant for approval of:		
Official Plan Amendment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Zoning By-Law Amendment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Minor Variance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Plan of Subdivision	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Consent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Site Plan	<input type="checkbox"/> Yes	<input type="checkbox"/> No

13.2 If the answer to the above is yes, and if known, provide the following for each application noted:
File number of the application:
Name of the approval authority considering the application:
Lands affected by the application:
Purpose of the application:
Status of the application:
Effect of the application on the proposed amendment:

Section 14 ALL EXISTING, PREVIOUS AND ADJACENT USE OF THE LAND

14.1 ALL EXISTING USE
<div><input checked="" type="checkbox"/> Residential</div> <div><input type="checkbox"/> Industrial</div> <div><input type="checkbox"/> Commercial</div> <div><input type="checkbox"/> Institutional</div> <div><input type="checkbox"/> Agricultural</div> <div><input type="checkbox"/> Parkland</div> <div><input type="checkbox"/> Vacant</div> <div><input type="checkbox"/> Other</div> <div>_____</div>

14.2 What is the length of time the existing use(s) of the land have continued?

14.3 Are there any buildings or structures on the subject land?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

If Yes, for each existing building or structure, complete the following:

Type of Building or Structure	Setback from the front lot line (in metres)	Setback from the rear lot line (in metres)	Setback from the side lot line (in metres)	Setback from the side lot line (in metres)	Height (in metres & number of stories)	Dimensions or floor area (in metres)	Date of construction

14.4 ALL PREVIOUS USE
<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Institutional <input type="checkbox"/> Agricultural <input type="checkbox"/> Parkland <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____

14.5 ALL ADJACENT USE(S)				
	NORTH	SOUTH	EAST	WEST
Residential	<input type="checkbox"/> X	<input type="checkbox"/> X	<input type="checkbox"/> X	<input type="checkbox"/> X
Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institutional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parkland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14.6 If Industrial or Commercial, specify use

14.7 Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

14.8 Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.9 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.10 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.11 Have the lands or adjacent lands ever been used as an agricultural operation where pesticides have been applied to the lands?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.12 Have the lands or adjacent lands ever been used as a weapons firing range?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.13 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational / non-operational public or private landfill or dump?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.14 If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.15 Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown <ul style="list-style-type: none">Possible uses that can cause contamination include: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. Any industrial use can result in potential contamination. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals which are present.

If previous use of property is industrial or commercial or if the answer was YES to any of the above, please attach a previous use inventory showing all former uses of the land, or if applicable, the land(s) adjacent to the land.

ACKNOWLEDGMENT CLAUSE

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations and standards pertaining to contaminated sites. I further acknowledge that the City of Port Colborne is not responsible for the identification and / or remediation of contaminated sites, and I agree, whether in (or as a result of) any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Port Colborne, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

X 30 Jan 2023
Date

X F. Hoffmann
Signature of Owner

14.16 Are there any buildings designated under the Ontario Heritage Act?
<input type="checkbox"/> Yes
<input checked="" type="checkbox"/> No
<input type="checkbox"/> Unknown

14.17 If there are any existing buildings on the site, briefly describe them and indicate their proposed use
House and garage

14.18 If there has been industrial or commercial uses on the property, a previous use inventory is needed. Is a previous use inventory attached?
<input type="checkbox"/> Yes
<input checked="" type="checkbox"/> No

NIAGARA PENINSULA CONSERVATION AUTHORITY

Pre-screening Criteria

15.1
Is there land on the property identified in the Official Plan and / or Zoning By-law as “hazard lands”?

☐ Yes
☐ No
☒ Unknown

15.2
Is there a watercourse or municipal drain on the property or within 15 metres of the property?

☐ Yes
☐ No
☒ Unknown

15.3
Is the property located on or within 30 metres of the Lake Erie shoreline?

☐ Yes
☒ No
☐ Unknown

15.4
Is there a valley slope on the property?

☐ Yes
☒ No
☐ Unknown

15.5
Is there known localized flooding or a marsh / bog area on or within 30 metres of the property?

☐ Yes
☐ No
☒ Unknown

X 30 Jan 2023
Date

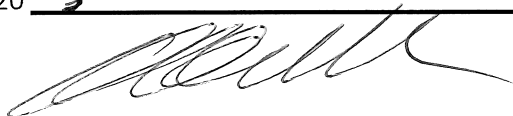
X F. Hoffman
Signature of Applicant(s)

Please note: If the applicant is not the owner of the subject land or there is more than one owner, written authorization of the owner(s) is required (Complete Form 1) indicating that the applicant is authorized to make application.

I/We Frank Steven Hoffman
Of the City/Town/Township of Port Colborne
In the County/District/Regional Municipality of Niagara

solemnly declare that all the statements contained in this application are true, and I/we make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the
City Port Colborne of Port Colborne
In the Regional Municipality of Niagara
This 30th day of January
A.D. 20 23



TO BE SIGNED IN THE PRESENCE OF A
COMMISSIONER FOR TAKING AFFIDAVITS

X F. Hoffman

Signature of applicant(s), solicitor, or authorized agent

A Commissioner, etc.

Personal information collected on this application will become part of a public record. Any questions regarding this collection should be directed to the City Clerk at 66 Charlotte Street, Port Colborne, Ontario L3K 3C8 (905) 835-2900 Ext. 106.

AUTHORIZATIONS

LOCATION OF SUBJECT LANDS:

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize
John Ikola

(name of agent)

of the City of Welland

to make an application on my/our behalf to the Council or the Committee of Adjustment for the City of Port Colborne for transaction concerning an application for Official Plan Amendment / Zoning By-law Amendment / Consent to Sever / Minor Variance or Permission / Draft Plan of Subdivision or Condominium / Site Plan Control Approval (please circle the appropriate application) in accordance with the *Planning Act*.

Dated at the City of Port Colborne
in the Regional Municipality of Niagara
this 30th day of January 2023

X [Signature]
Signature of Witness

X F. Hoffmann
Signature of Owner

X
Signature of Witness

X
Signature of Owner

X
Signature of Witness

X
Signature of Owner

This form is only to be used for applications which are to be signed by someone other than the owner or where more than one owner giving authorization to another owner.

If the registered owner is a corporation, in addition to the signatures of the authorized signing officers, the corporate seal must be affixed.

Where the Owner is without a spouse, common-law or legally married, the Owner is required to sign only once. Where the spouse of the Owner is not an owner, the spouse is required to sign. Spouse shall include a common-law spouse as defined within the *Family Law Reform Act*.

SUGGESTION TO THE APPLICANT

Notice of your application is required for a number of agencies. All written responses will be taken into account before reaching a decision on your application.

Although you are under no obligation to do so, we suggest that you discuss your intentions with the appropriate agencies from the list below, before submitting an application. This pre-consultation could provide you with information about the City of Port Colborne Official Plan, the minimum requirements and permitted uses of Zoning By-law 6575/30/18, the Regional Policy Plan, the concerns of various Provincial Ministries and other relevant information which may have a direct effect upon the final decision on your application.

Port Colborne Planning and Development Department

1. 66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Manager of Planning & Development
(905) 835-2900, Ext. 203
Information on the Port Colborne Official Plan and Zoning Bylaw
2. Port Colborne Engineering & Operations Department
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Director of Engineering & Operations
(905) 835-2900, Ext. 223
Information on Servicing, Lot Grading and Drainage
3. Port Colborne Building Division
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Chief of Building
(905) 835-2900, Ext 201
Information about the Building Code
4. Region of Niagara Public Works Department
Planning and Development Department
1815 Sir Isaac Brock Way, Thorold, Ontario L2V 4T7
(905) 980-6000, Ext. 3727
Information about the Regional Policy Plan, Agriculture, Public Works & Regional Health, and for concerns regarding Provincial Policy and Ministry responsibilities
5. The Niagara Peninsula Conservation Authority
250 Thorold Road West, Welland, Ontario L3C 3W2
Watershed Planner
(905) 788-3135, Ext 272
For information about lands which may be zoned as "Hazard" in the local zoning by law, lands adjacent to watercourses, Lake Erie or flood plains
6. Ministry of Transportation of Ontario
Corridor Management Section
159 Sir William Hearst Ave, 7th Floor, Toronto, Ontario M3M 1J8
For information about sight plan applications for lands fronting onto provincial Highways
7. Ministry of Transportation of Ontario
Corridor Management Section
1201 Wilson Avenue, Bldg D, 7th Floor, Downsview, ON, M3M 1J8
1-866-636-0663
For information about official plan amendments, consents, re-zonings, and other inquiries for lands fronting onto provincial highways
8. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement* (PPS) available for download (On-line) at: <http://www.mah.gov.on.ca>
Under "Your Ministry" – Land Use Planning – Provincial Policy Statement

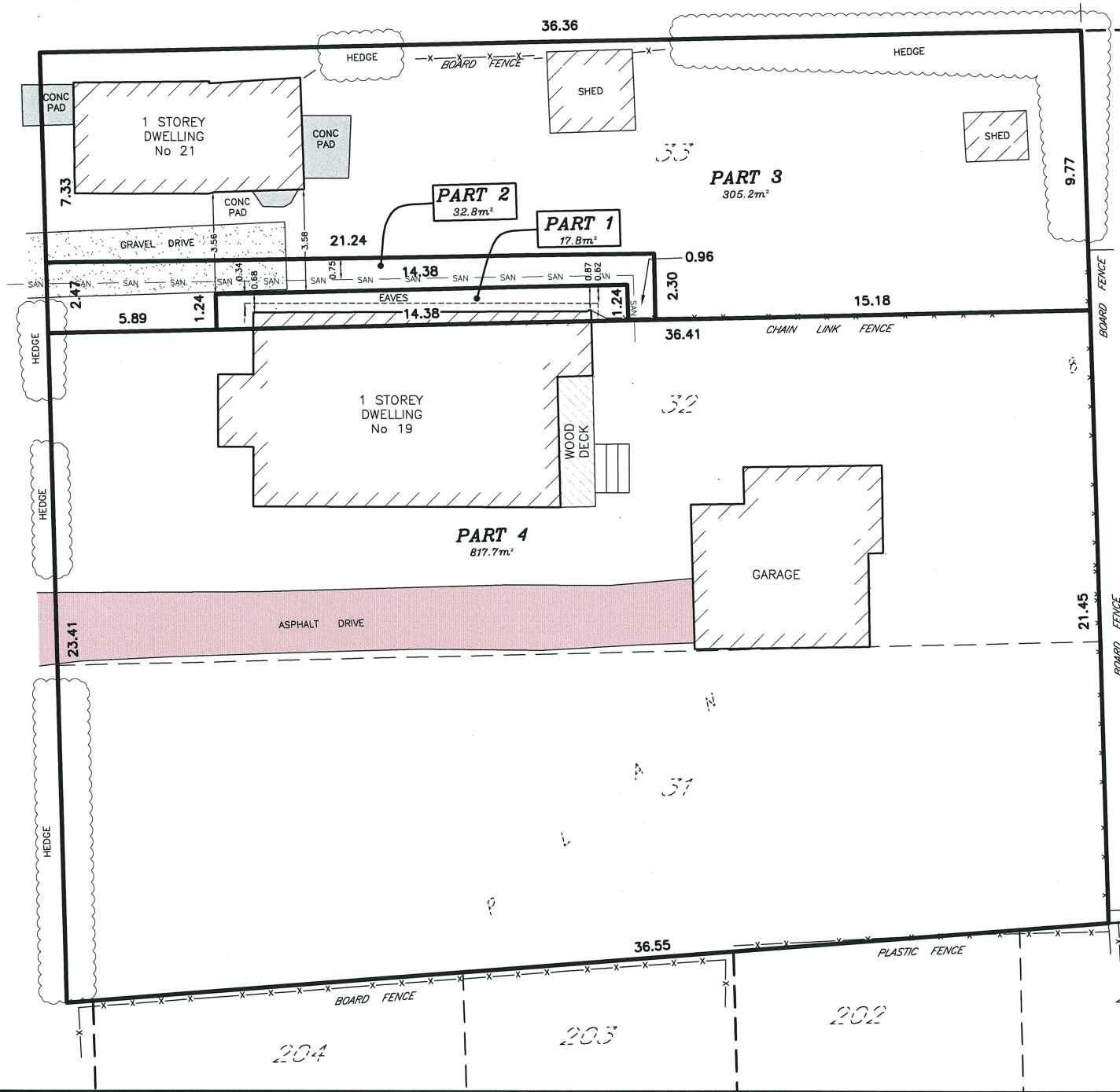
MAIN STREET EAST (23.12m WIDE) REGIONAL ROAD No 3

NOTE: SUBJECT AND ADJOINING LANDS
ARE RESIDENTIAL

NOTE: PART 1 TO BE SEVERED FROM PART
2 & 3 AND MERGE WITH PART 4

NOTE: PART 2 IS A PROPOSED EASEMENT
OVER PART 3

DOLPHIN STREET
(20.12m WIDE)



SKETCH
PREPARED FOR SEVERANCE APPLICATION
21 DOLPHIN STREET
IN THE
CITY OF PORT COLORNE
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 200 (METRIC)
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NOTE: THIS SKETCH IS PREPARED FROM COMPILED AND
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ALL MEASUREMENTS ARE +/- MEASUREMENTS.
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JULY 25, 2022
DATE

Don Chambers
DONALD G. CHAMBERS, B. Sc., O.L.S.

**CHAMBERS AND ASSOCIATES
SURVEYING LTD**
12 THOROLD ROAD EAST (905) 735-7841 / 735-7844
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DWG 90362-31_SK FILE 90-362-31

Development and Legislative Services

Planning Division Report

March 3, 2023

Secretary-Treasurer
Port Colborne Committee of Adjustment
66 Charlotte Street
Port Colborne, ON L3K 3C8

Re: Application for Minor Variance B03-23-PC
21 Dolphin Street
Lot 33 Plan 835
Agent: John Ikola
Owner(s): Frank Steven Hoffman

Proposal:

The purpose and effect of this application is to permit the conveyance of Part 2 (see Appendix A) having a lot area of 32.8m² for a proposed easement over Part 3 in favor of Parts 1 and 4. The easement is being requested because the existing services, that service the dwelling on Part 4 currently run under the property on Part 1.

Surrounding Land Uses and Zoning:

The parcels surrounding the subject lands are zoned Fourth Density Residential (R4) to the north, Mixed Use (MU) to the east and west, and Second Density Residential to the south. The surrounding land uses consist of an apartment to the north, detached dwellings to the east and south, and a commercial use to the west.



Environmentally Sensitive Areas:

The subject property does not contain any environmentally sensitive areas.

Public Comments:

Notice was circulated on February 22nd, 2023 as per Section 45 (5) of the Planning Act. As of March 3rd, 2023, no comments from the public have been received.

Agency Comments:

Notice was circulated on February 8th, 2023. As of March 3rd, 2023, the following comments have been received.

Drainage Superintendent

There are no comments regarding municipal drain for these applications.

Fire Department

No objection to the proposed application.

Engineering Technologist

No objection to the proposed application.

Discussion:

This application was reviewed with consideration of applicable policies in the *Provincial Policy Statement (2020)*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, *the Regional Official Plan*, *the City of Port Colborne Official Plan*, and the *City of Port Colborne Comprehensive Zoning By-law 6575/30/18*.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are within a “settlement area” according to the PPS. Settlement areas are to be the focus of growth and development and land use patterns shall be based on densities and a mix of land uses should efficiently use land and resources and are appropriate for/ efficiently use the infrastructure and public service facilities that are planned or available and avoid the need for their unjust and/or uneconomical expansion.

Staff is satisfied that the proposed consent for the purpose of an easement for utilities consistent with the PPS. The application proposes to efficiently use land and resources by granting legal access for the utilities to encroach on Part 1 and efficiently uses infrastructure that avoids the need for unjust or uneconomical expansion.

The subject property is located within a Delineated Built-Up Area, in accordance with the Growth Plan for the Greater Golden Horseshoe. The guiding principles of the Growth Plan provide for the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime. Furthermore, they provide for different approaches to managing growth that recognize the diversity of communities in the Greater Golden Horseshoe.

Staff are satisfied that the proposed consent application conforms to the Growth Plan. The proposed application addresses an existing configuration of the services and provides an alternative approach to resolving the unique situation and recognizes the diversity of the community.

The Regional Official Plan (ROP), designates the subject lands as within the “Urban Area Boundary” and “Built-up Area”. A full range of residential uses are permitted within this designation. The ROP does not specify any requirements for easements within the Built-Up Area. As such, Planning Staff are satisfied that the proposed consent application conforms to the ROP as the existing uses are not proposed to be changed.

City of Port Colborne Official Plan

The subject property is designated as Highway Commercial in the City’s Official Plan (OP). This designation permits residential uses fronting onto Main Street East. While 19 Dolphin does not technically front onto Main Street East, the dwelling was constructed in 1940, according to MPAC, which would give it legal non-conforming status in the Official Plan. The Highway Commercial designation does not provide for any policies regarding easements.

Staff is satisfied that the proposal conforms to the Official Plan as no changes have been proposed to the dwellings as a result of this application and the request to convey an easement is for technical reasons to resolve an existing encroachment.

City of Port Colborne Comprehensive Zoning By-law 6575/30/18

The subject lands are zoned Mixed Use under Zoning By-law 6575/30/18. The proposed conveyance will leave the following dimensions.

Part 2: A lot area of 32.8m²

Planning Staff is satisfied that the proposal meets the requirements of the Zoning By-law. Part 2 does not need to conform to the lot creation requirements as it is not intended to be a lot, rather, the intent of this application is to ensure that Part 4 is granted legal access to the existing services via an easement.

Subsequently, the applicant has submitted an application for a proposed boundary adjustment in order to address the existing encroachment of the dwelling at 19 Dolphin street over the property line of Part 3 under application number B04-23-PC.

Recommendation:

Given the information above, Planning Staff recommends application B03-23-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 \$231 payable to the City of Port Colborne is submitted to the Secretary-Treasurer.
3. That minor variance applications A07-23-PC and A08-23-PC be granted.
4. That consent application B04-23-PC be granted.

5. That all conditions of consent be completed by March 8th, 2025.

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.

Prepared by,

A handwritten signature in black ink, appearing to read 'Chris Roome', with a long horizontal flourish extending to the right.

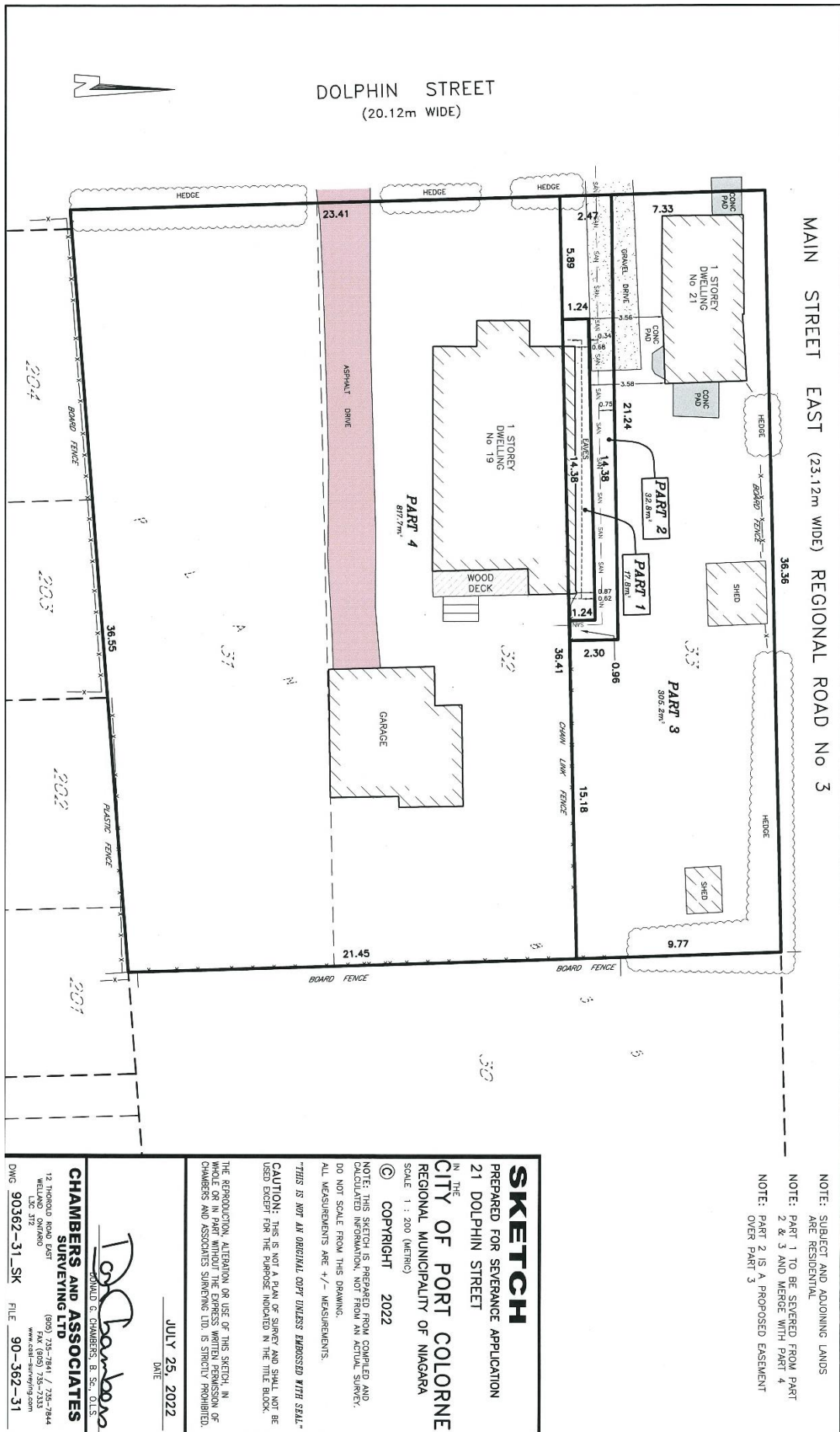
Chris Roome, BURPI
Planner

Submitted by,

A handwritten signature in black ink, appearing to read 'Denise Landry', with a horizontal line drawn across the middle of the signature.

Denise Landry, MCIP, RPP
Chief Planner

Appendix A



From: [Alana VanderVeen](#)
To: [Diana Vasu](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 9, 2023 3:37:00 PM

Hello Diana

There are no comments regarding municipal drains on these applications.

Alana

From: [Charles Turpin](#)
To: [Diana Vasu](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 10, 2023 8:37:08 AM

Diana

Port Colborne Fire has no objections to the application A07-23-PC A08-23-PC B03-23-PC & B04-23-PC

Charles Turpin CFEI, CCFI-C
Fire Prevention Officer
City of Port Colborne

Phone 905-834-4512 Ext. 404

Email Charles.turpin@portcolborne.ca
3 Killaly St W
Port Colborne, ON L3K 6H1

www.portcolborne.ca



PORT COLBORNE



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PORT COLBORNE



www.portcolborne.ca

Charles Turpin
Fire Prevention Officer

City of Port Colborne

Port Colborne, ON
Phone 905-834-4512 x
Email Charles.Turpin@portcolborne.ca

From: [Nicholas Olschansky](#)
To: [Diana Vasu](#)
Cc: [Chris Roome](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 27, 2023 11:36:31 AM

Hi Diana,

Please see my comments below.

A04-23-PC – 697 Barrick Road

- No comments

A05-23-PC – 427 Steele Street

- No comments

A06-23-PC – 193 Main Street West

- City of Port Colborne Municipal Consent required for alterations to existing site servicing (sanitary, storm, & water services) within the regional road allowance
 - For your convenience, I have included the link to the City's Municipal Consent Permits page below

https://www.portcolborne.ca/en/living-here/municipal-consent-permits.aspx?_mid_=78499

- Niagara Region permits required for works within the Main Street West regional road allowance
 - For your convenience, I have included the link to the Niagara Region Road Use Permit Application Forms page below

<https://www.niagararegion.ca/living/roads/permits/default.aspx>

A07-23-PC – 21 Dolphin Street

- No comments

A08-23-PC – 19 Dolphin Street

- No comments

B03-23-PC – 21 Dolphin Street

- No comments

B04-23-PC – 19 Dolphin Street

- No comments

Cheers,
Nick



www.portcolborne.ca

Nicholas Olschansky
Engineering Technologist
City of Port Colborne

Port Colborne, ON

Phone 905-835-2900 x226

Email Nicholas.Olschansky@portcolborne.ca



PORT COLBORNE

DEVELOPMENT AND LEGISLATIVE SERVICES

COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING APPLICATION FOR CONSENT

APPLICATION NO. B04-23-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 Lot 31 & 32 Registered Plan Number 835, in the City of Port Colborne, located in the Second Density Residential (R2) zone, municipally known as 19 Dolphin Street.

AND IN THE MATTER OF AN APPLICATION by the agent John Ikola on behalf of the owner Frank Steven Hoffman, for a lot boundary adjustment under Section 53(1) of the Planning Act R.S.O 1990 C.P 13, so as to permit the conveyance of Part 1 for a proposed lot addition to the abutting Part 4. Part 3 will be retained for an existing residential use. A sketch of the subject lands is shown on the reverse side of this notice.



LOCATION MAP

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

DATE: March 8, 2023
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 by appointment in the office of the Planning and Development Department, during the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday, by telephone at 905-835-2900, Ext. 204 or email at Diana.Vasu@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, February 24th, 2023**.

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 Virtual Hearing

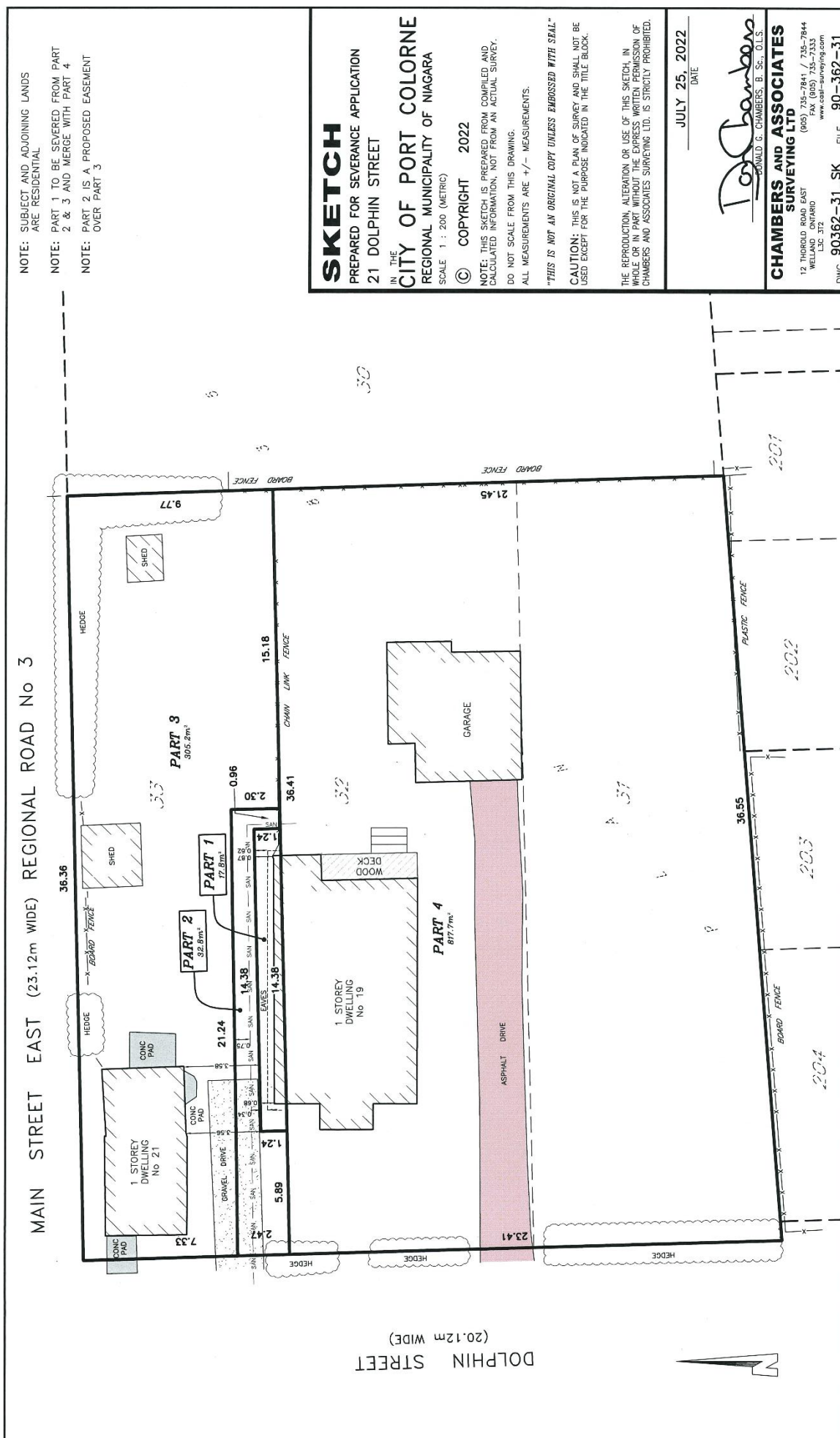
The Public Meeting will be held in-person, while being live-streamed on the City's YouTube channel.

Anyone wishing to participate in the meeting can attend 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 and become public. 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 noon on Tuesday, March 7, 2023**, by emailing Diana.Vasu@portcolborne.ca or calling (905) 835-2900 ext. 204. Written submissions may also be submitted to the mail slot in the front-left of City Hall, 66 Charlotte Street.

The owner or agent must be present, in person or virtually, at the Hearing. If you do not attend the Hearing, the Committee may adjourn the file or proceed in your absence and make a decision. If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the *Planning Act*, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

[Handwritten signature]

Diana Vasu
Secretary-Treasurer





PORT COLBORNE
• PLANNING AND LEGISLATIVE SERVICES •

File No. B04-23-PC

THE CITY OF PORT COLBORNE
THE PLANNING ACT – SECTION 53.
APPLICATION FOR:

CONSENT

This application form is to be used by persons applying to the City of Port Colborne Committee of Adjustment for approval for Consent.

The Applicant is required to provide appropriate answers to **all** questions on the application form. If all prescribed information is not provided, the application will not be accepted.

SUBMISSION OF APPLICATION:

Please submit the completed application form together with fees and other information as set out herein to:

City of Port Colborne
Samantha Yeung
Secretary - Treasurer of the Committee of Adjustment
City Hall
66 Charlotte Street
Port Colborne, Ontario L3K 3C8
Telephone: 1-905-835-2900 ext. 204
FAX: 1-905-835-2939
Email: Samantha.yeung@portcolborne.ca

COMPLETENESS OF APPLICATION:

The information required in this application form complies with the *Planning Act* and will assist in ensuring a complete evaluation. The *Planning Act* allows the Committee of Adjustment to refuse to accept or further consider any application that does not provide the information, material and fees prescribed.

A Consent approved by the Committee of Adjustment of the City of Port Colborne must sometimes be reviewed by the Regional Municipality of Niagara and other regional or provincial agencies. The Niagara Region and Niagara Peninsula Conservation Authority have additional fees / information requirements.

PRE-CONSULTATION / OFFICIAL PLAN POLICY AND PROVINCIAL POLICY STATEMENT:

To help you complete the application form, please call and make an appointment with the Planning and Development Services Division at City Hall.

In making decisions on planning applications, Committee of Adjustment shall have regard to Official Plan Policy and be consistent with the Province of Ontario's Provincial Policy Statement which came into effect on May 1st, 2020. Both provide policy direction on matters relating to land use planning and development. A copy of the Provincial Policy Statement can be obtained from the Ministry of Municipal Affairs website

(www.mah.gov.on.ca) and clarification of Official Plan Policy can be received from the Planning & Development Services Division.

To avoid delays, the applicant must be informed of Official Plan Policy and the Provincial Policy Statement and should also consult with staff prior to submitting an application. Through pre-consultation, agencies will discuss Official Plan Policy and the Provincial Policy Statement. An application for a pre-consultation meeting can be found on the City of Port Colborne's website under Planning & Development.

PROCEDURES FOR PROCESSING APPLICATIONS FOR CONSENT

Under the provisions of Sections 50 and 53 of the Planning Act, as amended, the approval of the Committee of Adjustment is required for land transactions covering the separation of a parcel of land from existing holdings. This approval is called a "consent". Consent is also required for leases, rights-of-way or easements if such extend beyond a period of 21 years and to mortgage or discharge a mortgage over part of a parcel of land.

As provided for by the Planning Act and Regulation 197/96 under The Act, every application for consent must be brought to the attention of certain authorities and to property owners within 60 metres of the subject land, either by personal service or prepaid first class mail or by posting notice of the application at every separately assessed property in the area that constitutes the subject land. In addition, and by policy of the City Council and the Committee of Adjustment, other agencies may be consulted if the location of the subject lands falls within their respective field of responsibility. Refer to "A Suggestion to the Applicant".

It is this Committee's policy to conduct a public hearing on each application for consent. Notice of this hearing is circulated to the applicant/agent/solicitor and all other persons or agencies as required at least 14 days prior to the date of hearing.

Prior to the hearing, members of the Committee may conduct a site visit of the subject lands at their discretion and may contact applicants. **Please note that the Committee is considered a quasi-judicial body of the Government and should not be contacted by a member of the public.** Any comments, questions or concerns should be addressed through the Planning and Development Services Division. x FA

To assist the members and other interest persons or agencies in locating the lands under consideration, the applicant will be required to place one or more posters, 14 days prior to the hearing, on the lands subject of the application. This poster MUST remain in place for the entire 14 day period. If removed, the meeting date will be re-scheduled as proper notice will not have been given. The poster and instructions for its use will be given to the applicant/agent/solicitor by the Secretary-Treasurer of the Committee when application is made or shortly thereafter.

Following the hearing, the applicant/agent/solicitor is notified in writing of the decision of the Committee. In addition, any other person or agency who files a written request for the decision of the Committee will be sent a copy of the decision.

Any person objecting to the decision of the Committee or the condition(s) imposed by the Committee may appeal either the decision and/or the conditions of consent to the Local Planning Appeal Tribunal within 20 days after the giving of the notice of decision. The notice of appeal, together with written reasons supporting the appeal and the fee, by certified cheque or money order payable to the Minister of Finance, must be filed with the Secretary-Treasurer, who in turn, will forward the appeal to the Local Planning Appeal Tribunal. The fee is \$300.00 for the first application to be appealed and \$25.00 for each additional related consent appeal.

Prior to final consent being issued, written proof must be submitted to the Secretary-Treasurer to the effect that any conditions imposed by the Committee in granting consent have been fulfilled. According to the *Planning Act*, if the consent granted by the Committee is conditional, the conditions must be fulfilled within one year of the giving of the notice of decision. Failure to do so will cause the consent to lapse.

POLICIES

In addition to the matters set out in "Procedures for Processing Applications for Consent", the Committee has adopted the following general policies:

THE REQUIREMENTS TO COMPLETE ONE APPLICATION ARE:

- One fully completed application for consent form signed by the applicant(s) or authorized agent and properly witnessed by a Commissioner for the taking of affidavits.
- A letter of authorization for the applicant(s) for applications which are signed by someone other than the owner(s).
- Two (2) copies of a sketch prepared by a licensed Land Surveyor.
- Payment of the appropriate fee submitted at the time of application as cash or as a certified cheque or a money order payable to the Treasurer of the City of Port Colborne.
- Payment of the appropriate Regional Review & Approval fee(s) required by the region, submitted to the City of Port Colborne at the time of the preliminary review. If this does not occur, then the fee will be due at the time the application is submitted to the Region for review (usually at the time of the Notice of Public Meeting). Failure to pay the Region's fee may result in the Region refusing to consider the Consent Application until the fee has been received. The Region's fees are available on its web site.

https://www.niagararegion.ca/business/fpr/forms_fees.aspx

The applicant and/or representing agent must be present at the hearing to represent the application.

In granting consent to an application, the Committee may impose conditions as requested by municipal or other agencies.

SUPPLEMENTARY INFORMATION REQUESTED TO ASSIST THE CITY

To assist the City of Port Colborne in processing the Consent application the following supplementary information / sketches are requested:

1. As provided for in Ontario Regulation 197/96, as amended, and as required by this Committee of Adjustment, an application must be accompanied by two (2) copies of a preliminary drawing prepared, signed and dated by an Ontario Land Surveyor.
2. One (1) copy of each separate type of plan reduced to legal size.
3. One (1) copy of an Ontario Land Surveyor's Plan or Reference Plan to describe the subject lands.
4. One (1) copy of a Registered Deed including full legal description of the subject lands.

NIAGARA PENINSULA CONSERVATION AUTHORITY REVIEW

Fees which are payable directly to Authority vary depending on the location and on the type of application. For land: abutting or within 15 metres of a water course; on or within 30 metres of the Lake Erie shoreline; on land identified as "Hazard Land" or "Environmental Protection" by the Port Colborne Official Plan or Zoning Bylaw; or within

a groundwater recharge / discharge area, aquifer or headwater on the property or within 30 metres of the property, the Niagara Peninsula Conservation Authority will charge an additional Plan Review Fee. These fees are provided on the Niagara Peninsula Conservation Authority's website.

NOTICE REQUIREMENTS

Notice of Public Hearing MUST be posted on the property where it is clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the Manager of Planning and Development Services. The notice of public hearing must be posted 14 days prior to the hearing and must remain in that location until after the hearing is held. If the notice is removed during this 14 day period, the public hearing date may be rescheduled.



PLEASE TYPE OR USE BLACK INK

Section 1

1. Registered Owner (s):	
Name: Frank Steven Hoffman	
Mailing Address: 21 Dolphin Street	
City: Port Colborne	Province: Ontario
Postal Code: L3K 2H9	Telephone:
Fax:	Email:

1.2 Owner's SOLICITOR (if applicable)	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.3 Owner's Authorized AGENT (if applicable)	
Name: John Ikola	
Mailing Address: 190 Division Street	
City: Welland	Province: Ontario
Postal Code: L3B 4A2	Telephone: 905-732-4481
Fax: 905-732-2020	Email: jikola@flettbeccario.com

1.4 MORTGAGES, Charges & Other Encumbrances:
List the name(s) and address(es) of any mortgages, charges, or other encumbrances in respect of the land.
None known

1.5 Date and Subject Land was acquired by the Current Owner:
June 19, 2009

1.6 Owner's ONTARIO LAND SURVEYOR (if applicable)
CHAMBERS AND ASSOCIATED SURVEYING LTD.

Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.7 All communications should be sent to the:
<input type="checkbox"/> Owner <input type="checkbox"/> Solicitor <input checked="" type="checkbox"/> Agent

Section 2: LOCATION

Former Municipality:Port Colborne	
Concession No.	Lot(s):33
Registered Plan No.835	Lot(s):
Reference Plan No.	Part(s):
Name of Street:Dolphin Street	Street No.21

2.1 Type of proposed transaction: (Check appropriate space(s))
<input type="checkbox"/> Creation of New Lot <input checked="" type="checkbox"/> Addition to lot <input type="checkbox"/> Mortgage or Charge <input type="checkbox"/> Lease <input type="checkbox"/> Disposal of Surplus Farm Dwelling <input type="checkbox"/> Farm Retirement Lot <input type="checkbox"/> Partial Discharge or Mortgage <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Easement Reason for proposed transaction: Transfer of Property to deal with encroachment of 19 Dolphin Street Part 1 to merge with Part 4 on Sketch

2.2 If a lot addition, identify the lands to which the parcel will be added:
19 Dolphin Street - PIN 64151-0018 LT 31 PL 835 VILLAGE OF HUMBERSTONE; LT 32 PL 835 VILLAGE OF HUMBERSTONE ; PORT COLBORNE

2.3 Name of person(s), if known, to whom land or interest in land is intended to be conveyed, leased, or mortgaged:
Sandra Elisabeth McKay, Samuel James Lyle McKay, Jacoba Lamberta Winfield, Kevin Edward Winfield

Section 3: OFFICIAL PLAN & ZONING

3.1 What is the current designation of the land in the Official Plan and the Regional Plan?
Port Colborne Official Plan:Built up area
Regional Policy Plan: Built up area

3.2 What is the Zoning of the land (By-law 6575/30/18)?
R2

3.3 Is the proposal consistent with Provincial policy statements issued under Subsection 3(1) of the Planning Act, 1990, R.S.O., as amended?
<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> No

Section 4

Are there any existing EASMENTS OR RESTRICTIVE COVENANTS affecting the land?	
<input type="checkbox"/> Yes	If “Yes” describe the easement or covenant and its effect:
<input checked="" type="checkbox"/> No	

Section 5

Type of ACCESS
<input type="checkbox"/> Provincial Highway
<input type="checkbox"/> Regional Road
<input type="checkbox"/> Municipal Road maintained all year
<input type="checkbox"/> Other Public Road
<input checked="" type="checkbox"/> Municipal Road maintained seasonally
<input type="checkbox"/> Right-of-Way
<input type="checkbox"/> Water Access
<input type="checkbox"/> Private Road

Section 6

What type of WATER SUPPLY is proposed?
<input checked="" type="checkbox"/> Publicly owned and operated piped water supply
<input type="checkbox"/> Lake
<input type="checkbox"/> Well (private or communal)
<input type="checkbox"/> Other (specify)

Section 7

What type of SEWAGE DISPOSAL is proposed?
<input checked="" type="checkbox"/> Publicly owned and operated sanitary sewage system
<input type="checkbox"/> Septic system (private or communal)
<input type="checkbox"/> Other (specify)

Section 8

What type of STORMWATER DISPOSAL is proposed?	
<input checked="" type="checkbox"/> Publicly owned and operated stormwater system	
<input type="checkbox"/> Other (specify)	

Section 9

Part No. On Sketch: 1

DESCRIPTION OF PARCEL TO BE SEVERED (in metric units)		
Frontage: 1.24	Depth: 14.38	Area: 17.83
Existing Use: Residential		
Proposed Use: Same		

Existing and proposed buildings and structures on the subject land. For each existing and / or proposed building or structure, the type of building or structure, the setback from the front lot line, rear lot line and side lot lines, and the height of the building or structure and the dimensions or floor area of the building or structure IN METRES. Please use additional sheets if necessary:

Existing: Residential
Proposed: Same

Section 10

Part No. On Sketch: 3

DESCRIPTION OF PARCEL TO BE RETAINED (in metric units)		
Frontage: 9.77	Depth: 36.36	Area: 355.237
Existing Use: Residential		
Proposed Use: Same		

Existing and proposed buildings and structures on the land to be retained. For each existing and / or proposed building or structure, the type of building or structure, the setback from the front lot line, rear lot line and side lot lines, and the height of the building or structure and the dimensions or floor area of the building or structure IN METRES. Please use additional sheets if necessary:

Existing: Residential
Proposed: Same

Section 11

Has the land ever been the subject of an application for approval of a PLAN OF SUBDIVISION or a CONSENT?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
<input checked="" type="checkbox"/> Unknown

If the answer is “Yes,” please provide the following information:

File Number:
Decision:

Section 12

HAS THE LAND BEEN SEVERED from the parcel originally acquired by the owner of the land?
<input type="checkbox"/> Yes
<input checked="" type="checkbox"/> No

If the answer is "Yes", please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's (Purchaser's) name:
Land Use on severed parcel:
Date Parcel Transferred:
Consent file number (if known): B

Section 13: OTHER APPLICATIONS

13.1 If known, identify whether the subject land or any land within 120 metres of the subject land is the subject of an application made by the applicant for approval of:		
Official Plan Amendment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Zoning By-Law Amendment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Minor Variance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Plan of Subdivision	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Consent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Site Plan	<input type="checkbox"/> Yes	<input type="checkbox"/> No

13.2 If the answer to the above is yes, and if known, provide the following for each application noted:
File number of the application:
Name of the approval authority considering the application:
Lands affected by the application:
Purpose of the application:
Status of the application:
Effect of the application on the proposed amendment:

Section 14 ALL EXISTING, PREVIOUS AND ADJACENT USE OF THE LAND

14.1 ALL EXISTING USE
<input checked="" type="checkbox"/> Residential
<input type="checkbox"/> Industrial
<input type="checkbox"/> Commercial
<input type="checkbox"/> Institutional
<input type="checkbox"/> Agricultural
<input type="checkbox"/> Parkland
<input type="checkbox"/> Vacant
<input type="checkbox"/> Other

14.2 What is the length of time the existing use(s) of the land have continued?

14.3 Are there any buildings or structures on the subject land?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

If Yes, for each existing building or structure, complete the following:

Type of Building or Structure	Setback from the front lot line (in metres)	Setback from the rear lot line (in metres)	Setback from the side lot line (in metres)	Setback from the side lot line (in metres)	Height (in metres & number of stories)	Dimensions or floor area (in metres)	Date of construction

14.4 ALL PREVIOUS USE
<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Institutional <input type="checkbox"/> Agricultural <input type="checkbox"/> Parkland <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____

14.5 ALL ADJACENT USE(S)				
	NORTH	SOUTH	EAST	WEST
Residential	<input type="checkbox"/> Res	<input type="checkbox"/> Res	<input type="checkbox"/> Res	<input type="checkbox"/> Res
Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institutional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parkland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14.6 If Industrial or Commercial, specify use

14.7 Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

14.8 Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.9 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.10 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.11 Have the lands or adjacent lands ever been used as an agricultural operation where pesticides have been applied to the lands?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.12 Have the lands or adjacent lands ever been used as a weapons firing range?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.13 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational / non-operational public or private landfill or dump?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.14 If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

14.15 Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown <ul style="list-style-type: none">Possible uses that can cause contamination include: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. Any industrial use can result in potential contamination. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals which are present.

If previous use of property is industrial or commercial or if the answer was YES to any of the above, please attach a previous use inventory showing all former uses of the land, or if applicable, the land(s) adjacent to the land.

ACKNOWLEDGMENT CLAUSE

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations and standards pertaining to contaminated sites. I further acknowledge that the City of Port Colborne is not responsible for the identification and / or remediation of contaminated sites, and I agree, whether in (or as a result of) any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Port Colborne, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

X 30 Jan 2023
Date

X F. Hoffmann
Signature of Owner

14.16 Are there any buildings designated under the Ontario Heritage Act?

- ☐ Yes
☒ No
☐ Unknown

14.17 If there are any existing buildings on the site, briefly describe them and indicate their proposed use

House and garage

14.18 If there has been industrial or commercial uses on the property, a previous use inventory is needed. Is a previous use inventory attached?

- ☐ Yes
☒ No

NIAGARA PENINSULA CONSERVATION AUTHORITY

Pre-screening Criteria

15.1	Is there land on the property identified in the Official Plan and / or Zoning By-law as “hazard lands”?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown	

15.2	Is there a watercourse or municipal drain on the property or within 15 metres of the property?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown	

15.3	Is the property located on or within 30 metres of the Lake Erie shoreline?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	

15.4	Is there a valley slope on the property?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	

15.5	Is there known localized flooding or a marsh / bog area on or within 30 metres of the property?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown	

X 30 Jan 2023
Date

X F. Hoffman
Signature of Applicant(s)

Please note:

If the applicant is not the owner of the subject land or there is more than one owner, written authorization of the owner(s) is required (Complete Form 1) indicating that the applicant is authorized to make application.

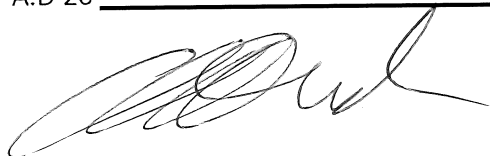
I/We Frank Steven Hoffman

Of the City/Town/Township of Port Colborne

In the County/District/Regional Municipality of Niagara

solemnly declare that all the statements contained in this application are true, and I/we make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the
City of Port Colborne
In the Regional Municipality of Niagara
This 30th day of Jan
A.D 20 23



TO BE SIGNED IN THE PRESENCE OF A
COMMISSIONER FOR TAKING AFFIDAVITS

X F. Hoffman

Signature of applicant(s), solicitor, or authorized agent

A Commissioner, etc.

Personal information collected on this application will become part of a public record. Any questions regarding this collection should be directed to the City Clerk at 66 Charlotte Street, Port Colborne, Ontario L3K 3C8 (905) 835-2900 Ext. 106.

AUTHORIZATIONS

LOCATION OF SUBJECT LANDS:

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize
John Ikola

(name of agent)
of the City of Welland

to make an application on my/our behalf to the Council or the Committee of Adjustment for the City of Port Colborne for transaction concerning an application for Official Plan Amendment / Zoning By-law Amendment / Consent to Sever / Minor Variance or Permission / Draft Plan of Subdivision or Condominium / Site Plan Control Approval (please circle the appropriate application) in accordance with the *Planning Act*.

Dated at the City of Port Colborne
in the Regional Municipality of Niagara
this 30th day of January 2023

X 
Signature of Witness

X 
Signature of Owner

X
Signature of Witness

X
Signature of Owner

X
Signature of Witness

X
Signature of Owner

This form is only to be used for applications which are to be signed by someone other than the owner or where more than one owner giving authorization to another owner.

If the registered owner is a corporation, in addition to the signatures of the authorized signing officers, the corporate seal must be affixed.

Where the Owner is without a spouse, common-law or legally married, the Owner is required to sign only once. Where the spouse of the Owner is not an owner, the spouse is required to sign. Spouse shall include a common-law spouse as defined within the *Family Law Reform Act*.

SUGGESTION TO THE APPLICANT

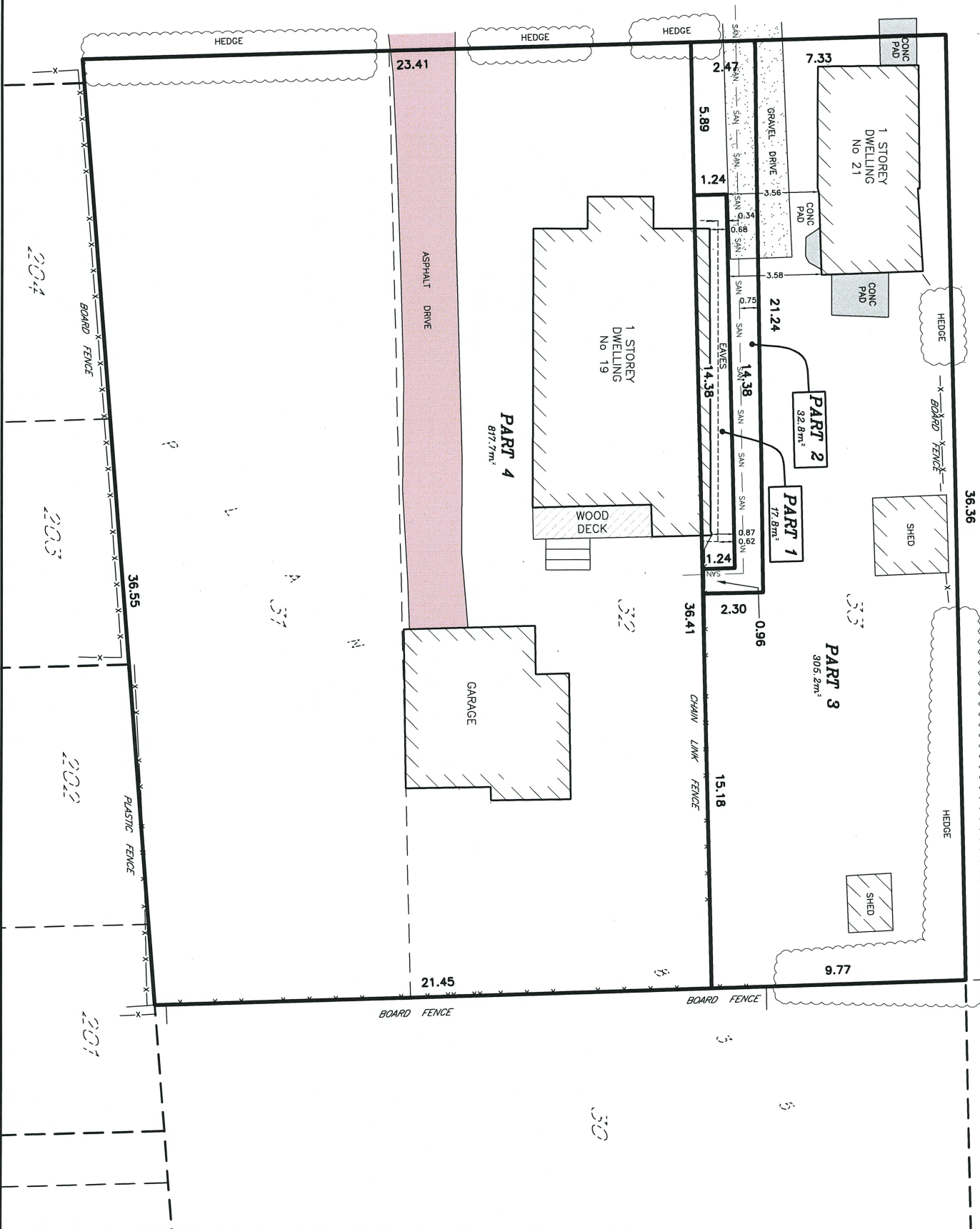
Notice of your application is required for a number of agencies. All written responses will be taken into account before reaching a decision on your application.

Although you are under no obligation to do so, we suggest that you discuss your intentions with the appropriate agencies from the list below, before submitting an application. This pre-consultation could provide you with information about the City of Port Colborne Official Plan, the minimum requirements and permitted uses of Zoning By-law 6575/30/18, the Regional Policy Plan, the concerns of various Provincial Ministries and other relevant information which may have a direct effect upon the final decision on your application.

Port Colborne Planning and Development Department

1. 66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Manager of Planning & Development
(905) 835-2900, Ext. 203
Information on the Port Colborne Official Plan and Zoning Bylaw
2. Port Colborne Engineering & Operations Department
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Director of Engineering & Operations
(905) 835-2900, Ext. 223
Information on Servicing, Lot Grading and Drainage
3. Port Colborne Building Division
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Chief of Building
(905) 835-2900, Ext 201
Information about the Building Code
4. Region of Niagara Public Works Department
Planning and Development Department
1815 Sir Isaac Brock Way, Thorold, Ontario L2V 4T7
(905) 980-6000, Ext. 3727
Information about the Regional Policy Plan, Agriculture, Public Works & Regional Health, and for concerns regarding Provincial Policy and Ministry responsibilities
5. The Niagara Peninsula Conservation Authority
250 Thorold Road West, Welland, Ontario L3C 3W2
Watershed Planner
(905) 788-3135, Ext 272
For information about lands which may be zoned as "Hazard" in the local zoning by law, lands adjacent to watercourses, Lake Erie or flood plains
6. Ministry of Transportation of Ontario
Corridor Management Section
159 Sir William Hearst Ave, 7th Floor, Toronto, Ontario M3M 1J8
For information about sight plan applications for lands fronting onto provincial Highways
7. Ministry of Transportation of Ontario
Corridor Management Section
1201 Wilson Avenue, Bldg D, 7th Floor, Downsview, ON, M3M 1J8
1-866-636-0663
For information about official plan amendments, consents, re-zonings, and other inquiries for lands fronting onto provincial highways
8. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement* (PPS) available for download (On-line) at: <http://www.mah.gov.on.ca>
Under "Your Ministry" – Land Use Planning – Provincial Policy Statement

MAIN STREET EAST (23.12m WIDE) REGIONAL ROAD No 3



NOTE: SUBJECT AND ADJOINING LANDS ARE RESIDENTIAL

NOTE: PART 1 TO BE SEVERED FROM PART 2 & 3 AND MERGE WITH PART 4

NOTE: PART 2 IS A PROPOSED EASEMENT OVER PART 3

SKETCH

PREPARED FOR SEVERANCE APPLICATION
21 DOLPHIN STREET

IN THE
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 200 (METRIC)

© COPYRIGHT 2022

NOTE: THIS SKETCH IS PREPARED FROM COMPILED AND CALCULATED INFORMATION, NOT FROM AN ACTUAL SURVEY.

DO NOT SCALE FROM THIS DRAWING.

ALL MEASUREMENTS ARE +/- MEASUREMENTS.

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JULY 25, 2022

DATE

Don Chambers
DONALD G. CHAMBERS, B. SC., O.L.S.

**CHAMBERS AND ASSOCIATES
SURVEYING LTD**

12 THOROLD ROAD EAST
WELLAND ONTARIO
L9C 3T2
(905) 735-7841 / 735-7844
FAX (905) 735-7333
www.cas-surveying.com

DWG 90362-31_SK FILE 90-362-31

Development and Legislative Services

Planning Division Report

March 3, 2023

Secretary-Treasurer
Port Colborne Committee of Adjustment
66 Charlotte Street
Port Colborne, ON L3K 3C8

Re: Application for Minor Variance B04-23-PC
21 Dolphin Street
Lot 33 Plan 835
Agent: John Ikola
Owner(s): Frank Steven Hoffman

Proposal:

The purpose and effect of this application is to permit the conveyance of Part 1 (see Appendix A) having a lot area of 17.8m² for a proposed lot boundary adjustment to the abutting Part 4. The boundary adjustment is being requested to address the existing encroachment of the dwelling at 19 Dolphin Street over the property line of 21 Dolphin Street.

Surrounding Land Uses and Zoning:

The parcels surrounding the subject lands are zoned Fourth Density Residential (R4) to the north, Mixed Use (MU) to the east and west, and Second Density Residential to the south. The surrounding land uses consist of an apartment to the north, detached dwellings to the east and south, and a commercial use to the west.



Environmentally Sensitive Areas:

The subject property does not contain any environmentally sensitive areas.

Public Comments:

Notice was circulated on February 22nd, 2023 as per Section 45 (5) of the Planning Act. As of March 3rd, 2023, no comments from the public have been received.

Agency Comments:

Notice was circulated on February 8th, 2023. As of March 3rd, 2023, the following comments have been received.

Drainage Superintendent

There are no comments regarding municipal drain for these applications.

Fire Department

No objection to the proposed application.

Engineering Technologist

No objection to the proposed application.

Discussion:

This application was reviewed with consideration of applicable policies in the *Provincial Policy Statement (2020)*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, the *Regional Official Plan*, the *City of Port Colborne Official Plan*, and the *City of Port Colborne Comprehensive Zoning By-law 6575/30/18*.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are within a “settlement area” according to the PPS. Settlement areas are to be the focus of growth and development and land use patterns shall be based on densities and a mix of land uses should efficiently use land and resources.

Staff is satisfied that the proposed consent is consistent with the PPS. The application makes efficient use of land by ensuring both dwellings are wholly contained on each parcel. The application does not propose any formal development that would result in the inappropriate use of the land.

The subject property is located within a Delineated Built-Up Area, in accordance with the Growth Plan for the Greater Golden Horseshoe. The guiding principles of the Growth Plan provide for the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime. Furthermore, they provide for different approaches to managing growth that recognize the diversity of communities in the Greater Golden Horseshoe.

Staff is satisfied that the proposed consent application conforms to the Growth Plan. The proposed application addresses an existing encroachment and recognizes the diversity of the community.

The Regional Official Plan (ROP), designates the subject lands as within the “Urban Area Boundary” and “Built-up Area”. A full range of residential uses are permitted within this designation. The ROP does not specify any requirements for minor lot boundary adjustments within the Built-Up Area. As such, Planning Staff are satisfied that the proposed consent application conforms to the ROP as the existing uses are not proposed to be changed.

The City of Port Colborne Official Plan

The subject property is designated as Highway Commercial in the City’s Official Plan (OP). This designation permits residential uses fronting onto Main Street East. While 19 Dolphin does not technically front onto Main Street East, the dwelling was constructed in 1940, according to MPAC, which would give it legal non-conforming status in the Official Plan. The Highway Commercial designation does not provide for any policies regarding minor lot boundary adjustments.

Staff is satisfied that the proposal conforms to the Official Plan as no changes have been proposed to the dwellings as a result of this application and the request to adjust the property boundaries is for technical reasons to resolve an existing encroachment.

City of Port Colborne Comprehensive Zoning By-law 6575/30/18

The subject lands are zoned Mixed Use under Zoning By-law 6575/30/18. The proposed boundary adjustment will leave the following dimensions.

Part 1: A lot frontage of 9.8m and a lot area of 305.2m²

Part 4: A lot frontage of 23.41m and a lot area of 835.5m², after Part 1 has merged with Part 4.

The subject property currently contains a detached dwelling. As a result of this application, the lot area of Part 3 is proposed to be reduced to 305.2m². Section 21.4 (a) of the Zoning By-law requires a minimum lot area of 0.04ha (400m²). To address the reduction in lot area, the applicant has subsequently applied for a minor variance requesting relief from the lot area provisions of the zone under minor variance application A07-23-PC.

Additionally, the proposed new lot lines will result in an interior side-yard setback of 0.68m to the existing dwelling at 21 Dolphin Street. Section 21.4 (e) of the Zoning By-law requires a minimum of 1m. A second minor variance application has been submitted to address the sideyard deficiency.

As shown in the sketch, the existing building envelopes are not proposed to be changed as a result of this application. Planning staff is satisfied that the proposal meets the requirements of the zoning by-law.

19 Dolphin Street is currently serviced by a sanitary line that exists underneath of 21 Dolphin Street. In order to address this encroachment, the applicant has submitted a consent application under application number B03-23-PC for an easement.

Recommendation:

Given the information above, Planning Staff recommends application B04-23-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 \$231 payable to the City of Port Colborne is submitted to the Secretary-Treasurer.
3. That Part 1 merges with Part 4.
4. That minor variance applications A07-23-PC and A08-23-PC be granted.
5. That consent application B03-23-PC be granted.
6. That all conditions of consent be completed by March 8th, 2025.

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.

Prepared by,



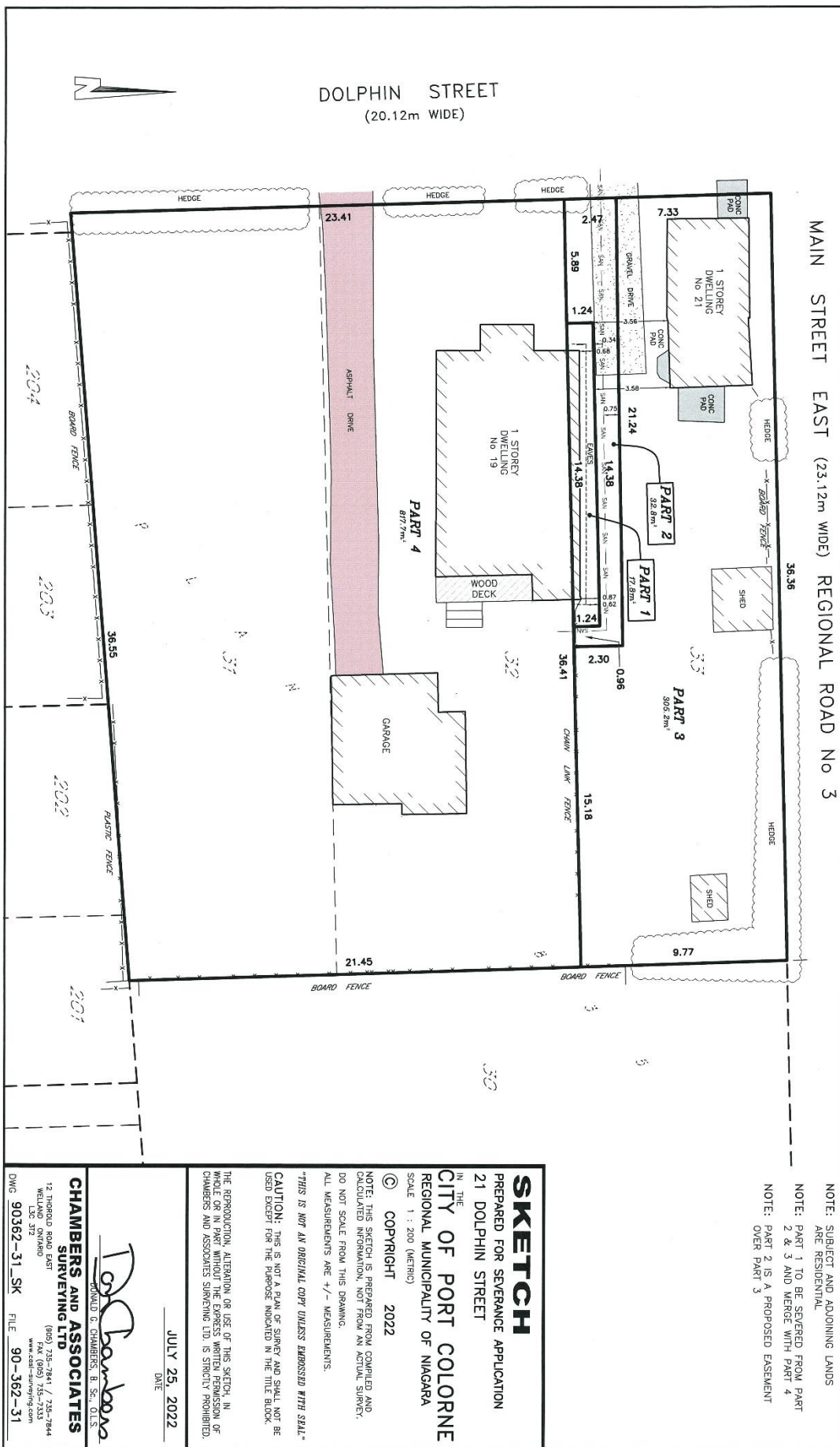
Chris Roome, BURPI
Planner

Submitted by,



Denise Landry, MCIP, RPP
Chief Planner

Appendix A



From: [Alana VanderVeen](#)
To: [Diana Vasu](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 9, 2023 3:37:00 PM

Hello Diana

There are no comments regarding municipal drains on these applications.

Alana

From: [Charles Turpin](#)
To: [Diana Vasu](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 10, 2023 8:37:08 AM

Diana

Port Colborne Fire has no objections to the application A07-23-PC A08-23-PC B03-23-PC & B04-23-PC

Charles Turpin CFEI, CCFI-C
Fire Prevention Officer
City of Port Colborne

Phone 905-834-4512 Ext. 404

Email Charles.turpin@portcolborne.ca
3 Killaly St W
Port Colborne, ON L3K 6H1

www.portcolborne.ca



PORT COLBORNE



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PORT COLBORNE



www.portcolborne.ca

Charles Turpin
Fire Prevention Officer

City of Port Colborne

Port Colborne, ON
Phone 905-834-4512 x
Email Charles.Turpin@portcolborne.ca

From: [Nicholas Olschansky](#)
To: [Diana Vasu](#)
Cc: [Chris Roome](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 27, 2023 11:36:31 AM

Hi Diana,

Please see my comments below.

A04-23-PC – 697 Barrick Road

- No comments

A05-23-PC – 427 Steele Street

- No comments

A06-23-PC – 193 Main Street West

- City of Port Colborne Municipal Consent required for alterations to existing site servicing (sanitary, storm, & water services) within the regional road allowance
 - For your convenience, I have included the link to the City's Municipal Consent Permits page below

https://www.portcolborne.ca/en/living-here/municipal-consent-permits.aspx?_mid_=78499

- Niagara Region permits required for works within the Main Street West regional road allowance
 - For your convenience, I have included the link to the Niagara Region Road Use Permit Application Forms page below

<https://www.niagararegion.ca/living/roads/permits/default.aspx>

A07-23-PC – 21 Dolphin Street

- No comments

A08-23-PC – 19 Dolphin Street

- No comments

B03-23-PC – 21 Dolphin Street

- No comments

B04-23-PC – 19 Dolphin Street

- No comments

Cheers,
Nick



www.portcolborne.ca

Nicholas Olschansky
Engineering Technologist
City of Port Colborne

Port Colborne, ON

Phone 905-835-2900 x226

Email Nicholas.Olschansky@portcolborne.ca



PORT COLBORNE

DEVELOPMENT AND LEGISLATIVE SERVICES

COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING APPLICATION FOR MINOR VARIANCE

APPLICATION NO. A07-23-PC

IN THE MATTER OF the Planning Act, R.S.O., 1990, c.P.13, as amended and Section 6.3 (c) of the City of Port Colborne Zoning By-law 6575/30/18, as amended;

AND IN THE MATTER OF the lands legally known as Lot 33 Registered Plan Number 835, in the City of Port Colborne, located in the Second Density Residential (R2) zone, municipally known as 21 Dolphin Street.

AND IN THE MATTER OF AN APPLICATION by the agent John Ikola, on behalf of the applicant Frank Steven Hoffman for relief from the provisions of Zoning by-law 6575/30/18, as amended, under Section 45 of the Planning Act, R.S.O 1990 C.P 13, to permit a reduced lot area for Part 3 to facilitate 2 concurrent consent applications (B03-23-PC and B04-23-PC), notwithstanding the following:

1. That a minimum lot area of 305.2m² be permitted, whereas the minimum permitted lot area is 400m² (0.04 hectares).

Explanatory Relief from the Zoning By-law: The applicant is requesting permission to adjust the boundary between 19 and 21 Dolphin Street, because the dwelling on 21 Dolphin Street encroaches on 19 Dolphin Street's lot. Due to the proposed lot area of 19 Dolphin Street, a minor variance is required. A sketch of the proposal is shown on the reverse side of this notice.



LOCATION MAP

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

DATE: March 8, 2023
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 by appointment in the office of the Planning and Development Department, during the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday, by telephone at 905-835-2900, Ext. 204 or email at Diana.Vasu@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, February 24th, 2023.**

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 Virtual Hearing

The Public Meeting will be held in-person, while being live-streamed on the City's YouTube channel.

Anyone wishing to participate in the meeting can attend 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 and become public. 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 noon on Tuesday, March 7, 2023**, by emailing Diana.Vasu@portcolborne.ca or calling (905) 835-2900 ext. 204. Written submissions may also be submitted to the mail slot in the front-left of City Hall, 66 Charlotte Street.


If you have any questions about the submission process or would like to explore alternative submission methods, please email Diana.Vasu@portcolborne.ca or call (905) 835-2900 ext. 204.

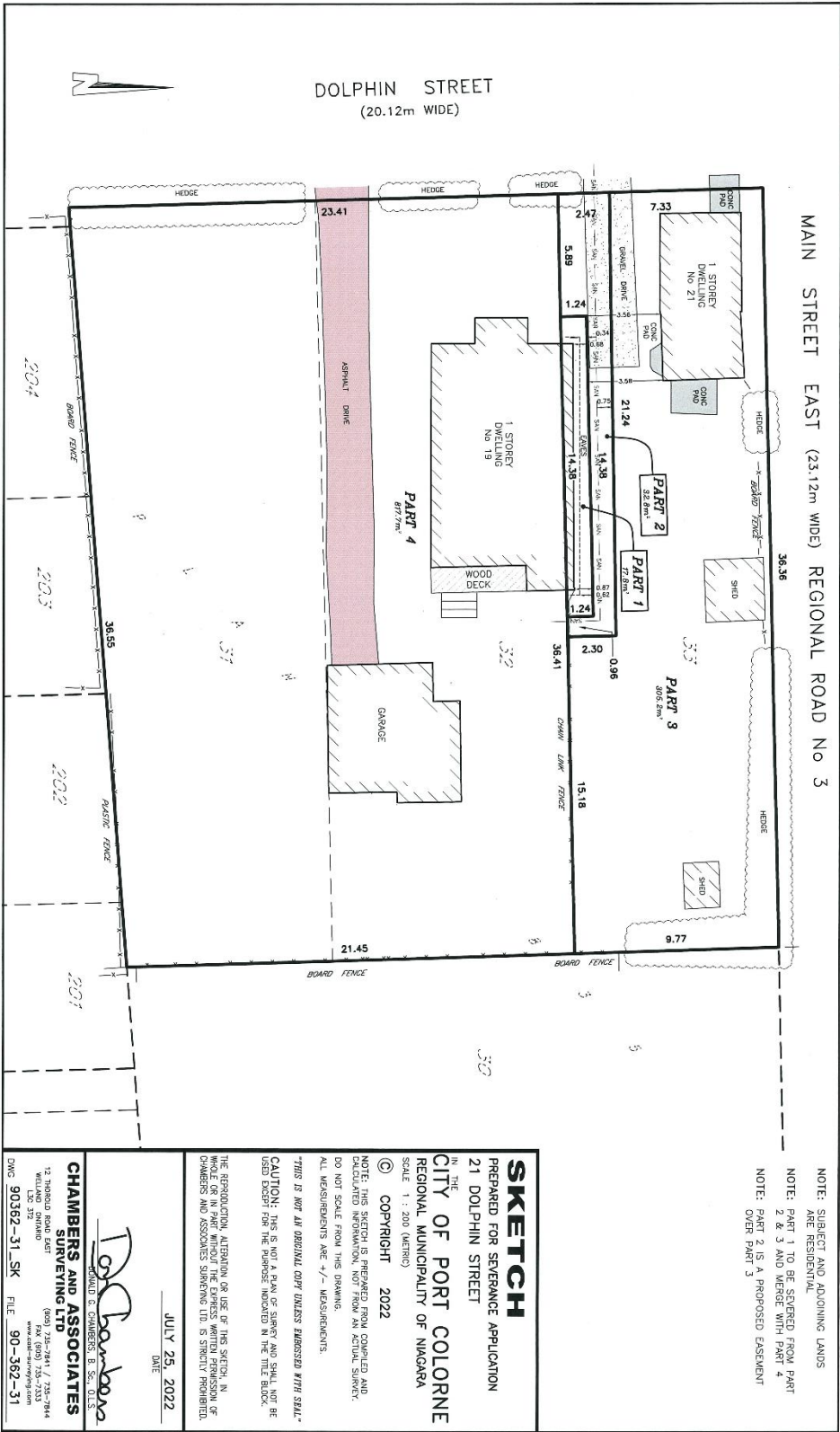
The owner or agent must be present, in person or virtually, at the Hearing. If you do not attend the Hearing, the Committee may adjourn the file or proceed in your absence and make a decision.

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the Planning Act, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

By order of the Committee of Adjustment,

Date of Mailing: February 24, 2023


Diana Vasu
Secretary-Treasurer





PORT COLBORNE

• PLANNING AND LEGISLATIVE SERVICES •

File No. A07-23-PC

THE CITY OF PORT COLBORNE
THE PLANNING ACT – SECTION 45.
APPLICATION FOR:

MINOR VARIANCE OR PERMISSION

This application is used by persons applying to the Committee of Adjustment for the City of Port Colborne under Section 45 of the *Planning Act*, as amended, for relief from By-law 6575/30/18 (as amended).

The Applicant is required to provide appropriate answers to **all** questions on the application form. If all prescribed information is not provided, the application will not be accepted.

SUBMISSION OF APPLICATION:

Please submit the completed application form together with fees and other information as set out herein to:

City of Port Colborne
Samantha Yeung
Secretary/Treasurer of the Committee of Adjustment
City Hall
66 Charlotte Street
Port Colborne, Ontario L3K 3C8
Telephone: 1-905-835-2900 ext. 204
FAX: 1-905-835-2939
Email: samantha.yeung@portcolborne.ca

COMPLETENESS OF APPLICATION:

The information required in this application form complies with the *Planning Act* and will assist in ensuring a complete evaluation. The *Planning Act* allows the Committee of Adjustment to refuse, to accept, or further consider any application that does not provide the information, material and fees prescribed.

A Minor Variance or Permission approved by the Committee of Adjustment of the City of Port Colborne may be reviewed by the Regional Municipality of Niagara and several other regional or provincial agencies. The Niagara Region and the Niagara Peninsula Conservation authority have additional fees / information requirements.

PRE-CONSULTATION / OFFICIAL PLAN POLICY AND PROVINCIAL POLICY STATEMENT:

For help completing the application form, please call and make an appointment with the Planning and Development Services Division at City Hall.

In making decisions on planning applications, Committee of Adjustment shall have regard to Official Plan Policy and be consistent with the Province of Ontario's Provincial Policy Statement which came into effect on May 1st, 2020. Both provide policy direction

on matters relating to land use planning and development. A Copy of the Provincial Policy Statement can be obtained from the Ministry of Municipal Affairs web site (www.mah.gov.on.ca) and clarification of Official Plan Policy can be received from the Planning & Development Services Division.

To avoid delays, the applicant must be informed of Official Plan Policy and the Provincial Policy Statement and to pre-consult with City, Regional and, if necessary, Provincial planning agencies before submitting an application. Through pre-consultation, agencies will discuss Official Plan Policy and the Provincial Policy Statement. An application for a pre-consultation meeting can be found on the City of Port Colborne's Planning & Development website.

PROCEDURES FOR PROCESSING APPLICATIONS FOR MINOR VARIANCE OR FOR PERMISSION

Under the provisions of the *Planning Act*, land owners or their agents must obtain approval of the Committee of Adjustment for minor variances from the provisions of the Zoning By-law or from another by-law implementing the City's Official Plan.

Under the Provisions of the *Planning Act*, a public hearing must be held on each application within 30 days of the date upon which the properly completed application for minor variance or permission is received. Notice of Hearing is circulated to the applicant or properly appointed agent at least 10 (ten) days before the hearing date. The applicant and/or agent will be responsible for posting notice of hearing on the subject land of the application.

Prior to the hearing, a planning report consisting of an agenda and this application form would be distributed to the Committee and made available on Port Colborne's website through this link: <https://www.portcolborne.ca/en/business-and-development/committee-of-adjustment.aspx>.

Members of the Committee may conduct a site visit of the subject lands at their discretion and may contact applicants. **Please note that the Committee is considered a quasi-judicial body of the Government and should not be contacted by a member of the public.** Any comments, questions or concerns should be addressed through the Planning and Development Services Division.

X FH

Following the hearing, the applicant/agent/solicitor is notified in writing of the decision of the Committee. In addition, any other person or agency who files a written request for the decision of the Committee will be sent a copy of the decision.

Any person objecting to the decision, may appeal within 20 days from the date of the decision. Appeals are filed with the Secretary Treasurer of the Committee of Adjustment, who in turn, files the appeal with the Local Planning Appeal Tribunal. The Local Planning Appeal Tribunal arranges an appeal hearing date and the applicant or agent and the person who appealed, will receive notice of date.

POLICIES

In addition to the matters set out in "Procedures for Processing Applications for Minor Variance or for Permission", the Port Colborne Committee of Adjustment has adopted the following general policies:

THE REQUIREMENTS TO COMPLETE ONE APPLICATION ARE:

- One fully completed application for minor variance or permission form signed by the applicant(s) or authorized agent and properly witnessed by a Commissioner for the taking of affidavits.
- A letter of authorization from the applicant(s) for applications which are signed by someone other than the owner(s).
- Two (2) copies of a preliminary drawing showing all information referred to in SUPPLEMENTARY INFORMATION REQUESTED TO ASSIST THE CITY.
- Payment of the appropriate fee, submitted at the time of application as cash or as a certified cheque or a money order payable to the Treasurer of the City of Port Colborne.
- One complete application is required and shall be submitted for each parcel of land on which a variance is requested.

SUPPLEMENTARY INFORMATION REQUESTED TO ASSIST THE CITY

To assist the City of Port Colborne in processing the application for Minor Variance or Permission the following supplementary information / sketches are requested:

- Depending on the scope of the request, one or more copies of plan(s) showing the following should be submitted. **The Planning & Development Services Division may request for a sketch submitted by a professional.** This requirement can be clarified by the Planning Staff.
 1. A sketch or sketches showing the following shall be submitted:
 - i. The boundaries and dimensions of the land.
 - ii. The location and nature of any easement affecting the land.
 - iii. The location, size, and type of all existing and height of proposed buildings and structures on the land, indicating the distance of the buildings or structures from the front lot line, rear lot line and the side lot lines.
 - iv. The location and nature of any easement affecting the land.
 - v. Parking areas, loading spaces, driveway entrance / exits
 - vi. Existing and proposed servicing [e.g. water, storm and sanitary]
 2. The required sketch should be based on an actual survey by an Ontario Land Surveyor or drawn to a usable metric scale [e.g. 1:100, 1:300, 1:500].
 3. One (1) copy of each separate type of plan reduced to legal size.
 4. One (1) copy of an Ontario Land Surveyor's Plan or Reference Plan to describe the subject lands.
 5. One (1) copy of a Registered Deed including full legal description of the subject lands.
 6. Council MAY require (at the discretion of the Manager of Planning and Development Services) that the sketch be signed by an Ontario Land Surveyor.

NIAGARA PENINSULA CONSERVATION AUTHORITY REVIEW

Fees which are payable directly to Authority vary depending on the location and on the type of application. For land: abutting or within 15 metres of a water course; on or within 30 metres of the Lake Erie shoreline; on land identified as "Hazard Land" or "Environmental Protection" by the Port Colborne Official Plan or Zoning Bylaw; or within

a groundwater recharge / discharge area, aquifer or headwater on the property or within 30 metres of the property, the Niagara Peninsula Conservation Authority will charge an additional Plan Review Fee. These fees are provided on the Niagara Peninsula Conservation Authority's website.

NOTICE REQUIREMENTS

Notice of Public Hearing of Council MUST be posted on the property where it is clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the Manager of Planning and Development Services. The notice of public hearing must be posted 10 days prior to the hearing and must remain in that location until after the hearing is held. If the notice is removed during this 10 day period, the public hearing date may be rescheduled.



PORT COLBORNE

• PLANNING AND LEGISLATIVE SERVICES •

APPLICATION FOR MINOR VARIANCE

PLEASE TYPE OR USE BLACK INK

Section 1

1. Registered Owner (s):	
Name: Frank Steven Hoffman	
Mailing Address: 21 Dolphin Street	
City: Port Colborne	Province: Ontario
Postal Code: L3K 2H9	Telephone:
Fax:	Email:

1.2 Owner's SOLICITOR (if applicable)	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.3 Owner's Authorized AGENT (if applicable)	
Name: John Ikola	
Mailing Address: 190 Division Street	
City: Welland	Province: Ontario
Postal Code: L3B 4A2	Telephone: 905-732-4481
Fax: 905-732-2020	Email: jikola@flettbeccario.com

1.4 MORTGAGES, Charges & Other Encumbrances:
List the name(s) and address(es) of any mortgages, charges, or other encumbrances in respect of the land.
None

1.5 Date and Subject Land was acquired by the Current Owner:
June 19, 2009

1.6 Owner's ONTARIO LAND SURVEYOR (if applicable)	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.7 All communications should be sent to the:
<input type="checkbox"/> Owner
<input type="checkbox"/> Solicitor
<input checked="" type="checkbox"/> Agent

Section 2: LOCATION

Former Municipality:Port Colborne	
Concession No.	Lot(s):33
Registered Plan No.835	
Reference Plan No.	Part(s):
Name of Street:Dolphin Street	Street No.21

Section 3: DESCRIPTION

Part No. On Sketch: 2

Frontage: 2.30	Depth: 21.24	Area: 48.852
Existing Use:Residential		
Proposed Use:Same		

Section 4: OFFICIAL PLAN & ZONING

4.1 What is the current designation of the land in the Official Plan and the Regional Plan?
Port Colborne Official Plan:Built up area
Regional Policy Plan: Built up area

4.2 What is the Zoning of the land (By-law 6575/30/18)?
R2 - Second Density Residential

Section 5

Are there any existing EASMENTS OR RESTRICTIVE COVENANTS affecting the land?	
<input type="checkbox"/> Yes	If "Yes" describe the easement or covenant and its effect:
<input checked="" type="checkbox"/> No	

Section 6

Type of ACCESS
<div><input type="checkbox"/> Provincial Highway</div> <div><input type="checkbox"/> Regional Road</div> <div><input type="checkbox"/> Municipal Road maintained all year</div> <div><input type="checkbox"/> Other Public Road</div> <div><input checked="" type="checkbox"/> Municipal Road maintained seasonally</div> <div><input type="checkbox"/> Right-of-Way</div> <div><input type="checkbox"/> Water Access</div> <div><input type="checkbox"/> Private Road</div>

Section 7

What type of WATER SUPPLY is proposed?
<div><input checked="" type="checkbox"/> Publicly owned and operated piped water supply</div> <div><input type="checkbox"/> Lake</div> <div><input type="checkbox"/> Well (private or communal)</div> <div><input type="checkbox"/> Other (specify)</div> <div></div>

Section 8

What type of SEWAGE DISPOSAL is proposed?
<div><input checked="" type="checkbox"/> Publicly owned and operated sanitary sewage system</div> <div><input type="checkbox"/> Septic system (private or communal)</div> <div><input type="checkbox"/> Other (specify)</div> <div></div>

Section 9

What type of STORMWATER DISPOSAL is proposed?
<div><input checked="" type="checkbox"/> Publicly owned and operated stormwater system</div> <div><input type="checkbox"/> Other (specify)</div> <div></div>

Section 10

NATURE AND EXTENT OF RELIEF FROM THE ZONING BY-LAW:
Part 3 - Reduction of lot area from severance transfer to address encroachment of 19 Dolphin Street

10.1 Does the structure(s) pertaining to the application for Minor Variance already exist and has a building permit been issued?

- ☒ Yes
☐ No

Section 11

WHY IS IN NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE ZONING BY-LAW:

Merging Part 1 to Part 4 resulting in a reduction in lot size and not meeting the R2 requirements

Section 12

DATE OF ACQUISITION of the land by the current owner:

June 19, 2009

Section 13

DATE OF CONSTRUCTION of all existing buildings and structures on the land:

Section 14

LENGTH OF TIME of time that the existing use(s) of the land have continued:

Section 15: OTHER APPLICATIONS

15.1 If known, identify whether the subject land or any land within 120 metres of the subject land is the subject of an application made by the applicant for approval of:

Official Plan Amendment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Zoning By-Law Amendment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Minor Variance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Plan of Subdivision	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Consent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Site Plan	<input type="checkbox"/> Yes	<input type="checkbox"/> No

15.2 If the answer to the above is yes, and if known, provide the following for each application noted:
File number of the application:
Name of the approval authority considering the application:
Lands affected by the application:
Purpose of the application:
Status of the application:
Effect of the application on the proposed amendment:

Section 16: ALL EXISTING, PREVIOUS AND ADJACENT USE OF THE LAND

16.1 ALL EXISTING USE
<div><input checked="" type="checkbox"/> Residential</div> <div><input type="checkbox"/> Industrial</div> <div><input type="checkbox"/> Commercial</div> <div><input type="checkbox"/> Institutional</div> <div><input type="checkbox"/> Agricultural</div> <div><input type="checkbox"/> Parkland</div> <div><input type="checkbox"/> Vacant</div> <div><input type="checkbox"/> Other</div> <div></div>

16.2 What is the length of time the existing use(s) of the land have continued?

16.3 Are there any buildings or structures on the subject land?
<div><input checked="" type="checkbox"/> Yes</div> <div><input type="checkbox"/> No</div>

If Yes, for each existing building or structure, complete the following:

Type of Building or Structure	Setback from the front lot line (in metres)	Setback from the rear lot line (in metres)	Setback from the side lot line (in metres)	Setback from the side lot line (in metres)	Height (in metres & number of stories)	Dimensions or floor area (in metres)	Date of construction
See sketch							

16.4 ALL PREVIOUS USE
<div><div><input checked="" type="checkbox"/> Residential</div><div><input type="checkbox"/> Industrial</div><div><input type="checkbox"/> Commercial</div><div><input type="checkbox"/> Institutional</div><div><input type="checkbox"/> Agricultural</div><div><input type="checkbox"/> Parkland</div><div><input type="checkbox"/> Vacant</div><div><input type="checkbox"/> Other</div></div> <div></div>

16.5 ALL ADJACENT USE(S)				
	NORTH	SOUTH	EAST	WEST
Residential	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institutional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parkland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other				

16.6 If Industrial or Commercial, specify use

16.7 Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
<div><div><input type="checkbox"/> Yes</div><div><input checked="" type="checkbox"/> No</div><div><input type="checkbox"/> Unknown</div></div>

16.8 Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
<div><div><input type="checkbox"/> Yes</div><div><input checked="" type="checkbox"/> No</div><div><input type="checkbox"/> Unknown</div></div>

16.9 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
<div><div><input type="checkbox"/> Yes</div><div><input checked="" type="checkbox"/> No</div><div><input type="checkbox"/> Unknown</div></div>

16.10 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
<div><div><input type="checkbox"/> Yes</div><div><input type="checkbox"/> No</div><div><input checked="" type="checkbox"/> Unknown</div></div>

16.11 Have the lands or adjacent lands ever been used as an agricultural operation where pesticides have been applied to the lands?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

16.12 Have the lands or adjacent lands ever been used as a weapons firing range?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

16.13 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational / non-operational public or private landfill or dump?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

16.14 If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

16.15 Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*

- ☐ Yes
- ☐ No
- ☒ Unknown

- Possible uses that can cause contamination include: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. Any industrial use can result in potential contamination. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals which are present.

If previous use of property is industrial or commercial or if the answer was YES to any of the above, please attach a previous use inventory showing all former uses of the land, or if applicable, the land(s) adjacent to the land.

ACKNOWLEDGMENT CLAUSE

I hereby acknowledge that is my responsibility to ensure that I am in compliance with all applicable laws, regulations and standards pertaining to contaminated sites. I further acknowledge that the City of Port Colborne is not responsible for the identification and / or remediation of contaminated sites, and I agree, whether in (or as a result of) any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Port Colborne, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

X 30 Jan 2023

Date

X [Signature]

Signature of Owner

Section 17: NIAGARA PENINSULA CONSERVATION AUTHORITY
Pre-screening Criteria

17.1 Is there land on the property identified in the Official Plan and / or Zoning By-law as “hazard lands”?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

17.2 Is there a watercourse or municipal drain on the property or within 15 metres of the property?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

17.3 Is the property located on or within 30 metres of the Lake Erie shoreline?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

17.4 Is there a valley slope on the property?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

17.5 Is there known localized flooding or a marsh / bog area on or within 30 metres of the property?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

X 30 Jan 2023
Date

X F. Hoffman
Signature of Applicant(s)

Please note: If the applicant is not the owner of the subject land or there is more than one owner, written authorization of the owner(s) is required (Complete Form 1) indicating that the applicant is authorized to make application.

I/We Frank Steven Hoffman

Of the City/Town/Township of Port Colborne

In the County/District/Regional Municipality of Niagara

solemnly declare that all the statements contained in this application are true, and I/we make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the
City Port Colborne of Port Colborne

In the Niagara Regional Municipality of Niagara

This 30th day of Jan

A.D. 20 22

A Commissioner, etc.

TO BE SIGNED IN THE PRESENCE OF A
COMMISSIONER FOR TAKING AFFIDAVITS

X F. Hoffman

Signature of applicant(s), solicitor, or authorized agent

Personal information collected on this application will become part of a public record. Any questions regarding this collection should be directed to: City Clerk, Freedom of Information and Privacy Officer: 66 Charlotte Street, Port Colborne, Ontario L3K 3C8 (905) 835-2900 Ext. 106.

AUTHORIZATIONS

LOCATION OF SUBJECT LANDS:

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

John Ikola

(name of agent)
of the City of Welland

to make an application on my/our behalf to the Council or the Committee of Adjustment for the City of Port Colborne for transaction concerning an application for Official Plan Amendment / Zoning By-law Amendment / Consent to Sever / Minor Variance or Permission / Draft Plan of Subdivision or Condominium / Site Plan Control Approval (please circle the appropriate application) in accordance with the *Planning Act*.

Dated at the City of Port Colborne
in the Regional Municipality of Niagara

this 30th day of Jan 2022

X [Signature]
Signature of Witness

X [Signature]
Signature of Owner

X
Signature of Witness

X
Signature of Owner

X
Signature of Witness

X
Signature of Owner

This form is only to be used for applications which are to be signed by someone other than the owner or where more than one owner giving authorization to another owner.

If the registered owner is a corporation, in addition to the signatures of the authorized signing officers, the corporate seal must be affixed.

Where the Owner is without a spouse, common-law or legally married, the Owner is required to sign only once. Where the spouse of the Owner is not an owner, the spouse is required to sign. Spouse shall include a common-law spouse as defined within the *Family Law Reform Act*.

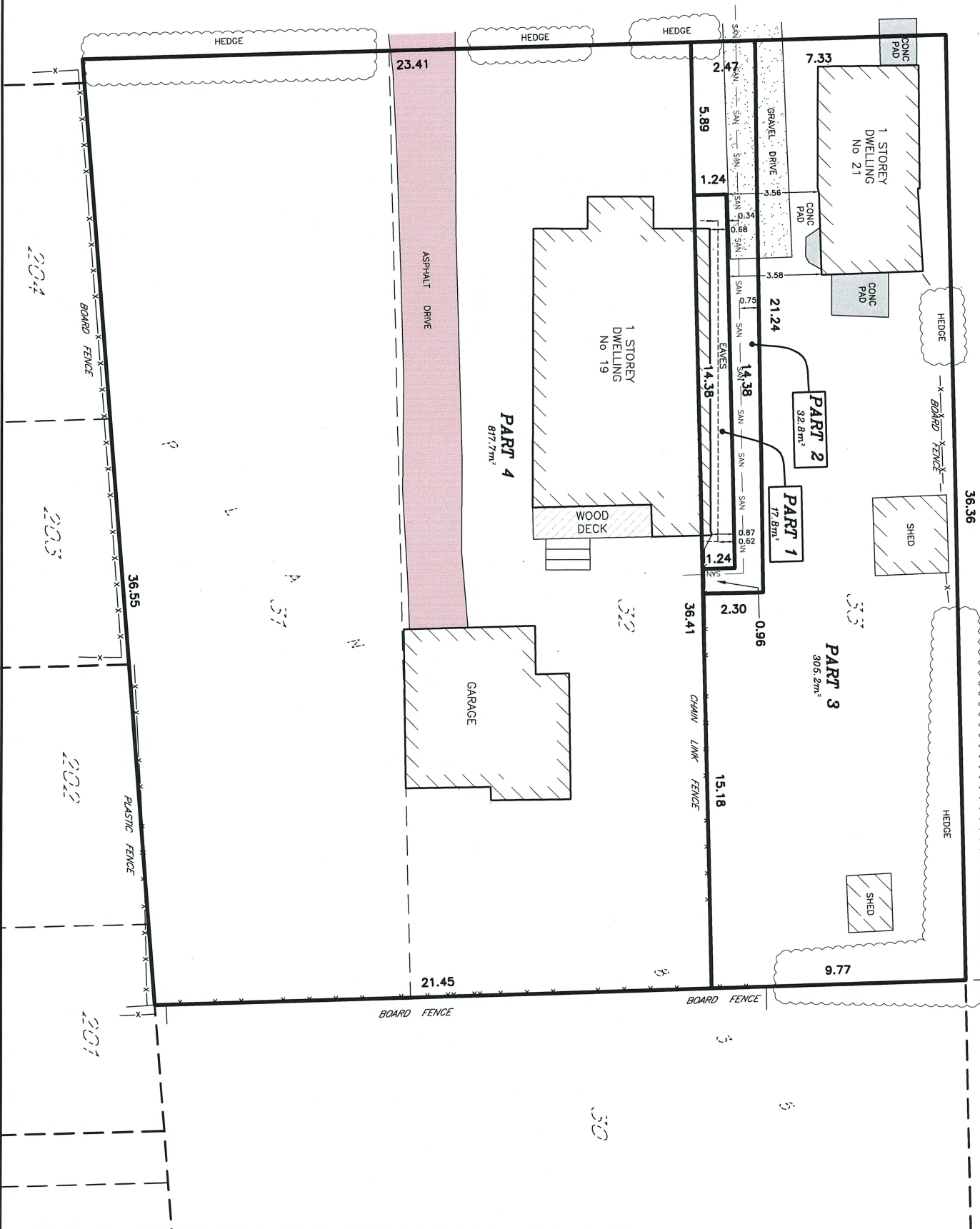
SUGGESTION TO THE APPLICANT

Notice of your application is required for a number of agencies. All written responses will be taken into account before reaching a decision on your application.

Although you are under no obligation to do so, we suggest that you discuss your intentions with the appropriate agencies from the list below before submitting an application. A pre-consultation could provide you with information about the City of Port Colborne Official Plan, the minimum requirements and permitted uses of Zoning By-law 6575/30/18, the Regional Policy Plan, the concerns of various Provincial Ministries and other relevant information which may have a direct effect upon the final decision on your application.

1. Port Colborne Planning and Development Department
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Manager of Planning & Development
(905) 835-2900, Ext. 203
Information on the Port Colborne Official Plan and Zoning Bylaw
2. Port Colborne Engineering & Operations Department
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Director of Engineering & Operations
(905) 835-2900, Ext. 223
Information on Servicing, Lot Grading and Drainage
3. Port Colborne Building Division
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Chief of Building
(905) 835-2900, Ext 201
Information about the Building Code
4. Region of Niagara Public Works Department
Planning and Development Department
1815 Sir Isaac Brock Way, Thorold, Ontario L2V 4T7
(905) 980-6000, Ext. 3727
Information about the Regional Policy Plan, Agriculture, Public Works & Regional Health, and for concerns regarding Provincial Policy and Ministry responsibilities
5. The Niagara Peninsula Conservation Authority
250 Thorold Road West, Welland, Ontario L3C 3W2
Watershed Planner
(905) 788-3135, Ext 272
For information about lands which may be zoned as "Hazard" in the local zoning by law, lands adjacent to watercourses, Lake Erie or flood plains
6. Ministry of Transportation of Ontario
Corridor Management Section
159 Sir William Hearst Ave, 7th Floor, Toronto, Ontario M3M 1J8
For information about sight plan applications for lands fronting onto provincial Highways
7. Ministry of Transportation of Ontario
Corridor Management Section
1201 Wilson Avenue, Bldg D, 7th Floor, Downsview, ON, M3M 1J8
1-866-636-0663
For information about official plan amendments, consents, re-zonings, and other inquiries for lands fronting onto provincial highways
8. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement* (PPS) available for download (On-line) at: <http://www.mah.gov.on.ca>
Under "Your Ministry" – Land Use Planning – Provincial Policy Statement

MAIN STREET EAST (23.12m WIDE) REGIONAL ROAD No 3



NOTE: SUBJECT AND ADJOINING LANDS ARE RESIDENTIAL

NOTE: PART 1 TO BE SEVERED FROM PART 2 & 3 AND MERGE WITH PART 4
NOTE: PART 2 IS A PROPOSED EASEMENT OVER PART 3

SKETCH

PREPARED FOR SEVERANCE APPLICATION
21 DOLPHIN STREET

IN THE
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 200 (METRIC)
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NOTE: THIS SKETCH IS PREPARED FROM COMPILED AND CALCULATED INFORMATION, NOT FROM AN ACTUAL SURVEY. DO NOT SCALE FROM THIS DRAWING.
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JULY 25, 2022

DATE

Don Chambers
DONALD G. CHAMBERS, B. SC., O.L.S.

CHAMBERS AND ASSOCIATES
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www.cas-surveying.com

DWG 90362-31_SK FILE 90-362-31

Zoning:

The subject property is zoned MU in accordance with Zoning By-Law 6575/30/18. Residential uses are permitted uses in this zone.

Environmentally Sensitive Areas:

The subject property does not contain any environmentally sensitive areas.

Public Comments:

Notice was circulated on February 24th, 2023 as per Section 45 (5) of the Planning Act. As of March 3rd, 2023, no comments from the public have been received.

Agency Comments:

Notice was circulated on February 8th, 2023. As of March 3rd, 2023, the following comments have been received.

Drainage Superintendent

There are no comments regarding municipal drain for these applications.

Fire Department

No objection to the proposed application.

Engineering Technologist

No objection to the proposed application.

Planning Act – Four Tests:

In order for a Minor Variance to be approved, it must meet the four-part test as outlined under Section 45 (1) of the Planning Act. These four tests are listed and analyzed below.

Is the application minor in nature?

Staff finds the requested variance to be minor in nature. The decrease in lot area is required to address the lot boundary adjustment. The existing lot on 21 Dolphin Street is already considered to be undersized but the removal of 17.6m² will not fundamentally change the character of the property. The property will still retain a rear yard for amenity space as well as the required parking area for a detached dwelling.

Is it desirable for the appropriate development or use of the land, building, or structure?

The proposal is desirable and appropriate as the application is being requested as a part of a lot boundary adjustment to address the encroaching dwelling of 19 Dolphin Street over the property line of 21 Dolphin Street. In conjunction with applications B03-23-PC and B04-23-PC, these applications will serve to address a lot line dispute and ensure that each dwelling is entirely located within its boundaries.

Is it in keeping with the general intent and purpose of the Zoning By-law?

Staff finds this application to be in keeping with the general intent and purpose of the Zoning By-law. The lot area intends to ensure that dwellings can suitably be located on the property and still maintain enough room for amenity spaces and parking. The sketch indicates that 21 Dolphin will still retain a full rear yard for amenities as well as a parking area at the side of the dwelling.

Is it in keeping with the general intent and purpose of the Official Plan?

The Official Plan permits residential uses and boundary adjustments in the Highway Commercial designation. Staff finds this variance application meets the general intent and purpose of the Official Plan.

Recommendation:

Given the information above, Planning Staff recommends application A05-23-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**

Prepared by,



Chris Roome, BURPI
Planner

Submitted by,



Denise Landry, MCIP, RPP
Chief Planner

From: [Alana VanderVeen](#)
To: [Diana Vasu](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 9, 2023 3:37:00 PM

Hello Diana

There are no comments regarding municipal drains on these applications.

Alana

From: [Charles Turpin](#)
To: [Diana Vasu](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 10, 2023 8:37:08 AM

Diana

Port Colborne Fire has no objections to the application A07-23-PC A08-23-PC B03-23-PC & B04-23-PC

Charles Turpin CFEI, CCFI-C
Fire Prevention Officer
City of Port Colborne

Phone 905-834-4512 Ext. 404

Email Charles.turpin@portcolborne.ca
3 Killaly St W
Port Colborne, ON L3K 6H1

www.portcolborne.ca



PORT COLBORNE



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PORT COLBORNE



www.portcolborne.ca

Charles Turpin
Fire Prevention Officer

City of Port Colborne

Port Colborne, ON
Phone 905-834-4512 x
Email Charles.Turpin@portcolborne.ca

From: [Nicholas Olschansky](#)
To: [Diana Vasu](#)
Cc: [Chris Roome](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 27, 2023 11:36:31 AM

Hi Diana,

Please see my comments below.

A04-23-PC – 697 Barrick Road

- No comments

A05-23-PC – 427 Steele Street

- No comments

A06-23-PC – 193 Main Street West

- City of Port Colborne Municipal Consent required for alterations to existing site servicing (sanitary, storm, & water services) within the regional road allowance
 - For your convenience, I have included the link to the City's Municipal Consent Permits page below

https://www.portcolborne.ca/en/living-here/municipal-consent-permits.aspx?_mid_=78499

- Niagara Region permits required for works within the Main Street West regional road allowance
 - For your convenience, I have included the link to the Niagara Region Road Use Permit Application Forms page below

<https://www.niagararegion.ca/living/roads/permits/default.aspx>

A07-23-PC – 21 Dolphin Street

- No comments

A08-23-PC – 19 Dolphin Street

- No comments

B03-23-PC – 21 Dolphin Street

- No comments

B04-23-PC – 19 Dolphin Street

- No comments

Cheers,
Nick



www.portcolborne.ca

Nicholas Olschansky
Engineering Technologist
City of Port Colborne

Port Colborne, ON

Phone 905-835-2900 x226

Email Nicholas.Olschansky@portcolborne.ca



PORT COLBORNE

DEVELOPMENT AND LEGISLATIVE SERVICES

COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING APPLICATION FOR MINOR VARIANCE

APPLICATION NO. A08-23-PC

IN THE MATTER OF the Planning Act, R.S.O., 1990, c.P.13, as amended and Section 6.3 (e) of the City of Port Colborne Zoning By-law 6575/30/18, as amended;

AND IN THE MATTER OF the lands legally known as Lot 31 & 32 Registered Plan Number 835, in the City of Port Colborne, located in the Second Density Residential (R2) zone, municipally known as 19 Dolphin Street.

AND IN THE MATTER OF AN APPLICATION by the agent John Ikola, on behalf of the applicant Frank Steven Hoffman for relief from the provisions of Zoning by-law 6575/30/18, as amended, under Section 45 of the Planning Act, R.S.O 1990 C.P 13, to permit a reduced side yard setback for Part 4 to facilitate 2 concurrent consent applications (B03-23-PC and B04-23-PC), notwithstanding the following:

1. That a minimum side yard setback of 0.68m be permitted, whereas the minimum permitted side yard setback is 1m.

Explanatory Relief from the Zoning By-law: The applicant is requesting permission to adjust the boundary between 19 and 21 Dolphin Street, because the dwelling on 21 Dolphin Street encroaches on 19 Dolphin Street's lot. Due to the proposed side yard setback, a minor variance is required. A sketch of the proposal is shown on the reverse side of this notice.



LOCATION MAP

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

DATE: March 8, 2023
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 by appointment in the office of the Planning and Development Department, during the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday, by telephone at 905-835-2900, Ext. 204 or email at Diana.Vasu@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, February 24th, 2023**.

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 Virtual Hearing

The Public Meeting will be held in-person, while being live-streamed on the City's YouTube channel.

Anyone wishing to participate in the meeting can attend 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 and become public. 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 noon on Tuesday, March 7, 2023**, by emailing Diana.Vasu@portcolborne.ca or calling (905) 835-2900 ext. 204. Written submissions may also be submitted to the mail slot in the front-left of City Hall, 66 Charlotte Street.


If you have any questions about the submission process or would like to explore alternative submission methods, please email Diana.Vasu@portcolborne.ca or call (905) 835-2900 ext. 204.

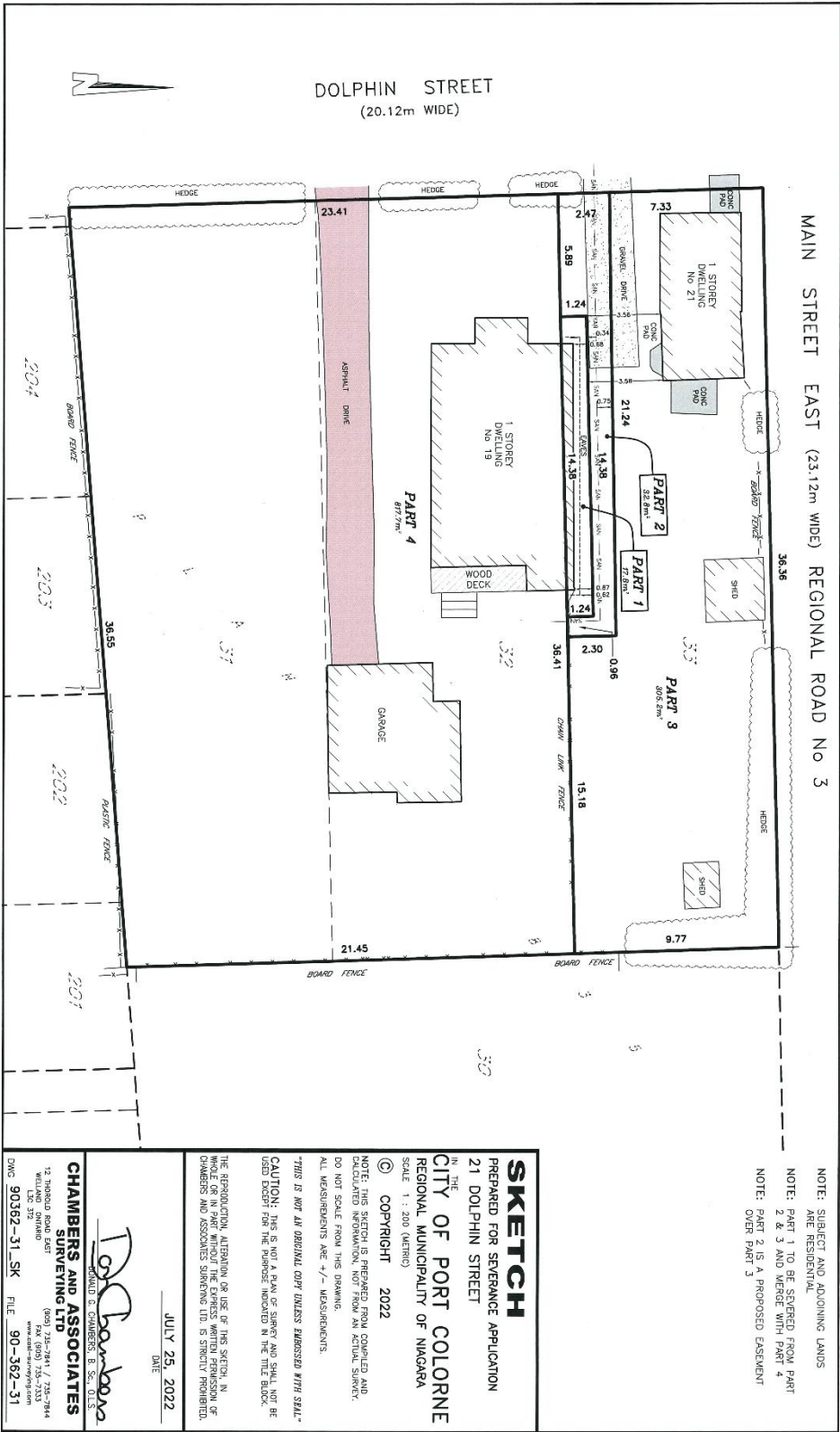
The owner or agent must be present, in person or virtually, at the Hearing. If you do not attend the Hearing, the Committee may adjourn the file or proceed in your absence and make a decision.

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the Planning Act, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

By order of the Committee of Adjustment,

Date of Mailing: February 24, 2023


Diana Vasu
Secretary-Treasurer





PORT COLBORNE

• PLANNING AND LEGISLATIVE SERVICES •

File No. A08-23-PC

THE CITY OF PORT COLBORNE
THE PLANNING ACT – SECTION 45.
APPLICATION FOR:

MINOR VARIANCE OR PERMISSION

This application is used by persons applying to the Committee of Adjustment for the City of Port Colborne under Section 45 of the *Planning Act*, as amended, for relief from By-law 6575/30/18 (as amended).

The Applicant is required to provide appropriate answers to **all** questions on the application form. If all prescribed information is not provided, the application will not be accepted.

SUBMISSION OF APPLICATION:

Please submit the completed application form together with fees and other information as set out herein to:

City of Port Colborne
Samantha Yeung
Secretary/Treasurer of the Committee of Adjustment
City Hall
66 Charlotte Street
Port Colborne, Ontario L3K 3C8
Telephone: 1-905-835-2900 ext. 204
FAX: 1-905-835-2939
Email: samantha.yeung@portcolborne.ca

COMPLETENESS OF APPLICATION:

The information required in this application form complies with the *Planning Act* and will assist in ensuring a complete evaluation. The *Planning Act* allows the Committee of Adjustment to refuse, to accept, or further consider any application that does not provide the information, material and fees prescribed.

A Minor Variance or Permission approved by the Committee of Adjustment of the City of Port Colborne may be reviewed by the Regional Municipality of Niagara and several other regional or provincial agencies. The Niagara Region and the Niagara Peninsula Conservation authority have additional fees / information requirements.

PRE-CONSULTATION / OFFICIAL PLAN POLICY AND PROVINCIAL POLICY STATEMENT:

For help completing the application form, please call and make an appointment with the Planning and Development Services Division at City Hall.

In making decisions on planning applications, Committee of Adjustment shall have regard to Official Plan Policy and be consistent with the Province of Ontario's Provincial Policy Statement which came into effect on May 1st, 2020. Both provide policy direction

on matters relating to land use planning and development. A Copy of the Provincial Policy Statement can be obtained from the Ministry of Municipal Affairs web site (www.mah.gov.on.ca) and clarification of Official Plan Policy can be received from the Planning & Development Services Division.

To avoid delays, the applicant must be informed of Official Plan Policy and the Provincial Policy Statement and to pre-consult with City, Regional and, if necessary, Provincial planning agencies before submitting an application. Through pre-consultation, agencies will discuss Official Plan Policy and the Provincial Policy Statement. An application for a pre-consultation meeting can be found on the City of Port Colborne's Planning & Development website.

PROCEDURES FOR PROCESSING APPLICATIONS FOR MINOR VARIANCE OR FOR PERMISSION

Under the provisions of the *Planning Act*, land owners or their agents must obtain approval of the Committee of Adjustment for minor variances from the provisions of the Zoning By-law or from another by-law implementing the City's Official Plan.

Under the Provisions of the *Planning Act*, a public hearing must be held on each application within 30 days of the date upon which the properly completed application for minor variance or permission is received. Notice of Hearing is circulated to the applicant or properly appointed agent at least 10 (ten) days before the hearing date. The applicant and/or agent will be responsible for posting notice of hearing on the subject land of the application.

Prior to the hearing, a planning report consisting of an agenda and this application form would be distributed to the Committee and made available on Port Colborne's website through this link: <https://www.portcolborne.ca/en/business-and-development/committee-of-adjustment.aspx>.

Members of the Committee may conduct a site visit of the subject lands at their discretion and may contact applicants. **Please note that the Committee is considered a quasi-judicial body of the Government and should not be contacted by a member of the public.** Any comments, questions or concerns should be addressed through the Planning and Development Services Division. x FH

Following the hearing, the applicant/agent/solicitor is notified in writing of the decision of the Committee. In addition, any other person or agency who files a written request for the decision of the Committee will be sent a copy of the decision.

Any person objecting to the decision, may appeal within 20 days from the date of the decision. Appeals are filed with the Secretary Treasurer of the Committee of Adjustment, who in turn, files the appeal with the Local Planning Appeal Tribunal. The Local Planning Appeal Tribunal arranges an appeal hearing date and the applicant or agent and the person who appealed, will receive notice of date.

POLICIES

In addition to the matters set out in "Procedures for Procession Applications for Minor Variance or for Permission", the Port Colborne Committee of Adjustment has adopted the following general policies:

THE REQUIREMENTS TO COMPLETE ONE APPLICATION ARE:

- One fully completed application for minor variance or permission form signed by the applicant(s) or authorized agent and properly witnessed by a Commissioner for the taking of affidavits.
- A letter of authorization from the applicant(s) for applications which are signed by someone other than the owner(s).
- Two (2) copies of a preliminary drawing showing all information referred to in SUPPLEMENTARY INFORMATION REQUESTED TO ASSIST THE CITY.
- Payment of the appropriate fee, submitted at the time of application as cash or as a certified cheque or a money order payable to the Treasurer of the City of Port Colborne.
- One complete application is required and shall be submitted for each parcel of land on which a variance is requested.

SUPPLEMENTARY INFORMATION REQUESTED TO ASSIST THE CITY

To assist the City of Port Colborne in processing the application for Minor Variance or Permission the following supplementary information / sketches are requested:

- Depending on the scope of the request, one or more copies of plan(s) showing the following should be submitted. **The Planning & Development Services Division may request for a sketch submitted by a professional.** This requirement can be clarified by the Planning Staff.
 1. A sketch or sketches showing the following shall be submitted:
 - i. The boundaries and dimensions of the land.
 - ii. The location and nature of any easement affecting the land.
 - iii. The location, size, and type of all existing and height of proposed buildings and structures on the land, indicating the distance of the buildings or structures from the front lot line, rear lot line and the side lot lines.
 - iv. The location and nature of any easement affecting the land.
 - v. Parking areas, loading spaces, driveway entrance / exits
 - vi. Existing and proposed servicing [e.g. water, storm and sanitary]
 2. The required sketch should be based on an actual survey by an Ontario Land Surveyor or drawn to a usable metric scale [e.g. 1:100, 1:300, 1:500].
 3. One (1) copy of each separate type of plan reduced to legal size.
 4. One (1) copy of an Ontario Land Surveyor's Plan or Reference Plan to describe the subject lands.
 5. One (1) copy of a Registered Deed including full legal description of the subject lands.
 6. Council MAY require (at the discretion of the Manager of Planning and Development Services) that the sketch be signed by an Ontario Land Surveyor.

NIAGARA PENINSULA CONSERVATION AUTHORITY REVIEW

Fees which are payable directly to Authority vary depending on the location and on the type of application. For land: abutting or within 15 metres of a water course; on or within 30 metres of the Lake Erie shoreline; on land identified as "Hazard Land" or "Environmental Protection" by the Port Colborne Official Plan or Zoning Bylaw; or within

a groundwater recharge / discharge area, aquifer or headwater on the property or within 30 metres of the property, the Niagara Peninsula Conservation Authority will charge an additional Plan Review Fee. These fees are provided on the Niagara Peninsula Conservation Authority's website.

NOTICE REQUIREMENTS

Notice of Public Hearing of Council MUST be posted on the property where it is clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the Manager of Planning and Development Services. The notice of public hearing must be posted 10 days prior to the hearing and must remain in that location until after the hearing is held. If the notice is removed during this 10 day period, the public hearing date may be rescheduled.



PLEASE TYPE OR USE BLACK INK

Section 1

1. Registered Owner (s):	
Name: Frank Steven Hoffman	
Mailing Address: 21 Dolphin Street	
City: Port Colborne	Province: Ontario
Postal Code: L3K 2H9	Telephone:
Fax:	Email:

1.2 Owner's SOLICITOR (if applicable)	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.3 Owner's Authorized AGENT (if applicable)	
Name: John Ikola	
Mailing Address: 190 Division Street	
City: Welland	Province: Ontario
Postal Code: L3B 4A2	Telephone: 905-732-4481
Fax: 905-732-2020	Email: jikola@flettbeccario.com

1.4 MORTGAGES, Charges & Other Encumbrances:
List the name(s) and address(es) of any mortgages, charges, or other encumbrances in respect of the land.
None

1.5 Date and Subject Land was acquired by the Current Owner:
June 19, 2009

1.6 Owner's ONTARIO LAND SURVEYOR (if applicable)	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.7 All communications should be sent to the:
<input type="checkbox"/> Owner <input type="checkbox"/> Solicitor <input checked="" type="checkbox"/> Agent

Section 2: LOCATION

Former Municipality:Port Colborne	
Concession No.	Lot(s): 31 & 32
Registered Plan No.835	
Reference Plan No.	Part(s):
Name of Street:Dolphin Street	Street No. 19

Section 3: DESCRIPTION

Part No. On Sketch: 3

Frontage:9.77	Depth: 36.36	Area: 355.237
Existing Use:Residential		
Proposed Use:Same		

Section 4: OFFICIAL PLAN & ZONING

4.1 What is the current designation of the land in the Official Plan and the Regional Plan?
Port Colborne Official Plan:Built up area
Regional Policy Plan: Built up area

4.2 What is the Zoning of the land (By-law 6575/30/18)?
R2 - Second Density Residential

Section 5

Are there any existing EASMENTS OR RESTRICTIVE COVENANTS affecting the land?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If "Yes" describe the easement or covenant and its effect:

Section 6

Type of ACCESS
<div><input type="checkbox"/> Provincial Highway</div> <div><input type="checkbox"/> Regional Road</div> <div><input type="checkbox"/> Municipal Road maintained all year</div> <div><input type="checkbox"/> Other Public Road</div> <div><input checked="" type="checkbox"/> Municipal Road maintained seasonally</div> <div><input type="checkbox"/> Right-of-Way</div> <div><input type="checkbox"/> Water Access</div> <div><input type="checkbox"/> Private Road</div>

Section 7

What type of WATER SUPPLY is proposed?
<div><input checked="" type="checkbox"/> Publicly owned and operated piped water supply</div> <div><input type="checkbox"/> Lake</div> <div><input type="checkbox"/> Well (private or communal)</div> <div><input type="checkbox"/> Other (specify)</div> <div></div>

Section 8

What type of SEWAGE DISPOSAL is proposed?
<div><input checked="" type="checkbox"/> Publicly owned and operated sanitary sewage system</div> <div><input type="checkbox"/> Septic system (private or communal)</div> <div><input type="checkbox"/> Other (specify)</div> <div></div>

Section 9

What type of STORMWATER DISPOSAL is proposed?
<div><input checked="" type="checkbox"/> Publicly owned and operated stormwater system</div> <div><input type="checkbox"/> Other (specify)</div> <div></div>

Section 10

NATURE AND EXTENT OF RELIEF FROM THE ZONING BY-LAW:
<div>Part 4 - relief from the side yard setback requirements where 1 m is required but only 0.68m is provided.</div> <div></div> <div></div> <div></div> <div></div>

10.1 Does the structure(s) pertaining to the application for Minor Variance already exist and has a building permit been issued?
<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> No

Section 11

WHY IS IN NOT POSSIBLE TO COMPLY WITH THE PROVISIONS OF THE ZONING BY-LAW:
Merging Part 1 to Part 4 resulting in a reduction in lot size and not meeting the R2 requirements - Only 0.68m side yard set back provided due to the location of the dwelling where 1m is required

Section 12

DATE OF ACQUISITION of the land by the current owner:
June 19, 2009

Section 13

DATE OF CONSTRUCTION of all existing buildings and structures on the land:

Section 14

LENGTH OF TIME of time that the existing use(s) of the land have continued:

Section 15: OTHER APPLICATIONS

15.1 If known, identify whether the subject land or any land within 120 metres of the subject land is the subject of an application made by the applicant for approval of:		
Official Plan Amendment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Zoning By-Law Amendment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Minor Variance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Plan of Subdivision	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Consent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Site Plan	<input type="checkbox"/> Yes	<input type="checkbox"/> No

15.2 If the answer to the above is yes, and if known, provide the following for each application noted:
File number of the application:
Name of the approval authority considering the application:
Lands affected by the application:
Purpose of the application:
Status of the application:
Effect of the application on the proposed amendment:

Section 16: ALL EXISTING, PREVIOUS AND ADJACENT USE OF THE LAND

16.1 ALL EXISTING USE
<div><input checked="" type="checkbox"/> Residential</div> <div><input type="checkbox"/> Industrial</div> <div><input type="checkbox"/> Commercial</div> <div><input type="checkbox"/> Institutional</div> <div><input type="checkbox"/> Agricultural</div> <div><input type="checkbox"/> Parkland</div> <div><input type="checkbox"/> Vacant</div> <div><input type="checkbox"/> Other</div> <div></div>

16.2 What is the length of time the existing use(s) of the land have continued?

16.3 Are there any buildings or structures on the subject land?
<div><input checked="" type="checkbox"/> Yes</div> <div><input type="checkbox"/> No</div>

If Yes, for each existing building or structure, complete the following:

Type of Building or Structure	Setback from the front lot line (in metres)	Setback from the rear lot line (in metres)	Setback from the side lot line (in metres)	Setback from the side lot line (in metres)	Height (in metres & number of stories)	Dimensions or floor area (in metres)	Date of construction
See sketch							

16.4 ALL PREVIOUS USE
<div><div><input checked="" type="checkbox"/> Residential</div><div><input type="checkbox"/> Industrial</div><div><input type="checkbox"/> Commercial</div><div><input type="checkbox"/> Institutional</div><div><input type="checkbox"/> Agricultural</div><div><input type="checkbox"/> Parkland</div><div><input type="checkbox"/> Vacant</div><div><input type="checkbox"/> Other</div></div> <div></div>

16.5 ALL ADJACENT USE(S)				
	NORTH	SOUTH	EAST	WEST
Residential	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institutional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parkland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other				

16.6 If Industrial or Commercial, specify use

16.7 Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
<div><div><input type="checkbox"/> Yes</div><div><input checked="" type="checkbox"/> No</div><div><input type="checkbox"/> Unknown</div></div>

16.8 Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?
<div><div><input type="checkbox"/> Yes</div><div><input checked="" type="checkbox"/> No</div><div><input type="checkbox"/> Unknown</div></div>

16.9 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
<div><div><input type="checkbox"/> Yes</div><div><input checked="" type="checkbox"/> No</div><div><input type="checkbox"/> Unknown</div></div>

16.10 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
<div><div><input type="checkbox"/> Yes</div><div><input type="checkbox"/> No</div><div><input checked="" type="checkbox"/> Unknown</div></div>

16.11 Have the lands or adjacent lands ever been used as an agricultural operation where pesticides have been applied to the lands?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

16.12 Have the lands or adjacent lands ever been used as a weapons firing range?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

16.13 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational / non-operational public or private landfill or dump?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

16.14 If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

16.15 Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*

- ☐ Yes
- ☐ No
- ☒ Unknown

- Possible uses that can cause contamination include: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. Any industrial use can result in potential contamination. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals which are present.

If previous use of property is industrial or commercial or if the answer was YES to any of the above, please attach a previous use inventory showing all former uses of the land, or if applicable, the land(s) adjacent to the land.

ACKNOWLEDGMENT CLAUSE

I hereby acknowledge that is my responsibility to ensure that I am in compliance with all applicable laws, regulations and standards pertaining to contaminated sites. I further acknowledge that the City of Port Colborne is not responsible for the identification and / or remediation of contaminated sites, and I agree, whether in (or as a result of) any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Port Colborne, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

X 30 Jan 2023
Date

X F. Hoffmann
Signature of Owner

Section 17: NIAGARA PENINSULA CONSERVATION AUTHORITY
Pre-screening Criteria

17.1 Is there land on the property identified in the Official Plan and / or Zoning By-law as “hazard lands”?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

17.2 Is there a watercourse or municipal drain on the property or within 15 metres of the property?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

17.3 Is the property located on or within 30 metres of the Lake Erie shoreline?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

17.4 Is there a valley slope on the property?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown

17.5 Is there known localized flooding or a marsh / bog area on or within 30 metres of the property?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown

X 30 Jan 2023
Date

X F. Hoffman
Signature of Applicant(s)

Please note: If the applicant is not the owner of the subject land or there is more than one owner, written authorization of the owner(s) is required (Complete Form 1) indicating that the applicant is authorized to make application.

I/We Frank Steven Hoffman

Of the City/Town/Township of Port Colborne

In the County/District/Regional Municipality of Niagara

solemnly declare that all the statements contained in this application are true, and I/we make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the
City _____ of Port Colborne

In the Niagara Regional Municipality of _____

This 30th day of Jan

A.D. 20 23

[Signature]

A Commissioner, etc.

TO BE SIGNED IN THE PRESENCE OF A
COMMISSIONER FOR TAKING AFFIDAVITS

X F. Hoffman

Signature of applicant(s), solicitor, or authorized agent

Personal information collected on this application will become part of a public record. Any questions regarding this collection should be directed to: City Clerk, Freedom of Information and Privacy Officer: 66 Charlotte Street, Port Colborne, Ontario L3K 3C8 (905) 835-2900 Ext. 106.

AUTHORIZATIONS

LOCATION OF SUBJECT LANDS:

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

John Ikola

(name of agent)
of the City of Welland

to make an application on my/our behalf to the Council or the Committee of Adjustment for the City of Port Colborne for transaction concerning an application for Official Plan Amendment / Zoning By-law Amendment / Consent to Sever / Minor Variance or Permission / Draft Plan of Subdivision or Condominium / Site Plan Control Approval (please circle the appropriate application) in accordance with the *Planning Act*.

Dated at the City of Port Colborne

in the Regional Municipality of Niagara

this 30th day of January 2022

X
Signature of Witness

X F. Hoffmann
Signature of Owner

X
Signature of Witness

X
Signature of Owner

X
Signature of Witness

X
Signature of Owner

This form is only to be used for applications which are to be signed by someone other than the owner or where more than one owner giving authorization to another owner.

If the registered owner is a corporation, in addition to the signatures of the authorized signing officers, the corporate seal must be affixed.

Where the Owner is without a spouse, common-law or legally married, the Owner is required to sign only once. Where the spouse of the Owner is not an owner, the spouse is required to sign. Spouse shall include a common-law spouse as defined within the *Family Law Reform Act*.

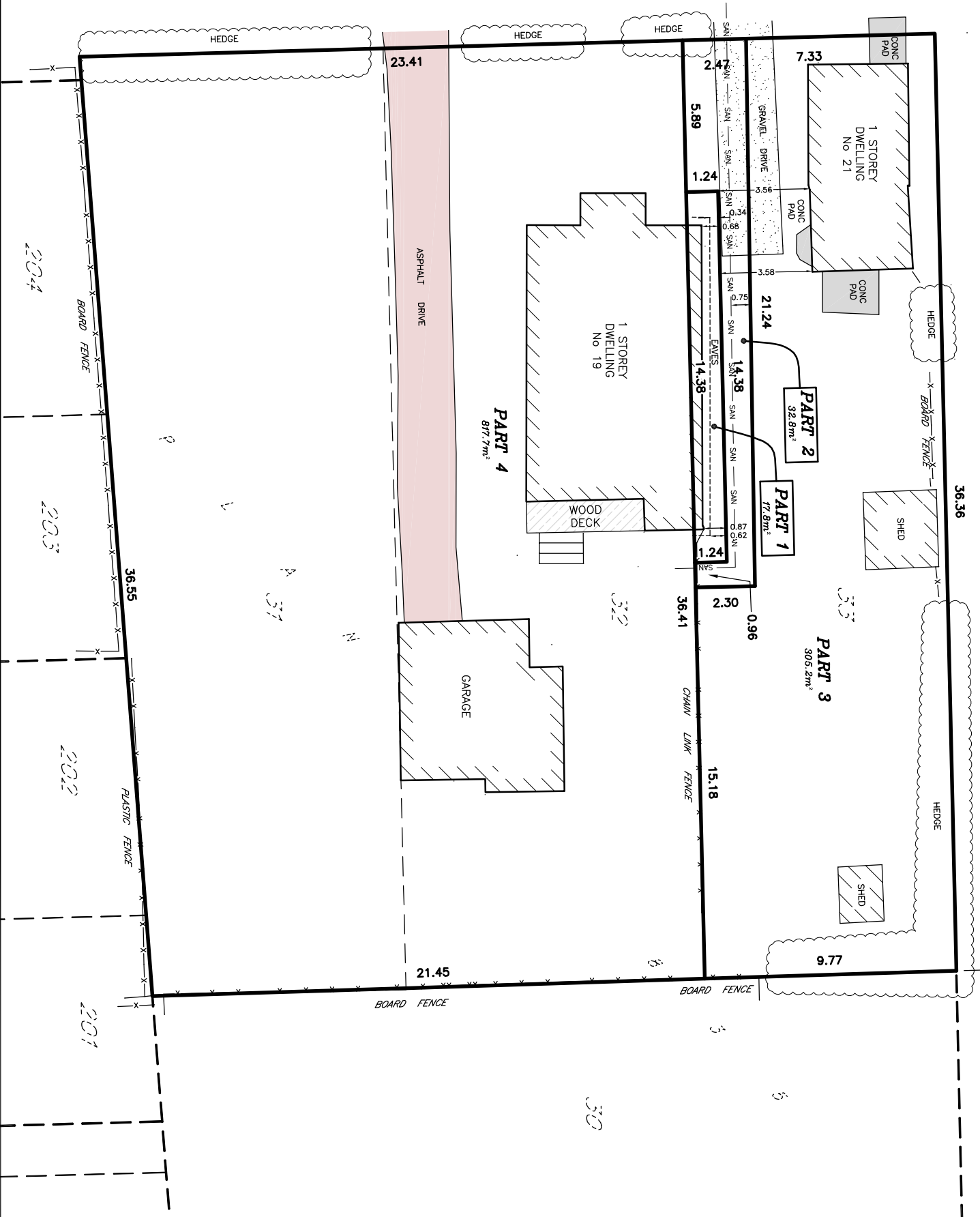
SUGGESTION TO THE APPLICANT

Notice of your application is required for a number of agencies. All written responses will be taken into account before reaching a decision on your application.

Although you are under no obligation to do so, we suggest that you discuss your intentions with the appropriate agencies from the list below before submitting an application. A pre-consultation could provide you with information about the City of Port Colborne Official Plan, the minimum requirements and permitted uses of Zoning By-law 6575/30/18, the Regional Policy Plan, the concerns of various Provincial Ministries and other relevant information which may have a direct effect upon the final decision on your application.

1. Port Colborne Planning and Development Department
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Manager of Planning & Development
(905) 835-2900, Ext. 203
Information on the Port Colborne Official Plan and Zoning Bylaw
2. Port Colborne Engineering & Operations Department
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Director of Engineering & Operations
(905) 835-2900, Ext. 223
Information on Servicing, Lot Grading and Drainage
3. Port Colborne Building Division
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Chief of Building
(905) 835-2900, Ext 201
Information about the Building Code
4. Region of Niagara Public Works Department
Planning and Development Department
1815 Sir Isaac Brock Way, Thorold, Ontario L2V 4T7
(905) 980-6000, Ext. 3727
Information about the Regional Policy Plan, Agriculture, Public Works & Regional Health, and for concerns regarding Provincial Policy and Ministry responsibilities
5. The Niagara Peninsula Conservation Authority
250 Thorold Road West, Welland, Ontario L3C 3W2
Watershed Planner
(905) 788-3135, Ext 272
For information about lands which may be zoned as "Hazard" in the local zoning by law, lands adjacent to watercourses, Lake Erie or flood plains
6. Ministry of Transportation of Ontario
Corridor Management Section
159 Sir William Hearst Ave, 7th Floor, Toronto, Ontario M3M 1J8
For information about sight plan applications for lands fronting onto provincial Highways
7. Ministry of Transportation of Ontario
Corridor Management Section
1201 Wilson Avenue, Bldg D, 7th Floor, Downsview, ON, M3M 1J8
1-866-636-0663
For information about official plan amendments, consents, re-zonings, and other inquiries for lands fronting onto provincial highways
8. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement* (PPS) available for download (On-line) at: <http://www.mah.gov.on.ca>
Under "Your Ministry" – Land Use Planning – Provincial Policy Statement

MAIN STREET EAST (23.12m WIDE) REGIONAL ROAD No 3



NOTE: SUBJECT AND ADJOINING LANDS ARE RESIDENTIAL

NOTE: PART 1 TO BE SEVERED FROM PART 2 & 3 AND MERGE WITH PART 4

NOTE: PART 2 IS A PROPOSED EASEMENT OVER PART 3

SKETCH

PREPARED FOR SEVERANCE APPLICATION
21 DOLPHIN STREET

IN THE
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 200 (METRIC)

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JULY 25, 2022

DATE

Donald G. Chambers
DONALD G. CHAMBERS, B. Sc., O.L.S.

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DWG 90362-31_SK FILE 90-362-31

Development and Legislative Services

Planning Division Report

March 3, 2023

Secretary-Treasurer
Port Colborne Committee of Adjustment
66 Charlotte Street
Port Colborne, ON L3K 3C8

Re: Application for Minor Variance A08-23-PC
19 Dolphin Street
Lot 33 Plan 835
Agent: John Ikola
Owner(s): Frank Steven Hoffman

Proposal:

The purpose and effect of this application is to permit a reduced interior side yard setback of 0.68m whereas 1m is required. The minor variance is being requested as a condition of consent for applications B03-23-PC and B04-23-PC.

Surrounding Land Uses and Zoning:

The parcels surrounding the subject lands are zoned Fourth Density Residential (R4) to the north, Mixed Use (MU) to the north, east, and west, and Second Density Residential to the south. The surrounding land uses consist of an apartment to the north, detached dwellings to the north, east, and south, and commercial use to the west.



Official Plan:

The subject property is designated as Highway Commercial in the City's Official Plan. Residential uses are permitted under this designation.

Zoning:

The subject property is zoned R2 in accordance with Zoning By-Law 6575/30/18. Residential uses are permitted uses in this zone.

Environmentally Sensitive Areas:

The subject property does not contain any environmentally sensitive areas.

Public Comments:

Notice was circulated on February 24th, 2023 as per Section 45 (5) of the Planning Act. As of March 3rd, 2023, no comments from the public have been received.

Agency Comments:

Notice was circulated on February 8th, 2023. As of March 3rd, 2023, the following comments have been received.

Drainage Superintendent

There are no comments regarding municipal drain for these applications.

Fire Department

No objection to the proposed application.

Engineering Technologist

No objection to the proposed application.

Planning Act – Four Tests:

In order for a Minor Variance to be approved, it must meet the four-part test as outlined under Section 45 (1) of the Planning Act. These four tests are listed and analyzed below.

Is the application minor in nature?

Staff finds the requested variance to be minor in nature. The decrease in the required side yard setback is necessary to ensure that the neighboring driveway of 19 Dolphin Street is entirely contained within the property boundaries. In order to meet the 1m setback requirement, the driveway would partially be located on the property of 21 Dolphin Street. The interior side yard setback requirement is meant to ensure adequate spacing between dwellings. The dwellings at 21 and 19 Dolphin Street are currently existing and the spacing between them is not proposed to be reduced.

Is it desirable for the appropriate development or use of the land, building, or structure?

The proposal is desirable and appropriate as the application is being requested as part of a lot boundary adjustment to address the encroaching dwelling of 19 Dolphin Street over the property line of 21 Dolphin Street. In conjunction with applications B03-23-PC and B04-23-PC, these applications will serve to address a lot line dispute and ensure that each dwelling is entirely

located within its boundaries. The reduced setback is also necessary to ensure that the gravel driveway located at 19 Dolphin Street is entirely located within its property boundaries.

Is it in keeping with the general intent and purpose of the Zoning By-law?

Staff finds this application to be in keeping with the general intent and purpose of the Zoning By-law. Sideyard setbacks intend to ensure that suitable spacing can be provided between dwellings. Since the dwellings are currently existing and the spacing is not proposed to be reduced, Planning Staff do not have any concerns. Furthermore, sideyard setbacks intend to ensure that the properties will have a suitable amount of drainage. The Engineering Technologist has reviewed the application and has no concerns with the proposal.

Is it in keeping with the general intent and purpose of the Official Plan?

The Official Plan permits residential uses and boundary adjustments in the Highway Commercial designation. Staff finds this variance application meets the general intent and purpose of the Official Plan.

Recommendation:

Given the information above, Planning Staff recommends application A05-23-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**

Prepared by,



Chris Roome, BURPI
Planner

Submitted by,



Denise Landry, MCIP, RPP
Chief Planner

From: [Alana VanderVeen](#)
To: [Diana Vasu](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 9, 2023 3:37:00 PM

Hello Diana

There are no comments regarding municipal drains on these applications.

Alana

From: [Charles Turpin](#)
To: [Diana Vasu](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 10, 2023 8:37:08 AM

Diana

Port Colborne Fire has no objections to the application A07-23-PC A08-23-PC B03-23-PC & B04-23-PC

Charles Turpin CFEI, CCFI-C
Fire Prevention Officer
City of Port Colborne

Phone 905-834-4512 Ext. 404

Email Charles.turpin@portcolborne.ca
3 Killaly St W
Port Colborne, ON L3K 6H1

www.portcolborne.ca



PORT COLBORNE



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www.portcolborne.ca

Charles Turpin
Fire Prevention Officer

City of Port Colborne

Port Colborne, ON
Phone 905-834-4512 x
Email Charles.Turpin@portcolborne.ca

From: [Nicholas Olschansky](#)
To: [Diana Vasu](#)
Cc: [Chris Roome](#)
Subject: RE: Notices of Hearing - March 8 COA
Date: February 27, 2023 11:36:31 AM

Hi Diana,

Please see my comments below.

A04-23-PC – 697 Barrick Road

- No comments

A05-23-PC – 427 Steele Street

- No comments

A06-23-PC – 193 Main Street West

- City of Port Colborne Municipal Consent required for alterations to existing site servicing (sanitary, storm, & water services) within the regional road allowance
 - For your convenience, I have included the link to the City's Municipal Consent Permits page below

https://www.portcolborne.ca/en/living-here/municipal-consent-permits.aspx?_mid_=78499

- Niagara Region permits required for works within the Main Street West regional road allowance
 - For your convenience, I have included the link to the Niagara Region Road Use Permit Application Forms page below

<https://www.niagararegion.ca/living/roads/permits/default.aspx>

A07-23-PC – 21 Dolphin Street

- No comments

A08-23-PC – 19 Dolphin Street

- No comments

B03-23-PC – 21 Dolphin Street

- No comments

B04-23-PC – 19 Dolphin Street

- No comments

Cheers,
Nick



www.portcolborne.ca

Nicholas Olschansky
Engineering Technologist
City of Port Colborne

Port Colborne, ON

Phone 905-835-2900 x226

Email Nicholas.Olschansky@portcolborne.ca