



## City of Port Colborne

Municipal Offices  
66 Charlotte Street  
Port Colborne, Ontario  
L3K 3C8  
[www.portcolborne.ca](http://www.portcolborne.ca)

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### Planning and Legislative Services

#### Planning Division Report

June 9th, 2023

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

**Re: Application for Consent B06-23-PC**  
**336 Sugarloaf Street**  
**Part of Lot 81, Block D on Plan 776**  
**Agent: N/A**  
**Owner(s): John Truong**

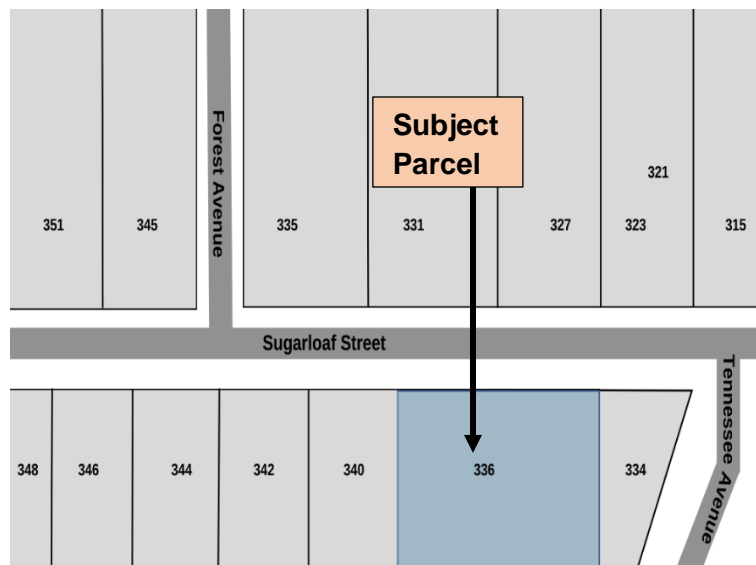
#### Proposal:

The purpose of this application is to permit the severance of the vacant parcel at 336 Sugarloaf Street, for the purpose of creating a new lot. Parts 1 and 2 (See appendix A) will both have a lot frontage of 16.76m and a lot area of 766.2m<sup>2</sup>, for future residential uses.

#### Surrounding Land Uses and Zoning:

The parcels surrounding the subject lands are zoned First Density Residential (R1) to the north, south, east, and west. The surrounding uses consist of single detached dwellings to the north, south, east, and west.

#### Environmentally Sensitive Areas:



The subject lands do not contain any environmentally sensitive areas.

### **Public Comments:**

Notice was circulated on May 31<sup>st</sup>, 2023, to adjacent landowners within 60m of the subject property as per Section 53 (5) of the Planning Act. As of June 9<sup>th</sup>, 2023, no correspondence from the public has been received.

### **Agency Comments:**

Notice was circulated on May 15<sup>th</sup>, 2023, to internal staff and agencies. As of June 9<sup>th</sup>, 2023, the following has been received.

#### Drainage Superintendent

There are no concerns regarding municipal drains for this application.

#### Fire Department

Port Colborne Fire has no objection to the proposed application.

#### Engineering Technologist

A master lot grading plan is recommended to ensure that the severed parcels will drain independently and without adversely affecting the adjacent property. A municipal consent permit will also be required for work within the City right-of-way (construction of entrances, site servicing, etc.).

#### Staff Response

Planning Staff will add, as a condition of consent, that a master grading plan be submitted to the satisfaction of City Staff.

### **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 that efficiently use land and resources.

Staff is satisfied that the proposed consent is consistent with the PPS. The application efficiently uses land and resources by providing a buildable lot and promoting growth within the settlement area.

The Growth Plan also directs development to settlement areas. The subject parcel is located within a “Delineated Built-up Area” where intensification is generally encouraged. The Growth Plan Policies support 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 support a range and mix of housing options, including additional residential units and affordable units, to serve all sizes, incomes, and ages of households.

Staff is satisfied that the proposed consent application conforms to the Growth Plan. The proposed application supports and encourages development in the delineated built-up area, as this will contribute to intensification. The existing lot is vacant, therefore the application is sought to promote development in a delineated built-up area within the urban boundary.

The Niagara Official Plan (NOP), identifies the subject lands as within the “Urban Area Boundary” and “Built-up Area”. Intensification is generally encouraged throughout the Built-up Area and includes residential uses that make efficient use of existing services.

Planning Staff is satisfied that the proposed consent application conforms to the NOP. The proposed lots add to the intensification of the built-up area and make efficient use of the existing infrastructure and services. The application promotes intensification through development within an established Built-up area, where municipal roads and servicing are present. The retention of residential uses on the subject property aligns with the Region’s encouragement of intensification, through developing residential uses that are efficiently supported by existing infrastructure and servicing.

#### City of Port Colborne Official Plan

The subject property is designated as Urban Residential in the City’s Official Plan (OP). This designation permits residential uses and the creation of new residential lots and intensification is encouraged.

Proposals for the creation of new lots are assessed by the policies of Section 3.2.4 of the OP, which requires that severance applications must be submitted with an Ontario Land Surveyors Sketch and that each parcel has frontage on a public road. This section also provides for the collection of parkland dedication as a result of lot creation. Staff has established that parkland dedication fees are required to be collected before a building permit can be issued, and as such, Staff will include a condition that the applicant signs the City’s Memorandum of Understanding, stating that they are aware of the requirements for the collection of parkland dedication as set out in by-law number 4748/130/05.

Proposals for the creation of new lots are assessed by the policies of Section 3.2.4 of the OP. Staff is satisfied that the proposal meets the relevant criteria. An Ontario Land Surveyor sketch has been submitted and the severed and retained lot will have frontage on a public road.

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

The subject lands are zoned First Density Residential (R1) under Zoning By-law 6575/30/18. The proposed severance will leave the following dimensions.

Part 1: A lot frontage of 16.76m and a lot area of 766.2m<sup>2</sup>

Part 2: A lot frontage of 16.76m and a lot area of 766.2m<sup>2</sup>.

R1 zoning permits detached dwellings and accessory structures and buildings thereto. The minimum lot creation policies for a detached dwelling are 15m of lot frontage and 500m<sup>2</sup> of total lot area. From the information above and on Appendix A, the proposal indicates that these minimum requirements will be exceeded.

Staff is satisfied that the proposed application will meet the requirements of the Zoning By-law. The proposed lots on Parts 1 and 2 do exceed the zone requirements for lot frontage and area, and as a result, a future detached dwelling(s) can be located in a suitable location on the subject property.

#### **Recommendation:**

Given the information above, Planning Staff recommends application B06-23-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 \$216 payable to the City of Port Colborne is submitted to the Secretary-Treasurer.
3. That the applicant signs the City of Port Colborne's standard "Memorandum of Understanding" explaining that development charges and cash-in-lieu of the dedication of land for park purposes, based on an appraisal, at the expense of the applicant, wherein the value of the land is to be determined as of the day before the issuance of a building permit, is required prior to the issuance of a building permit pursuant to Section 42 of the Planning Act, R.S.O 1990, as amended.
4. That the applicant submits a master grading plan to the satisfaction of City Staff.

5. That all conditions of consent be completed by June 14th, 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 'C. 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 'D. Landry', with a horizontal line drawn underneath the signature.

Denise Landry, MCIP, RPP  
Chief Planner

## Appendix A

