
Development and Legislative Services

Planning Division Report

June 9th, 2023

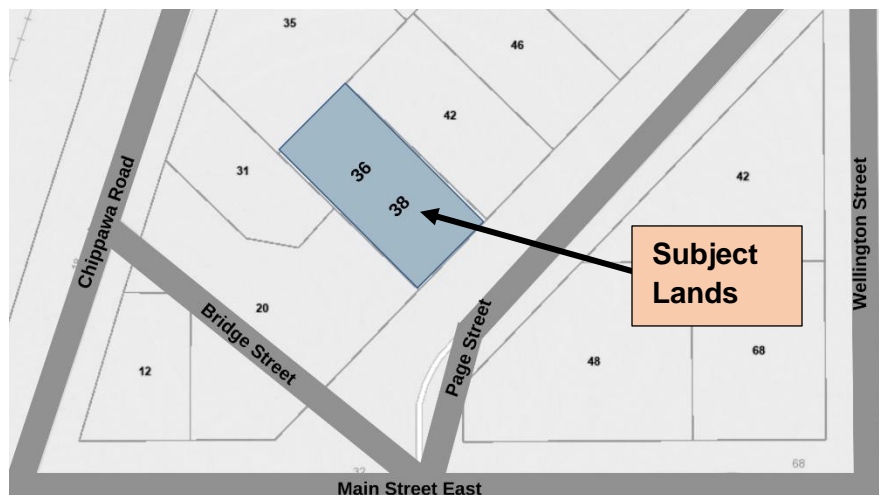
Secretary-Treasurer
Port Colborne Committee of Adjustment
66 Charlotte Street
Port Colborne, ON L3K 3C8

Re: Application for Consent B11-23-PC
36 and 38 Page Street
Lot 19 on Plan 785
Agent: N/A
Owner(s): Andre Gagnon

Proposal:

The proposed application is being requested to permit the severance of Part 1 having a lot frontage of 10.1m and a lot area of 403m² for an existing semi-detached dwelling. Part 2 will also retain a lot frontage of 10.1m and a total lot area of 403m² for an existing semi-detached dwelling on the subject property. From the proposed sketch, attached as Appendix A, the lots will be split by a party wall.

Surrounding Land Uses and Zoning: The parcels surrounding the subject lands are zoned Second Density Residential (R2) to the north, Institutional (I) to the east, and Highway Commercial (HC) to the south, and west. The surrounding land uses consist of



detached dwellings and units to the north, east, south, and west.

Environmentally Sensitive Areas:

The subject property does not contain any environmentally sensitive areas.

Public Comments:

Notice will be circulated on May 31st, 2023, to adjacent landowners within 60m of the subject property as per Section 53 (5) of the Planning Act.

Agency Comments:

Notice was circulated on May 15th, 2023 to internal departments and external agencies. As of May 23rd, 2023, the following comments have been received.

Drainage Superintendent

There are no comments regarding municipal drains for these applications.

Fire Department

No objection to the proposed application.

Engineering Technologist

Final grading does not conform with the proposed grading plan and is currently draining onto adjacent properties.

Staff Response

Planning Staff will add, as a condition of consent, that a revised 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 should efficiently use land and resources.

Staff are satisfied that the proposed consent is consistent with the PPS. The application efficiently uses land and resources as the semi-detached dwellings have a compact form and add to a mix of dwelling types in the area.

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 and support a range and mix of housing types.

Staff is satisfied that the proposed consent application conforms to the Growth Plan. The proposed application addresses an existing semi-detached dwelling and provides for the units to be sold separately, recognizing the diverse needs of communities. This application also supports a range and mix of housing types as the existing semi-detached dwellings are located within a neighborhood that primarily consists of detached dwellings.

The Niagara Official Plan (NOP), designates the subject lands as within the "Urban Area Boundary" and "Built-up Area". Section 2.2.1 of the ROP sets out policies for managing urban growth. Section 2.2.1.1 b) and c) state that development in urban areas should support a compact built form, a mix of land uses, and a diverse range and mix of housing types, units sizes, and densities.

Planning Staff is satisfied that the application conforms to the ROP as the proposed severance supports a range and mix of housing types, and provides for a compact built form that supports the creation of a complete community.

The 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. Staff are satisfied that the proposal meets the relevant criteria. An Ontario Land Surveyor sketch has been submitted and the lots created will have frontage on a public road.

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

The subject lands are zoned Second Density Residential (R2) under Zoning By-law 6575/30/18. The proposed severance will leave the following dimensions.

Part 1: A lot frontage of 10.1m and a lot area of 403m².

Part 2: A lot frontage of 10.1m and a lot area of 403m².

Section 6.5 (K) of the Zoning By-law states that nothing shall prevent the splitting of any lot on which a semi-detached dwelling is erected into 2 parts divided in part by the center line of the common or party wall separating the dwelling units, provided each lot has a minimum lot area of 200m².

As shown on the sketch and noted above, the lot area for each parcel exceeds the minimum lot area required by the zoning by-law. Planning Staff are satisfied that the proposed consent application conforms to the requirements of the zoning by-law.

Recommendation:

Given the information above, Planning Staff recommends application B11-23-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 all conditions of consent be completed by June 14th, 2025.
4. That a revised grading plan be submitted to the satisfaction of City Staff

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,



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Chief Planner

Appendix A

