



PORT COLBORNE

• PLANNING AND DEVELOPMENT DEPARTMENT •

File No. D14-12-24

THE CITY OF PORT COLBORNE
THE PLANNING ACT – SECTION 34.
APPLICATION FOR:

ZONING BY-LAW AMENDMENT

This application form is to be used by persons wishing to amend the Zoning By-law (By-law 6575/30/18, as amended) for the City of Port Colborne. It is also for applications made under Sections 36-Holding Provisions, 37-Increased Density, and 39-Temporary Use.

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
Planning & Development Services Division
City Hall
66 Charlotte Street
Port Colborne, Ontario L3K 3C8
Telephone: 1-905-835-2900
FAX: 1-905-835-2939



It is recommended that a pre-consultation meeting occur with Planning and Development Services prior to submitting the application. To help you complete the application form, please call and make an appointment with the Planning and Development Services Division.

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

In making decisions on planning applications, City Council 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, Regional Plan and the Provincial Policy Statement.

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 City Council to refuse to accept or further consider any application that does not provide the information, material and fees prescribed.

A Zoning By-law Amendment application received by the City of Port Colborne must be reviewed by the Regional Municipality of Niagara and several other regional or provincial agencies. The application fee must be submitted at the time of application as cash or as a certified cheque or a money order payable to *The City of Port Colborne*. Visit the City of Port Colborne's [Planning & Development Website](#) for a full list of planning application fees.

SUPPLEMENTARY INFORMATION REQUESTED TO ASSIST THE CITY

To assist the City of Port Colborne in processing the Zoning By-law Amendment application the following supplementary information / sketches are requested:

Depending on the scope of the requested amendment, one or more copies of plan(s) showing the following should be submitted. This requirement can be clarified by the Planning & Development Services Division.

1. A sketch or sketches showing the following shall be submitted:
 - (a) The boundaries and dimensions of the land.
 - (b) The location, size and type of all existing and 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.
 - (c) The approximate location of all natural and artificial features on the land and on adjacent properties that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
 - (d) The current uses on adjacent properties.
 - (e) The location, width and name of any roads within or abutting the land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
 - (f) If access to the land is by water only, the location of the parking and docking facilities to be used.
 - (g) The location and nature of any easement affecting the land.
 - (h) Parking areas, loading spaces, driveway entrance / exits
 - (i) 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 useable 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. A sketch must be provided with this application. Council MAY require that the sketch be signed by an Ontario Land Surveyor.

APPLICATION FORM AND SKETCH

It is required that ONE copy of this application form be filed with the City of Port Colborne Planning and Development Services Division, together with the sketch (referred to above), accompanied by the appropriate fee per application (By-law 4806/31/06), in cash or by cheque made payable to THE CITY OF PORT COLBORNE.

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 20 days prior to the hearing and must remain in that location until after the hearing is held. If the notice is removed during this 20 day period, the public hearing date may be rescheduled.



PLEASE TYPE OR USE BLACK INK

Section 1: APPLICANT INFORMATION

1. Registered Owner (s):	
Name: Trustees for the Full Gospel Church	
Mailing Address: 484 Barrick Road	
City: Port Colborne	Province: Ontario
Postal Code: L3K4B7	Telephone:
Fax:	Email:

1.2 Owner's SOLICITOR (if applicable)	
Name: Beth Mullin, McKenzie Lake Lawyers LLP	
Mailing Address: 140 Fullarton Street, Suite 1800	
City: London	Province: Ontario
Postal Code: N6A 5P2	Telephone: 519 672 5666 ext. 7324
Fax:	Email: beth.mullin@mckenzielake.com

1.3 Owner's Authorized AGENT (if applicable)	
Name: Dunsire Properties Inc. & Nethery Planning (c/o Denise Landry)	
Mailing Address: 8 Riding Park Pl	
City: Dundas	Province: Ontario
Postal Code: L9H 0B1	Telephone: 289 902 3903 ext. 207
Fax:	Email: denise@netheryplanning.ca

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.

1.5 Date and Subject Land was acquired by the Current Owner:
November 6, 1987

1.6 Owner's ONTARIO LAND SURVEYOR (if applicable)	
Name: Robert McLaren, O.L.S., P.Eng.	
Mailing Address: 69 John St. S., Suite 230	
City: Hamilton	Province: Ontario
Postal Code: L8N 2B9	Telephone: 905 527 8559
Fax:	Email: rmclaren@atmclaren.com

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 OF PROPERTY

Former Municipality: Humberstone	
Concession No. 2	Lot(s): 30
Registered Plan No.	Lot(s):
Reference Plan No.	Part(s):
Name of Street: Barrick Road	Street No. 484

Section 3: EXISTING, PREVIOUS AND ADJACENT USES OF THE SUBJECT LANDS

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

3.2 What is the length of time the existing use(s) of the land have continued?
Since 1997

3.3 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 storeys)	Dimensions or floor area (in metres)	Date of construction
Church	approx. 20m	approx. 285m	approx 23m	approx. 21m	1 storey		1997

3.4 ALL PREVIOUS USE

- ☐ Residential
☐ Industrial
☐ Commercial
☒ Institutional
☐ Agricultural
☐ Parkland
☐ Vacant
☐ Other

3.5 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institutional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input checked="" 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				

3.6 If Industrial or Commercial, specify use

n/a

3.7 Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?

- ☐ Yes
☒ No
☐ Unknown

3.8 Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?

- ☐ Yes
☒ No
☐ Unknown

3.9 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

- ☐ Yes
☒ No
☐ Unknown

3.10 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

- ☐ Yes
☒ No
☐ Unknown

3.11 Have the lands or adjacent lands ever been used as an agricultural operation where pesticides have been applied to the lands?

- ☐ Yes
☐ No
☒ Unknown

3.12 Have the lands or adjacent lands ever been used as a weapons firing range?

- ☐ Yes
☒ No
☐ Unknown

3.13 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?

- ☐ Yes
☒ No
☐ Unknown

3.14 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)?

- ☐ Yes
☒ No
☐ Unknown

3.15 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.

3.16 If there has been industrial or commercial uses on the property or if the answer to 3.6 to 3.15 is "Yes", a previous use inventory is needed. Is a previous use inventory attached?

- ☐ Yes
☒ No

3.17 Are the subject lands (or buildings) designated as architecturally or historically significant under the Ontario Heritage Act?

- ☐ Yes
☒ No
☐ Unknown

3.18 Are there any existing EASEMENTS OR RESTRICTIVE COVENANTS affecting the land?

- ☐ Yes
☒ No

If "Yes" describe the easement or covenant and its effect:

Section 4: ZONING PROPOSAL

PART No. on Sketch_____

4.1 DESCRIPTION

Frontage:87 Depth:no minimum Area:3 acres

Existing Use: **Place of Worship**

Proposed Use: **Place of Worship**

OFFICIAL PLAN AND ZONING

4.2 What is the current designation of the land in the Official Plan and the Regional Plan?

Port Colborne Official Plan: **Urban Residential**

Regional Policy Plan: **Delinated Built-up Area**

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

Institutional

4.4 Describe the nature and extent of the rezoning requested

(For assistance, the details of the proposed rezoning may be described on the table included in Form 2)

The proposed rezoning seeks to add site-specific provisions for minimum lot area and minimum lot frontage to permit future severances, as the existing provisions for these standards are listed as "as existing" in the current Institutional (I) zoning. No changes are proposed to the permitted uses.

4.5 WHY IS THE REZONING REQUESTED?

The rezoning is requested to permit a future severance of the subject lands. The current zoning provisions for minimum lot area and minimum lot frontage are listed as "as existing," which does not allow for future division of the property. Site-specific provisions are needed to enable the creation of appropriately sized lots while maintaining the Institutional (I) zoning and the Environmental Conservation overlay.

4.6 Are any site specific zoning regulations (ie: setbacks, etc.) being requested?

☒ Yes

☐ No

If yes, specify:

Minimum lot area: 1.2 hectares

Minimum frontage: 80 metres

Section 5: PROPOSED USE OF SUBJECT LANDS

5.1 What is the proposed use(s) of the land?

The existing institutional use (place of worship) will be retained on the northern portion of the lands.

5.2 Are there any buildings or structures proposed to be built on the land?

☐ Yes

☒ No

If Yes, for each building or structure, provide the following details:

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)
n/a						

Section 6 PROVINCIAL POLICY PLAN CONFORMITY

Is this application consistent with the Policy Statements issued under Section 3(1) of the Planning Act?

☒ Yes

☐ No

If no, indicated which section of the Policy Statement will not be conformed with:

Section 7 SERVICING

7.1 Type of ACCESS

- ☒ Provincial Highway
- ☐ Regional Road
- ☒ Municipal Road maintained all year
- ☐ Other Public Road
- ☐ Municipal Road maintained seasonally
- ☐ Right-of-Way
- ☐ Water Access
- ☐ Private Road

7.2 What type of WATER SUPPLY is proposed?

- ☒ Publicly owned and operated piped water supply
- ☐ Lake
- ☐ Well (private or communal)
- ☐ Other (specify)

7.3 What type of SEWAGE DISPOSAL is proposed?

- ☒ Publicly owned and operated sanitary sewage system
- ☐ Septic system (private or communal)
- ☐ Other (specify)

7.4 What type of STORMWATER DISPOSAL is proposed?

- ☒ Publicly owned and operated stormwater system
- ☐ Other (specify)

7.5 Are the water, sewage or road works associated with the proposed development subject to the provisions of the *ENVIRONMENTAL ASSESSMENT ACT*?

- ☐ Yes
- ☒ No

If Yes, will the notice of public meeting for this application be modified to state that the public meeting will address the requirements of both the Planning Act and the Environmental Assessment Act?

- ☐ Yes
- ☒ No

Section 8: STATUS OF OTHER APPLICATIONS

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

Consent	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Site Plan	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

8.2 If the answer to the above is yes, and if known, provide the following for each application noted:

File number of the application: **n/a**

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:

8.3 Has the land ever been the subject of an application under Section 45 of the Planning Act (Committee of Adjustment for MINOR VARIANCE OR PERMISSION)?

☐ Yes

☒ No

If Yes, describe briefly: (include file number, if known)

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 May 9, 2025

Date

X Denise Pandy

Signature of Owner

Section 9: NIAGARA PENINSULA CONSERVATION AUTHORITY

Pre-screening Criteria

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

☐ Yes

☒ No

☐ Unknown

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

- ☐ Yes
☒ No
☐ Unknown

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

- ☐ Yes
☒ No
☐ Unknown

9.4 Is there a valley slope on the property?

- ☐ Yes
☒ No
☐ Unknown

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

- ☐ Yes
☒ No
☐ Unknown

X

Date

X

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 Denise Landry
Of the City/Town/Township of St. Catharines
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 Region of Niagara

This 9th day of May

A.D. 2021 25

Taya Hope Taraba, a Commissioner, etc.,
Province of Ontario, for the Corporation
of the City of Port Colborne.
Expires January 31, 2027.

Taya Taraba

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

X Denise Landry
Denise Landry

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