

Application A12-25-PC

August 20, 2025

**IN THE MATTER OF** the *Planning Act*, R.S.O., 1990, c.P.13, as amended, and Section 2.8.1 (a) (ii) and Section 2.8.2 (b), of the City of Port Colborne Zoning By-law 6575/30/18, as amended;

**AND IN THE MATTER OF** the lands legally known as Concession 1, Part Lot 2, in the City of Port Colborne, located in the Rural Residential (RR) zone, municipally known as 307 Pleasant Beach Road;

**AND IN THE MATTER OF AN APPLICATION** by the owner, Aldo Ariganello, 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 an increase in lot coverage and height for a new accessory dwelling structure, notwithstanding the following:

1. That a maximum height of 6.4m be permitted, whereas a maximum height of 6m is required;
2. That a maximum floor area for the accessory dwelling unit of 45% be permitted, whereas a maximum floor area of 40% is required.

The Committee of Adjustment **approves** application A12-25-PC for the following reasons:

1. **It is minor in nature** as the accessory building is proposed to be set further back from the road than the main dwelling, which will reduce the visual impact of the increased height.
2. **It is appropriate for the development of the site** as the applicant is currently proposing to use the building as a garage, with the hope of converting the second storey into an accessory dwelling unit, which will provide another unit to the housing supply.
3. **It is desirable and in compliance with the general intent and purpose of the Zoning By-law** as this lot is large enough to accommodate a building of this height without appearing overdeveloped.
4. **It is desirable and in compliance with the general intent and purpose of the Official Plan** as the subject lands are within the Rural designation in the OP, in which residential uses that can be supported by private servicing, including accessory buildings and accessory dwelling units, are permitted in the Rural designation.

**NOTE: No public comments were received during the decision-making process.**

**DATED AT PORT COLBORNE this 13<sup>th</sup> of August 2025.**

**DECISIONS SIGNED:**

	"Angie Desmarais"		"Eric Beauregard"		"Gary Bruno"
Signature of Committee Chair	Signature of Committee Member	Signature of Committee Member	Signature of Committee Member	Signature of Committee Member	Signature of Committee Member
Dan O'Hara	Angie Desmarais	Dave Elliott	Eric Beauregard		Gary Bruno

**THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO LAND  
TRIBUNAL MAY BE FILED IS:**

**4:30 p.m. on September 2, 2025**

The Decision of the Committee of Adjustment, when not appealed, does not become final and binding until **20 days** from the making of the decision has elapsed as set out in subsection (12) of section 45 of the *Planning Act, R.S.O. 1990, c.P.13*, as amended.

## **Appeal to the Ontario Land Tribunal**

Take notice that an appeal to the Ontario Land Tribunal in respect to all or part of this application may be made by filing a notice of appeal with the City Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting Port Colborne (City) as the Approval Authority or by mail, 66 Charlotte Street, Port Colborne, no later than 4:30 p.m. on April 29, 2025. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$400 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at [www.olt.gov.on.ca](http://www.olt.gov.on.ca). If the e-file portal is down, you can submit your appeal to [planningappeals@portcolborne.ca](mailto:planningappeals@portcolborne.ca).

### **Appeals should be directed to:**

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