

Application A04-25-PC

April 14, 2025

IN THE MATTER OF the *Planning Act, R.S.O., 1990, c.P.13*, as amended, and Section 3.1.1 and 7.5 (a) (c) (g) of the City of Port Colborne Zoning By-law 6575/30/18, as amended;

AND IN THE MATTER OF the lands legally known as Plan 283 Part Lot 16 New Plan 849, in the City of Port Colborne, located in the Third Density Residential (R3) zone, municipally known as 178 Mitchell Street;

AND IN THE MATTER OF AN APPLICATION by the agent, Carol Moroziuk, on behalf of the owner, Mohan Narain, 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 additional dwelling unit, notwithstanding the following:

1. That no parking space per dwelling unit be permitted, whereas 1.25 parking spaces per dwelling unit are required;

2. That a minimum lot frontage of 11.23m be permitted, whereas a minimum lot frontage of 18m is required;

3. That a minimum front yard setback of 3.4m be permitted, whereas a minimum front yard setback of 9m is required;

4. That a maximum lot coverage of 41% be permitted, whereas a maximum lot coverage of 40% is required.

The Committee of Adjustment recommend that Variance 1 in application **A04-25-PC** be **denied** for the following reasons:

1. It is minor in nature.

2. It is appropriate for the development of the site.

3. It does not maintain the general intent and purpose of the Zoning By-law.

4. It does not maintain the general intent and purpose of the Official Plan.

The Committee of Adjustment recommend that Variance 2, 3, and 4 in application **A04-25-PC** be **granted** for the following reasons:

1. They are minor in nature.

2. They are appropriate for the development of the site.

3. They maintain the general intent and purpose of the Zoning By-Law.

4. They maintain the general intent and purpose of the Official Plan.

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

DATED AT PORT COLBORNE this 9th of April 2025.

DECISIONS SIGNED:

“Dan O’Hara”	“Angie Desmarais”	“Dave Elliot”	“Eric Beauregard”	“Gary Bruno”
Signature of	Signature of	Signature of	Signature of	Signature of
Committee	Committee	Committee	Committee	Committee
Chair	Member	Member	Member	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 April 29, 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. If the e-file portal is down, you can submit your appeal to 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