

Application A11-25-PC

May 23, 2025

IN THE MATTER OF the *Planning Act, R.S.O., 1990, c.P.13*, as amended, and Section 11.3 (g), Section 2.8.2 (b), and Section 2.8.1 (a) (ii), of the City of Port Colborne Zoning By-law 6575/30/18, as amended;

AND IN THE MATTER OF the lands legally known as Lot 38 on Plan 52, New Plan 811, in the City of Port Colborne, located in the Lakeshore Residential (LR) zone, municipally known as 3611 Firelane 12;

AND IN THE MATTER OF AN APPLICATION by the agent, Craig Esposti, on behalf of the owner, Danny Leon, 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 the new accessory residential dwelling, notwithstanding the following:

1.

That the maximum residential lot coverage of 19.7% be permitted, whereas a maximum lot coverage of 15% is required;
2.

That a maximum accessory lot coverage of 5.9% be permitted, whereas a maximum lot coverage of 5% is required;
3.

That a maximum height of 7.2m be permitted, whereas a maximum height of 6m is required;
4.

That a minimum interior side yard setback of 2.9 metres be permitted, whereas a minimum interior side yard setback of 3 metres is permitted.

The Committee of Adjustment recommend that application A11-25-PC be **deferred** to a future Committee of Adjustment hearing for the following reasons:

1.

The proposal is revised to ensure the addition is no longer proposed on an unstable portion of the slope, to the satisfaction of the NPCA staff.
2.

A Stage 1-2 Archaeological Assessment is completed;
3.

A Tree Preservation Plan is completed; and
4.

An inspection is completed to determine whether the existing private sanitary service can accommodate the proposal, and if the existing system will not suffice, a new design of the septic system, to the satisfaction of Regional staff;

For the following reasons:

1.

While the proposed variances are minor in nature and desirable for the appropriate development of the site, the proposed variances do not maintain the general intent and purpose of the Zoning By-law or Official Plan at this time.

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

DATED AT PORT COLBORNE this 14th of May 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