

**Application B15-23-PC**

**May 26, 2025**

**IN THE MATTER OF** the *Planning Act, R.S.O., 1990, c.P. 13, Section 53 (1)*;

**AND IN THE MATTER OF** the lands legally known as Lot 8 on Plan 229, New Plan 848, in the City of Port Colborne, located in the Fourth Density Residential (R4) zone, municipally known as 95 Victoria Street;

**AND IN THE MATTER OF AN APPLICATION** by owner Julie Cule, for consent to sever for the purposes of creating a new residential lot. The subject parcels are shown as Parts 1 and 2 on the proposed sketch, where Part 2 is to be retained for an existing residential use, and Part 1 is to be severed for a future residential use. A sketch of the subject lands is shown on the reverse side of this notice. More information, such as a higher resolution PDF version of the sketch, can be requested through the Secretary-Treasurer.

Given the information above, the Committee of Adjustment recommend application **B15-23-PC** be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds for the conveyance of the subject parcel with a registrable legal description of the subject parcel, and a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
2. That minor variance applications A05-25-PC and A06-25-PC be approved.
3. That a final certification fee of \$400 payable to the City of Port Colborne is submitted to the Secretary-Treasurer.
4. That the applicant receive acceptance from the Ministry of Citizenship and Multiculturalism (MCM) for the Stage 1-2 Archaeological Assessment, prepared by TMHC Inc. (dated May 27, 2024), or, if applicable, for the further archaeological work submitted to and acknowledged by the Ministry, with a copy of the MCM acceptance letter being provided to Planning staff.
5. That the fencing that encroaches on the easterly side yard be removed.
6. That the shed located on Part 1 of the sketch be removed.
7. That the overhead utility lines be moved, to not encroach on Part 1.
8. That confirmation that all water and wastewater is located on Part 2.
9. That all conditions of consent be completed by April 9, 2027.

For the following reasons:

1. The application is consistent with the Provincial Planning Statement and conforms to the Niagara Official Plan, City of Port Colborne Official Plan, will comply with the provisions of Zoning By-law 6575/30/18, as amended.

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

**DATED AT PORT COLBORNE this 14<sup>th</sup> of May 2025.**

**DECISIONS SIGNED:**

"Dan O'Hara"	"Angie Desmarais"	"Dave Elliot"	"Eric Beauregard"	"Gary Bruno"
Signature of Committee Chair	Signature of Committee Member	Signature of Committee Member	Signature of Committee Member	Signature of Committee Member
<b>Dan O'Hara</b>	<b>Angie Desmarais</b>	<b>Dave Elliott</b>	<b>Eric Beauregard</b>	<b>Gary Bruno</b>

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

**4:30 p.m. on June 16, 2025**

The Decision of the Committee of Adjustment, when not appealed, does not become final and binding until **20 days** from the giving of the notice has elapsed as set out in subsection (21) of section 53 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 May 5, 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).

**Legal Notice  
Ontario Regulation 197/96**

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

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

Secretary-Treasurer  
Port Colborne Committee of Adjustment  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, Ontario L3K 3C8  
Telephone: (905)-228-8124