

Application A15-25-PC

October 14, 2025

IN THE MATTER OF the *Planning Act, R.S.O., 1990, c.P.13*, as amended, and Section 2.8.1 (a) (iii) 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 3, formerly in the township of Humberstone, currently in the City of Port Colborne, located in the Rural (RU) zone, municipally known as 700 Pleasant Beach Road.

AND IN THE MATTER OF AN APPLICATION by the owners, Jennie and Brandon Marlatt, 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 construction of a new accessory structure, notwithstanding the following:

1. That an accessory building be permitted within the front yard, where the building is otherwise unpermitted to be located.

That the Committee of Adjustment recommend application **A15-25-PC** be **granted** for the following reasons:

1. **The application is minor in nature** as the property is currently being used in an agricultural capacity and the proposed building will provide shelter to several livestock.
2. **It is appropriate for the development of the site** as the variance has been requested to facilitate the construction of an accessory building on a property in the Rural zone and the lot is large in size and the main dwelling is located more than 200m from the road, leaving significant front yard (which is partially used as pasture).
3. **It is desirable and in compliance with the general intent and purpose of the Zoning By-law** as the intent of the policy to restrict front and side yard accessory structures is focused on smaller lots, or where dwellings are located close to the road. In these situations, sheds and other accessory buildings located in the front yard are undesirable, however, the proposed development maintains the general intent of the provision as the lot is large enough and the dwelling is sufficiently set back.
4. **It is desirable and in compliance with the general intent and purpose of the Official Plan** as both the Agricultural and Rural designations in the City’s Official Plan and Agricultural activities are a permitted use. Buildings accessory to residential uses are permitted in the Rural and Agriculture designations.

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

DATED AT PORT COLBORNE this 8th day of October 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
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 October 28, 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