

Application A13-25-PC

September 18, 2025

IN THE MATTER OF the *Planning Act, R.S.O., 1990, c.P.13*, as amended, and Section 16.3 (g) and Section 16.3 (e), 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 3, Part Lot 23, in the City of Port Colborne, located in the Agricultural Residential (AR) zone, municipally known as a Vacant Lot on the corner of Concession 2 Road and Snider Road;

AND IN THE MATTER OF AN APPLICATION by the owner, William Kemp, 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 corner side-yard setback for a new residential dwelling and accessory structure, notwithstanding the following:

1. That a maximum lot coverage of 22.5% be permitted, whereas a maximum lot coverage of 10% is permitted;
2. That a minimum corner side-yard setback of 5.67m for the new residential dwelling be permitted, whereas a minimum of 7.5m be required;

That the Committee of Adjustment recommend application **A13-25-PC** be **granted** for the following reasons:

1. **The applications are minor in nature** as the requested lot coverage is a result of proposing a dwelling that is of a similar size to existing dwellings in the neighbourhood on a smaller lot and the decrease in minimum corner side yard is due to the proposed design of the house, treating the side yard as the front yard.
2. **They are appropriate for the development of the site** as the requested increase in lot coverage and decrease in corner side yard setback are to facilitate the construction of the house.
3. **They are desirable and in compliance with the general intent and purpose of the Zoning By-law** as the dwelling is similar in size to neighbouring dwellings and the dwelling is set far enough back from the road intersection, maintaining adequate visibility.
4. **They are desirable and in compliance with the general intent and purpose of the Official Plan** as the subject lands are within the Agricultural designation in the Official Plan. Residential uses, including single detached dwellings, are permitted in the Agricultural designation.

NOTE: Public comments were received during the decision-making process.

DATED AT PORT COLBORNE this 10th of September 2025.

DECISIONS SIGNED:

"Dan O'Hara"		"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 September 30, 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