

Application A14-25-PC

September 18, 2025

IN THE MATTER OF the *Planning Act, R.S.O., 1990, c.P.13*, as amended, and Section 2.8.1 (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 Concession 4, Part Lot 31, in the City of Port Colborne, located in the Agricultural (A) zone, municipally known as 3334 Nugent Road.

AND IN THE MATTER OF AN APPLICATION by the owner, Colette Gravel-Willie, 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 height for a new accessory structure, notwithstanding the following:

1. That a maximum height of 8.1m be permitted, whereas a maximum height of 6m is required;

That the Committee of Adjustment recommend application **A14-25-PC** be **granted** for the following reasons:

1. **The applications are minor in nature** as the accessory building is to be set back further from the road than the main dwelling, which will reduce the visual impact of the increased height.
2. **They are 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 Agricultural zone, which typically features larger accessory buildings.
3. **They are desirable and in compliance with the general intent and purpose of the Zoning By-law** as the proposed development maintains the general intent and purpose of this provision as the lot is large enough to accommodate the building.
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. Buildings accessory to residential uses are permitted in the Agricultural designation.

NOTE: No 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		Signature of		Signature of		Signature of	
Committee		Committee		Committee		Committee	
Chair		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 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