



Members Present: Dan O'Hara, Angie Desmarais, Eric Beauregard, Gary Bruno,  
Donna Kalailieff

Staff Present: David Schulz, Senior Planner  
Chris Roome, Planner / Acting Secretary-Treasurer

The meeting was called to order at approximately 6:00pm by Chair Dan O'Hara.

1. Disclosures of Interest:

Nil.

2. Requests for Deferrals or Withdrawals of Applications:

Application A33-21-PC was deferred until the March 9<sup>th</sup> hearing.

3. New Business

**i) Application: B04-22-PC**

Action: Consent  
Agent: Paul Fehrman  
Owner: David Crawford  
Location: 1305 Highway 3

The Secretary-Treasurer read the correspondence received for this application.

The applicant did not provide any further information.

No questions or comments were made by the Committee.

That consent application **B04-22-PC** be **GRANTED** subject to the following conditions:

1. That a drainage apportionment agreement be completed by the City's Drainage Superintendent or by an approved engineer at the cost of the applicant. A copy of the deposited plan must be delivered to the Drainage Superintendent through the planning department for the apportionment agreement to be completed.

2. That the applicant provides the Secretary-Treasurer with the deeds in triplicate for conveyance of the subject parcel or a registrable legal description of the subject parcel, together with a paper copy and electronic copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
3. That a final certification fee of \$216 payable to the City of Port Colborne be submitted to the Secretary-Treasurer.
4. That Part 2 merges with Part 3.
5. Pursuant to Section 50(12) of The Planning Act, R.S.O. 1990, it is hereby stipulated that Section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving the identical subject parcel of land.

For the following reasons:

1. The application conforms to Provincial Policy Statement, the policies of the Regional Official Plan, City of Port Colborne Official Plan and will also comply with the provisions of Zoning By-law 6575/30/18, as amended.
2. This decision is rendered having regard to the provisions of subsection 51(24) of the Planning Act. R.S.O. 1990, c.P.13

Motion: Gary Bruno                      Seconded: Eric Beauregard

Carries: 5-0

**ii)      Application: A01-22-PC**

Action: Minor Variance  
Agent: N/A  
Owner: Miles Tonnies  
Location: V/L Franklin Ave

The Secretary-Treasurer read all the correspondence received for this application.

The owner did not provide any additional comments.

Member Bruno asked staff if a deck would be permitted on the property.

Mr. Roome responded that they would likely require another variance.

The Chair asked staff what the maximum lot coverage is on the property.

Mr. Roome responded that the maximum lot coverage is 40%.

The Chair reminded the applicant that if they want to build and structures or additions in the future, another variance would be required.

That minor variance application **A01-22-PC** be **granted** for the following reasons:

1. **Minor in nature** as the requested variances are considered reasonable and measured requests.
2. **Appropriate for development of the site** as the dwelling is located in a suitable location on the site.
3. **Desirable and in compliance with the general intent and purpose of the Zoning By-Law** as the majority of the requirements of the by-law have been satisfied.
4. **Desirable and in compliance with the general intent and purpose of the Official Plan** as detached dwellings are permitted in the Urban Residential designation.

Motion: Eric Beauregard

Seconded: Angie Desmarais

Carried: 5-0

**iii) Application: B05-22-PC**

Action: Consent

Agent: N/A

Owner: Peter Smith and Donna Bonato

Location: V/L Firelane 3

The Secretary-Treasurer read all the correspondence received for this application.

The applicant did not provide any further comments at this time.

There were no additional questions from the Committee.

That consent application **B05-22-PC** be **GRANTED** subject to the following conditions:

1. That a drainage apportionment agreement be completed by the City's Drainage Superintendent or by an approved engineer at the cost of the applicant. A copy of the deposited plan must be delivered to the Drainage Superintendent through the planning department for the apportionment agreement to be completed.
2. That the applicant provides the Secretary-Treasurer with the deeds in triplicate for conveyance of the subject parcel or a registrable legal description of the subject parcel, together with a paper copy and electronic copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
3. That a final certification fee of \$216 payable to the City of Port Colborne be submitted to the Secretary-Treasurer.
4. That Lot 33, 57 and Part of Lot 32 and 58 be merged in title to create Part 2;

5. That Lot 31, 59 and Part of Lot 32 and 58 be merged in title to create Part 1;
6. That the owner enter into a Development Agreement to implement the recommendations of the Hydrogeological Assessment, prepared by Terra-Dynamics Consulting Inc. (dated September 22, 2021);
7. That a Stage 1 and 2 Archaeological Assessments be completed by a licensed professional archaeologist in accordance with the *Ontario Heritage Act* and the *Standards and Guidelines for Consultant Archaeologists*. Required archaeological assessments shall be submitted to the Province for review. No demolition, grading or other soil disturbances shall take place on the property until the Province has verified that the required archaeological assessment report(s) have met licensing and resource conservation requirements

For the following reasons:

1. The application conforms to the Provincial Policy Statement, the policies of the Regional Official Plan, City of port Colborne Official Plan and will also comply with the provisions of Zoning By-law 6575/30/18, as amended.
2. This decision is rendered having regard to the provisions of subsection 51(24) of the Planning Act. R.S.O. 1990, c.P.13.

Motion: Angie Desmarais

Seconded: Donna Kalailieff

Carried: 5-0

4. Other Business:

The Committee discussed the recent changes to the Planning Act.

5. Approval of Minutes:

There were no attached minutes in the Agenda Package to approve.

6. Adjournment

There being no further business, the meeting was adjourned at approximately 6:30 PM.