

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

Staff Present: Chris Roome, Planner  
Samantha Yeung, Planning Technician/Secretary-Treasurer  
Denise Landry, Manager of Planning Services

The meeting was called to order at approximately 6:02pm by Chair Dan O'Hara.

1. Disclosures of Pecuniary Interest:

Nil.

2. Requests for Deferrals or Withdrawals of Applications:

Nil.

3. New Business

i) **Application: A14-22-PC**

Action: Minor Variance  
Agent: N/A  
Owner: Terry & Anne Niessen  
Location: 755 Pleasant Beach Road

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

The applicant did not provide any further comments.

There were no questions or comments from the Committee or members of the public.

That minor variance application A14-22-PC be **granted** for the following reasons:

1. **Minor in nature** as the increase in height will not negatively impact the subject parcel or neighbouring properties.

2. **Appropriate for development of the site** as it is located in a suitable location and accessory structures are a permitted use in the HR zone.
3. **Desirable and in compliance with the general intent and purpose of the Zoning By-Law** as accessory structures in the HR zone are permitted and the proposal meets the setbacks and lot coverage requirements.
4. **Desirable and in compliance with the general intent and purpose of the Official Plan** as accessory structures are permitted in the Hamlet designation.

Motion: Angie Desmarais

Seconded: Donna Kalailieff

Carries: 3-0

**ii) Application: B11-22-PC**

Action: Consent

Agent: N/A

Owner: Stanley Homes

Location: 41 & 43 Amelia Street

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

The Chair asked the applicant if they wished to defer or withdraw their application.

The applicant responded no and provided no further comments.

There were no further questions or comments from the Committee or members of the public.

That Consent application B11-22-PC be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds in triplicate for the 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.
2. That a final certification fee of \$216 payable to the City of Port Colborne is submitted to the Secretary-Treasurer.
3. That all conditions of consent be completed by July 13th, 2024.

For the following reasons:

1. The application is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, 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.

Motion: Angie Desmarais

Seconded: Donna Kalailieff

Carried: 3-0

**iii) Application: B10-22-PC  
A18-22-PC  
A19-22-PC**

Action: Consent & Minor Variance (2)

Agent: N/A

Owners: Mancini Development Inc.

Location: 747 Fielden Avenue

The Secretary-Treasurer read the correspondence received for these three applications.

The Chair asked if the applicant wished to defer or withdraw their application.

The applicant responded no.

The applicant stated that he agrees with the planning department's comments. He addressed the previously circulated concerns from the public as follows:

Drainage: The applicant explained that the application was circulated to the Public Works supervisor, who had no concerns. A drainage plan would be prepared by a professional engineer that would be submitted at the building permit stage.

Daylighting: The applicant explained that he does not want to negatively impact the church, and that he intends to only build a small, raised bungalow. He stated that he would be willing to work with the church.

Security Lighting: the applicant explained that this would not be an issue.

Fencing: The applicant explained that no fence will be going up.

The applicant concluded by saying that a drainage plan would be prepared by a professional engineer, and that the new development would be a nice fit for the neighbourhood.

Darwin Hoover of 185 Knoll Street appeared before the Committee at this time.

Mr. Hoover commended the applicant for his intention to build a raised bungalow rather than a larger home.

Barry Beck of 20 Wallace Avenue appeared before the Committee at this time.

Mr. Beck explained that his property sits about 2 feet lower than the subject property, and that wastewater from the neighbouring house drains onto his property. He raised concerns over drainage and expressed that drainage has been an issue in the area for years. He also expressed concerns over a lack of greenspace for the existing house. He questioned if future development would be permitted on the retained parcel if the

existing house was torn down, since the lot would be undersized. He concluded by stating that he is opposed to all three applications.

Mr. Hoover requested to return to the podium again.

Mr. Hoover addressed the written comments he submitted to the Committee prior to the meeting. He highlighted that the first three items of concern were resolved by staff. He expressed concerns over drainage, and concerns over the blockage of daylight through the north windows of the church if a dwelling were to be built on the severed parcel. He also raised concerns over the church's security lighting infringing on the severed parcel.

The Chair stated the concerns over security lighting are not germane to this application. He also explained that the church's lighting from the North window would not be affected.

Member Desmarais addressed that most of the concerns brought forward regarding drainage, fencing, lighting, etc., would be dealt with during site plan control.

The Planner responded that those concerns would be dealt with at the building permit stage. Lot grading plans are not a requirement for consent applications

Member Desmarais asked who would be responsible to ensure that the drainage would not be an issue.

The Planner explained that a lot grading plan prepared by a professional engineer is required to be submitted with a building permit.

Member Kalailieff asked if the grading could not be done to allow for an appropriate drainage plan, the building process would not move forward because a building permit would not be issued.

The Planner responded yes, if the lot grading plan does not meet the grading by-law, the engineering department would ask the applicant to make the necessary changes so that it meets the grading by-law.

Member Kalailieff asked if it would be the responsibility of the applicant to fix the grading, and if it cannot be done then nothing gets built.

The Planner responded yes.

Motioned: Donna Kalailieff

Seconded: Angie Desmarais

Carried: 3-0

That consent application B10-22-PC be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds in triplicate for the 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.
2. That a final certification fee of \$216 payable to the City of Port Colborne is submitted to the Secretary-Treasurer.<sup>5</sup>
3. That the garage and covered deck on Part 1 be removed.
4. That the applicant(s) sign the City of Port Colborne's standard "Memorandum of Understanding" explaining that development charges and cash-in-lieu of the dedication of land for park purposes, based on an appraisal, at the expense of the applicant, wherein the value of the land is to be determined as of the day before the issuance of a building permit, is required prior to the issuance of a building permit pursuant to Section 42 of the Planning Act. R.S.O 1990, as amended.
5. That all conditions of consent be completed by July 13th, 2024.

For the following reasons:

1. The application is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, 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.

Motioned: Donna Kalailieff

Seconded: Angie Desmarais

Carried: 3-0

That minor variance application A18-22-PC be **granted** for the following reasons:

1. **The application is minor in nature** as the reduced lot area, front yard, and lot frontage will not negatively impact the subject parcel or any adjacent parcels.
2. **It is appropriate for development of the site** as the existing dwelling is located in a suitable location on the site and will have ample amenity space.
3. **It is desirable and in compliance with the general intent and purpose of the Zoning By-Law** as detached dwellings are permitted in the R2 zone and the proposal meets the setbacks and lot coverage requirements. The proposed lot frontage and front yard intend to ensure that the created lot will be of sufficient size to locate a dwelling.

4. **It is desirable and in compliance with the general intent and purpose of the Official Plan** as detached dwellings are permitted in the Urban Residential designation.

That minor variance application A19-22-PC be **granted** for the following reasons:

1. **The application is minor in nature** as the reduced lot area will not negatively impact the subject parcel.
2. **It is appropriate for development of the site** as the reduced lot area will not restrict the location of a future dwelling on the property.
3. **It is desirable and in compliance with the general intent and purpose of the Zoning By-Law** as detached dwellings are permitted in the R2 zone, and the lot area ensures that the lot will be of suitable size to provide amenity and parking space.
4. **It is 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: Donna Kalailieff

Seconded: Angie Desmarais

Carried: 3-0

4. Other Business:

Nil.

Member Bruno entered the meeting at this time.

5. Approval of Minutes

The minutes from the June 8<sup>th</sup>, 2022 meeting were approved

Motion: Angie Desmarais

Seconded: Donna Kalailieff

Carried 3-0

6. Adjournment

There being no further business, the meeting was adjourned at approximately 6:55pm.