

Planning Justification Report

Expansion of Highway Commercial Zoning

Zoning By-law Amendment
GSP File No. 25087

City of Port Colborne

October 2025

Prepared for:

1683164 Ontario Ltd.
639 Main Street West
Port Colborne, ON

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Preamble

GSP Group Inc. (“GSP”) has been retained by 1683164 Ontario Ltd. (“168”) to prepare a Planning Justification Report pertaining to Zoning By-law Amendment Application for a 0.61-acre portion of unaddressed lands in the City of Port Colborne known by Roll Number 271103003813700. The submission of this application has been authorized by the current landowner TODCO Investments Inc. (“TODCO”) who has agreed to sever and sell the subject lands to 168.

The application proposes an amendment to the zoning of a 0.61-acre (0.24 hectare) piece of land owned by TODCO that is intended to be conveyed to 639 Main Street West which is owned by 168. The subject lands contain an encroachment from an adjacent Motor Vehicle Repair Garage operation known as the B&C Truck Centre.

The underlying zoning of the subject lands is “Residential Development” (RD). The amendment proposes to rezone the lands as “Highway Commercial” (HC) on Schedule “A8” of Zoning By-law 6875/30/18 prior to the proposed severance and merger of the subject lands with 639 Main Street West. No site-specific zoning provisions are required.

This Planning Justification Report is structured as follows:

Section 1.0 – Overview of the Subject Lands and Surrounding Area	Overview of the use, location and characteristics of the subject lands, and the surrounding land use, natural heritage and hazards, and transportation context.
Section 2.0 –Purpose of the Application	Overview of the proposed application and related Consent Application.
Section 3.0 – Pre-consultation Meeting and Submission Requirements	Overview of the pre-consultation requirements associated with the application.
Section 4.0 – Planning Analysis	Evaluation of the Applications against the relevant requirements, policies, and provisions of: • The Planning Act (R.S.O. 1990) • Provincial Planning Statement (2024) • Niagara Official Plan (2022)

- Port Colborne Official Plan (2012)
- Zoning By-law 6875/30/18

Section 5.0 – Planning Opinion and Recommendations

Summary of Application, Findings, and Planning Opinion

outdoor storage, temporary vehicle parking and maneuvering of vehicles to the service bays.

TODCO has engaged 168 and has provisionally agreed to sever and sell 0.61 acres (2,459 sq. m) of the affected land to 168 for the continued use of their tenant B&C Truck Centre. The affected lands are approximately shown in **Figure 2**, below.



Figure 2 - Location of Subject Lands and Encroachment

The submitted Zoning By-law Amendment application is related to a Consent to Sever (Boundary Adjustment) application between the unaddressed TODCO lands and the 1683164 Ontario Ltd. The effect of the application will sever the subject lands from TODCO's property and merge them with 639 Main Street West. The related Consent application (File B11-25-PC) was filed with the City on October 2, 2025, and is scheduled to be heard by the Committee of Adjustment on November 19, 2025.

The portion of the TODCO-owned lands that is subject to the Zoning By-law Amendment application (i.e., the "subject lands") is identified as "Part 1" on a severance sketch

prepared by Chambers and Associates Surveying Ltd. (dated September 18, 2025). The surveyor's plans are shown in **Figures 3** and 4 and included as **Appendix 1** in this report.

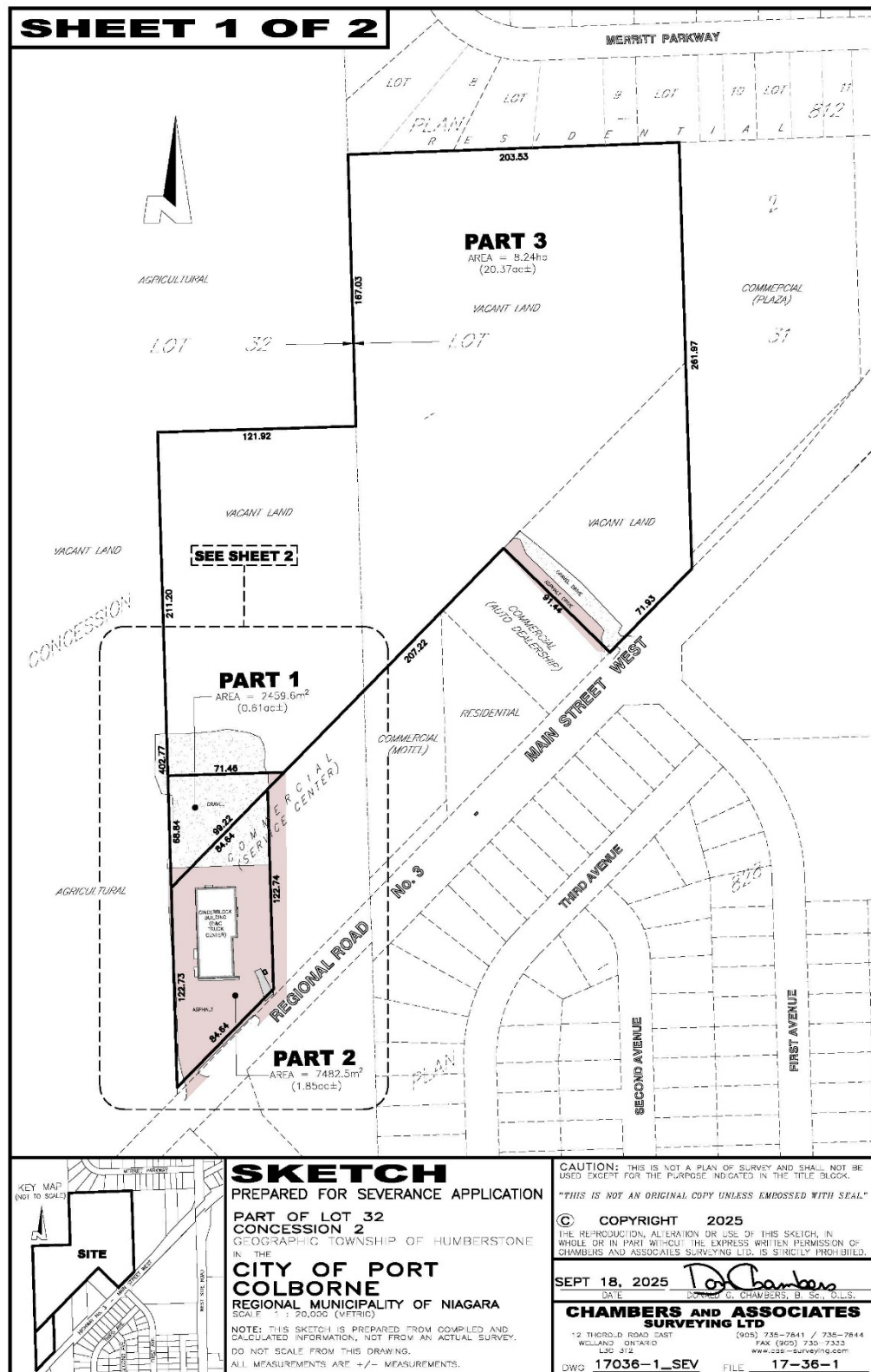


Figure 3 - Surveyor Sketch - Sheet 1

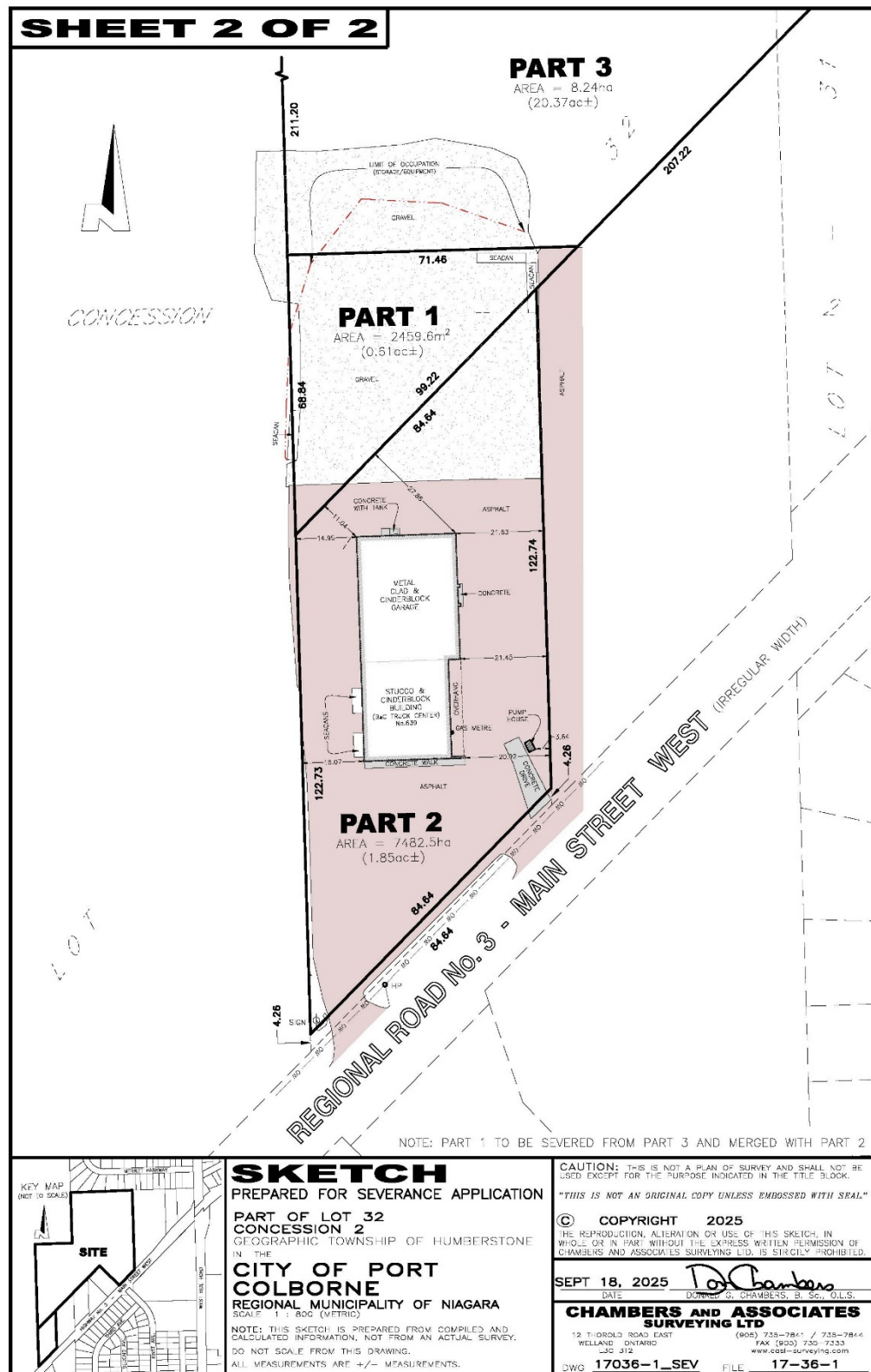


Figure 4 - Survey Sketch - Sheet 2

1.2 Surrounding Area

TODCO Lands (Remnant Lands) – Part 3

The remnant lands are located to the north and northeast of the subject lands and contain no development. The TODCO lands will measure approximately 20.37 acres / 8.24 hectares in area after Part 1 is severed and merged with 639 Main Street West.

The TODCO property will retain its existing 71.93 metres of frontage along Main Street West, located to the east of the subject lands and north of the terminus of First Avenue.

168 Lands (Receiving Lands) – Part 2

The receiving property is known municipally as 639 Main Street West and contains a motor vehicle repair garage operating as B&C Truck Centre. 168 is the landowner and B&C Truck Center is the tenant.

The exiting property measures 1.85 acres / 0.74 hectares in lot area and will increase to a size of 2.46 acres / 9,942 square metres after the proposed severance and merger.

Adjacent Land Uses

Lands adjacent to the subject lands, inclusive of the remnant and receiving lands include a mix of commercial and residential land uses, as outlined below.

North Vacant Lands Residential Subdivision	East Commercial Plaza Drive Through Restaurants Gas Bars Car Wash Motels Former Car Dealership
West Vacant Urban Lands	South Auto Parts Store Motel Residential Subdivision

1.3 Natural Heritage Features and Hazards

The subject lands are not identified as containing any natural heritage features in the 2012 City of Port Colborne Official Plan (PCOP) or the 2022 Niagara Official Plan (NOP).

As confirmed by the Niagara Peninsula Conservation Authority (NPCA) through pre-consultation on September 25, 2025, the subject lands do not contain any regulated natural hazards such as floodplains, erosion hazards, steep slopes, or dynamic beach hazards that require assessment.

1.4 Transportation Systems and Access

Main Street West is owned and maintained by the Regional Municipality of Niagara as Regional Road 3. The roadway spans across and through the Port Colborne Urban Area, becoming Main Street East at the intersection of Welland Street / Barber Street, and connecting the eastern and western legs of Provincial Highway #3 through the community. In proximity to the subject lands Main Street West is a two-lane rural cross section with roadside ditches.

Main Street West is identified as a cycling route on Schedule “J2” of the NOP (2022). The site is not serviced by public transit.

2. Purpose of the Application

2.1 Zoning By-law Amendment

The purpose of the Zoning By-law application is to amend the zoning of the 0.61-acre subject lands to facilitate their continued and legal use for highway commercial purposes associated with the B&C Truck Centre.

The subject lands are proposed to be rezoned from “Residential Development” (RD) to “Highway Commercial” (HC) on Schedule A8 of Zoning By-law 6875/30/18. The proposed amendment involves mapping changes only, with no site-specific zoning provisions being amended or applied to the subject lands.

The approval of the Zoning By-law Amendment is necessary to facilitate the related Consent Application (Boundary Adjustment). The proposed Highway Commercial (HC) zoning must be established and in place to allow the existing motor vehicle repair garage to continue to utilize the subject lands as part of their operation.

A copy of the Draft Zoning By-law Amendment and Schedule is included as **Appendix 2** to this Planning Justification Report.

3. Pre-consultation Meeting and Submission Requirements

3.1 Pre-consultation Meeting (September 25, 2025)

A pre-consultation meeting pertaining to the proposal was held on September 25, 2025, with the City of Port Colborne and NPCA.

The submission requirements for the Zoning By-law Amendment application include:

- Planning Justification Report
- Completed Zoning By-law Amendment Application Form
- Minor Zoning By-law Amendment Fee of \$ 6,850.00

No added submission requirements were requested by other City departments or review agencies.

A copy of the Pre-consultation notes is included within **Appendix 3** of this report.

3.2 The Need for an Official Plan Amendment

As outlined within the Pre-consultation notes, City staff are willing to consider waiving the need for a concurrent Official Plan Amendment provided that sufficient planning justification is provided with the Application. The Pre-consultation notes indicate that the policies within Section 11.7 of the PCOP (2012) that pertain to the interpretation of Official Plan Schedules must be sufficiently addressed.

The required assessment of Section 11.7 of the PCOP (2012) is provided within Section 4.4 of this Planning Justification Report, which concludes that a concurrent Official Plan Amendment is not required.

4. Planning Analysis

The subject lands are located within the Settlement Area Boundary of the City of Port Colborne, within the Regional Municipality of Niagara. The subject lands are bound by the following Planning documents:

- Ontario Planning Act R.S.O. 1990, c. P.13
- Provincial Planning Statement (2024)
- Niagara Official Plan (2022)
- City of Port Colborne Official Plan (2012), as amended.
- City of Port Colborne Zoning By-law 6875/30/18

The following subsections of this Planning Justification Report provide an evaluation of the Zoning By-law Amendment application in the context of the relevant planning documents.

4.1 Ontario Planning Act, R.S.O. 1990, c. P.13

Section 2 – Matters of Provincial Interest

Section 2 of the Planning Act sets out matters of Provincial Interest when considering and fulfilling responsibilities under the Act. **Table 1** provides an analysis of the proposed development in relation to matters of Provincial interest:

Table 1 – Matters of Provincial Interest

Provincial Interest	Policy Response
a) The protection of ecological systems, including natural areas, features and functions	The subject lands do not contain, and are not adjacent to any natural areas, features or functions.
b) The protection of the agricultural resources of the Province	The subject lands are located within the Port Colborne Settlement Area Boundary. The Zoning Amendment will not affect Agricultural resource areas.
c) The conservation and management of natural resources and the mineral resource base	The subject lands are not within areas designated for mineral extraction and do not contain natural resources.

Table 1 – Matters of Provincial Interest

Provincial Interest	Policy Response
d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest	The subject lands do not contain, and are not adjacent to any features of cultural, historic or scientific interest. The subject lands are mapped as having archaeological potential in the Niagara Official Plan. However, as no physical development or disturbance to the ground is proposed as part of the application, any potential archaeological resources will remain undisturbed and conserved.
e) The supply, efficient use and conservation of energy and water	The zoning application involves a change in Zone mapping on Schedule A8 of Zoning By-law 6875/30/18. No changes or affects to the supply, efficient use and conservation of energy and water will occur because of the application and mapping change.
f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems	The lands being conveyed and rezoned are used for outdoor storage, temporary parking of vehicles being services and maneuvering. No other services are proposed or needed to support the use of the lands for the current purposes.
g) The minimization of waste	The application will have no impact on waste.
h) The orderly development of safe and healthy communities; (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies	The addition of the subject lands to 639 Main Street west is orderly as the subject lands are located immediately adjacent to the existing motor vehicle repair garage operation. The application has no impact on accessibility.

Table 1 – Matters of Provincial Interest

Provincial Interest	Policy Response
i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities	The effect of the application is to remedy an existing encroachment and legalize the current use of the subject lands for Highway Commercial purposes. The proposed amendments will have no impact on the provision and distribution of educational, health, social, cultural or recreational facilities.
j) The adequate provision of a full range of housing, including affordable housing	The proposed development does not include residential land uses.
k) The adequate provision of employment opportunities	The application will have no impact on employment.
l) The protection of the financial and economic well-being of the Province and its municipalities	The zoning by-law amendment will not affect the financial and economic well being of the Province or the City of Port Colborne.
m) The co-ordination of planning activities of public bodies	There is no public body interest in this application.
n) The resolution of planning conflicts involving public and private interests	The application will rectify an existing conflict between two private landowners.
o) The protection of public health and safety	The application will have no impact on public health and safety.
p) The appropriate location of growth and development	The zoning by-law amendment reflects an urban use, contiguous to the primary operation. The location and geometry of the subject lands are proper for the application.
q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians	No development is proposed on the subject lands.

Table 1 – Matters of Provincial Interest

Provincial Interest	Policy Response
r) The promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant	No development is proposed on the subject lands. The existing built form will remain unaltered.
s) The mitigation of greenhouse gas emissions and adaptation to a changing climate	No development is proposed on the subject lands.

4.2 Provincial Planning Statement (2024)

On October 20, 2024, the Ministry of Municipal Affairs and Housing (MMAH) introduced the 2024 Provincial Planning Statement. This document has replaced the 2020 Provincial Policy Statement and 2020 Growth Plan for the Greater Golden Horseshoe.

Relevant sections and policies of the 2024 Provincial Planning Statement (PPS) are outlined and evaluated below in relation to the Zoning By-law Amendment application.

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.3 Settlement Areas and Settlement Area Boundary Expansions

The subject lands are located within the Port Colborne Settlement Area Boundary (i.e. Urban Area). Section 2.3 of the PPS (2024) pertains to Settlement Areas and Settlement Area Boundary Expansions and is relevant to the application.

Settlement Areas are defined in the PPS (2024) as “... *urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Ontario’s settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.*”

The definition further states that “Settlement Areas” are 1) built-up areas where development is concentrated and which have a mix of land uses; and 2) lands which have been designated in an official plan for development over the long term.

As stated in Policy 2.3.1 of the PPS (2024):

“Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.”

The application is consistent with Policy 2.3.1 of the PPS (2024) by facilitating the continued use of lands within the Settlement Area Boundary for desirable and permitted urban purposes.

Chapter 3: Infrastructure and Facilities

3.6 Sewage, Water and Stormwater

Policy 3.6.2 of the PPS (2024) states that:

“Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.”

639 Main Street West is currently connected to municipal services including watermain and sanitary sewer. The addition of the subject lands to the rear of the property will not result in any increased need for servicing, or a change in servicing method. The subject land will continue to be used for the current purposes of outdoor storage, parking, and maneuvering.

The remnant lands owned by TODCO are not currently serviced but remain able to establish a site servicing connection along the property's Main Street West frontage.

Chapter 4: Wise Use and Management of Resources

4.6 Cultural Heritage and Archaeology

Section 4.6 of the PPS (2024) pertains to cultural heritage resources and archaeology within Ontario.

The subject lands, inclusive of the remnant TODCO Lands and 639 Main Street West, do not contain any built cultural heritage resources or cultural heritage landscapes, as defined by the PPS. However, the subject lands are identified on Schedule “K” of the NOP (2022) as

containing archaeological potential. Accordingly, Policy 4.6.2 of the PPS is relevant to the application.

Policy 4.6.2 of the PPS (2024) is relevant to the application and directs that:

“Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.”

The subject lands are actively being used as part of a commercial motor vehicle repair garage operation. The subject lands are utilized as an outdoor storage, temporary parking, and maneuvering area. No new buildings or structures are proposed as part of the submitted Consent and Zoning applications. Any development or site alteration occurring on the subject lands would be subject to a site plan approval application process that would provide an opportunity for any necessary archaeological assessment work to be requested by the City or other review agencies.

The continued surficial use of the subject lands should not impact on any potentially buried archaeological resources under the existing gravel area. If excavation of any kind is proposed, an Archaeological Assessment should be undertaken to ensure consistency with Policy 4.6.2 of the PPS (2024)

4.4 Niagara Official Plan (2022)

As of March 31, 2025, the Regional Municipality of Niagara no longer holds Planning Authority. However, the Niagara Official Plan remains in effect and now forms part of the City of Port Colborne's Official Plan. All policies and mapping within the NOP (2022) remain in effect and applicable until such time that the City completes a comprehensive amendment to scope the applicable policies and mapping of the Plan.

Land Use Designations

As shown in **Figure 5** below, the subject lands are designated as “Urban Area” and “Designated Greenfield Area” on Schedule “B” (Regional Structure.) of the NOP (2022)

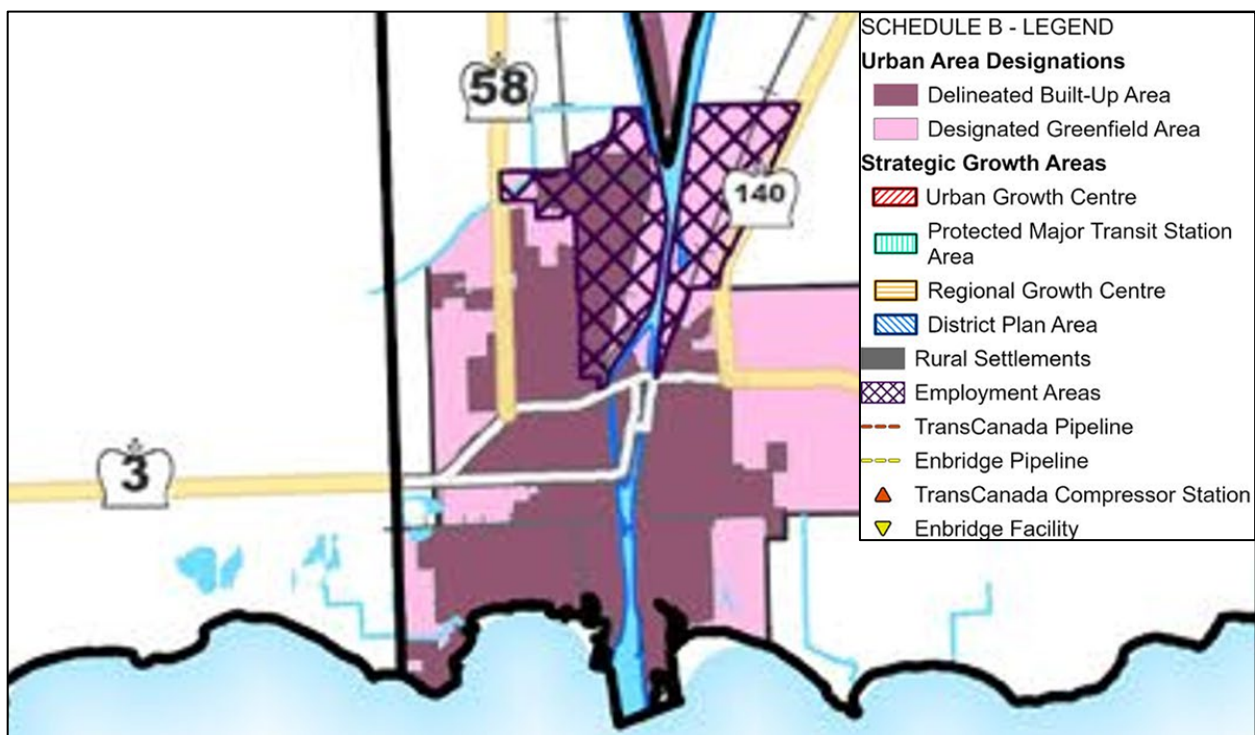


Figure 5 - Schedule B - Regional Structure (NOP, 2022)

Other NOP (2022) designations that apply to the subject lands include:

- Schedule I – Petroleum Pools – Natural Gas Pool
- Schedule J1 – Transportation Infrastructure – Regional Roads (West Main Street)
- Schedule J2 – Strategic Cycling Network – Strategic Cycling Network (West Main Street)
- Schedule K – Areas of Archaeological Potential – Area of Archaeological Potential.

Chapter 2 – Growing Region

The goals, objectives and policies of Chapter 2 of the NOP (2022) pertain primarily to land within Settlement Areas (i.e., Urban Areas). This chapter of the Plan implements the long-term growth and development strategy for the Region to the year 2051.

Generally, the NOP (2022) directs growth to settlement areas where municipal servicing and a range and mix of existing land uses are found. The policies of Chapter 2 support the creation of complete communities within the region that can offer a diverse range of housing, job opportunities and land uses that can accommodate the needs of daily living.

The application has been filed to remedy an existing encroachment incurred by a local commercial business on a large parcel of vacant residentially zoned land. To continue the use of the subject lands for existing commercial purposes, an amendment is required.

The amendment will not introduce any new uses that should not occur within the Settlement Area and will not affect the ability of the City of Port Colborne to meet its population, employment, or intensification targets. The application is technical in nature and conforms with the policies of Chapter 2 of the NOP (2022).

Chapter 6 – Vibrant Region

As noted, the subject lands are identified on Schedule “K” of the NOP (2022) as being with an area of archaeological potential. Regional policies related to Archaeology are found within Section 6.4 of Chapter 6 of the Plan.

Policy 6.4.2.1 of the NOP (2022) states that:

“Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.”

The application conforms with Policy 6.4.2.1 as the scope of the amendment is limited to a mapping change. No new structures or site alterations are proposed at this time, and any potential resources will remain conserved within the native soil that is located under the thick gravel overburden.

If any development or site alteration is proposed on the subject lands in the future, an Assessment should be undertaken to ensure continued conformity with Policy 4.6.2.1.

4.4 City of Port Colborne Official Plan (2012)

As shown in **Figure 6**, below, the subject lands and remnant TODCO lands are designated as “Urban Residential” on Schedule ‘A’ of the Port Colborne Official Plan (PCOP). The property known as 639 Main Street West is designated as “Highway Commercial”.

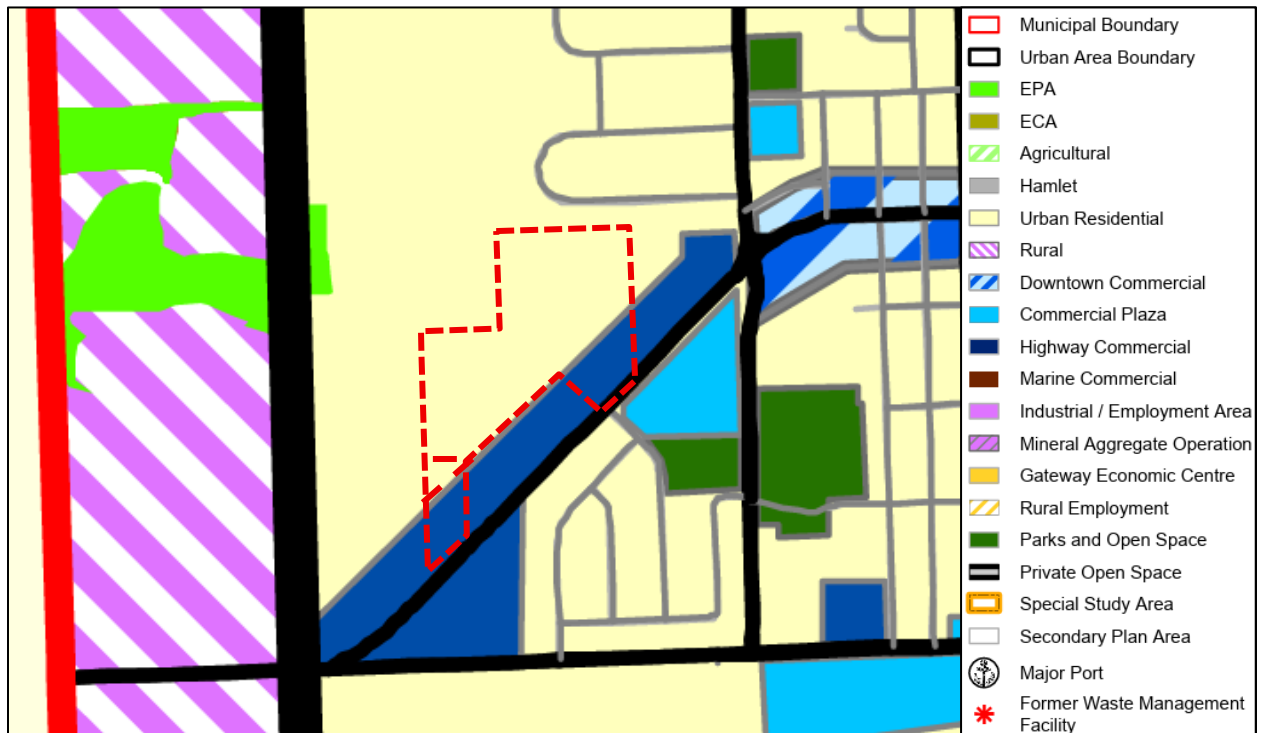


Figure 6 – City of Port Colborne Official Plan – Schedule ‘A’

Other PCOP (2012) designations that apply to the subject lands include:

- Schedule A1 – Greenfields – Built Boundary, Designated Greenfield Area
- Schedule B3 – Vulnerable Aquifer Areas – Highly Vulnerable Aquifer
- Schedule C – Mineral Aggregate and Petroleum Resource Areas – Aggregate Potential Area
- Schedule D – Transportation– Regional Road Classification (West Main Street)

As assessment of relevant policies within the PCOP (2012) is provided in the following subsections of this Planning Justification Report.

Section 3 – City Wide Land Use Policies

The subsections and policies within Section 3 correspond with the major land use designations that are shown on Schedule “A” of the PCOP, as well as general policy direction related to the Urban Area, Built Boundary, and Designated Greenfield Area.

The policies of Section 3.1 (General Land Use Policies), Section 3.2 (Urban Residential) and Section 3.8 (Highway Commercial) are relevant to the Zoning By-law Amendment application and are evaluated below.

3.1 General Land Use Policies

Section 3.1 of the PCOP outlines the general composition of the City of Port Colborne from a land use planning perspective which is a balance of urban and rural lands. Within the urban area, the lands are further classified as designated greenfield area or built boundary (i.e., Built-up Area).

As shown in **Figure 7**, the subject lands and remnant TODCO Lands are found within the “Designated Greenfield Area” per Schedule “A1” of the PCOP (2012). The receiving lands known as 639 Main Street West are within the “Built Boundary”.

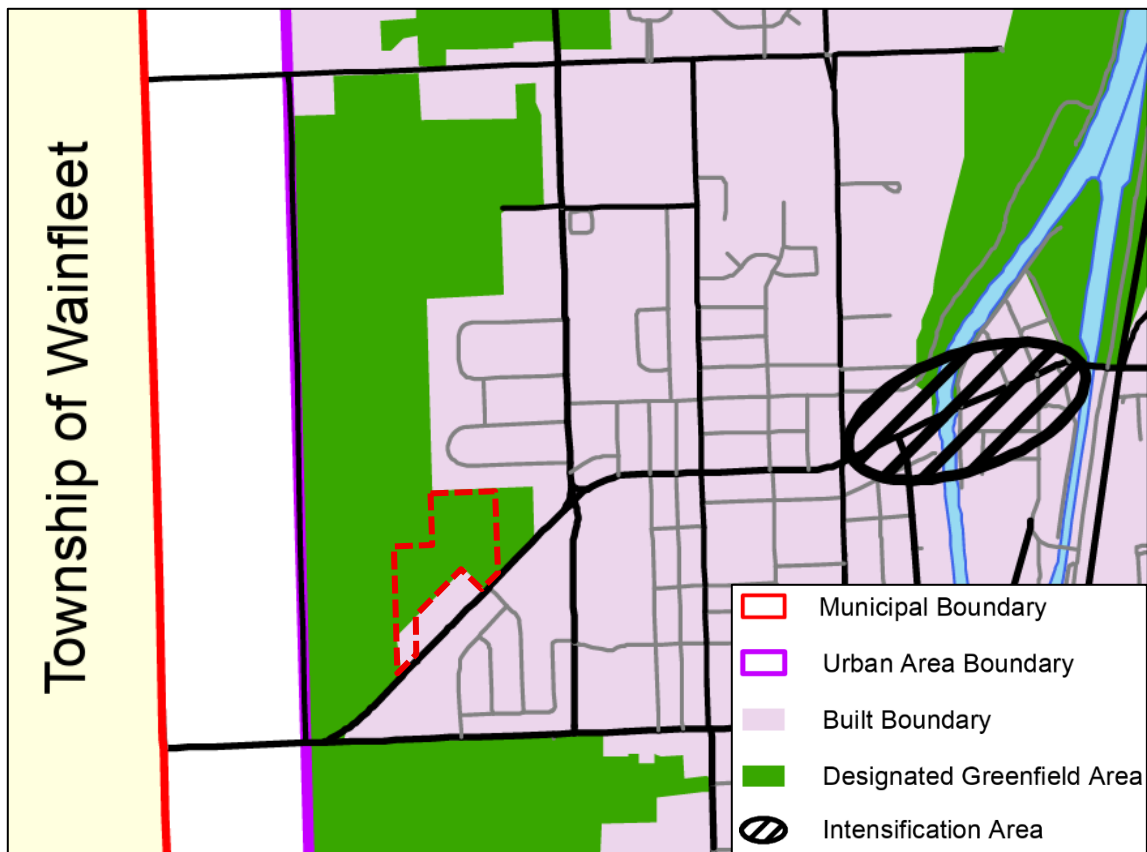


Figure 7 - Schedule A - Greenfields - Port Colborne Official Plan (2012)

The zoning by-law amendment will not require any changes to the “growth-related” designations on the TODCO, or 168 lands shown on Schedule A1 of the PCOP (2012) – the subject lands will remain as categorized as “Designated Greenfield Area”.

The limited reduction in Urban Residential designated greenfield land to accommodate the existing encroachment will not have a significant impact on the long-term planning goals and objectives of City or forecasted growth targets that are outlined within the Official Plan.

The proposed boundary of the subject lands associated with the severance and zoning by-law amendment will also not unnecessarily fragment or frustrate opportunities to develop the remnant lands (Part 3) for their intended residential purposes. All designated greenfield areas within the City are to be developed to achieve a comprehensive minimum density of 50 people and jobs per hectare. If any future development were proposed on the subject lands through a future planning application, any new jobs created would contribute to the prescribed Greenfield Density target.

3.2 Urban Residential

The TODCO lands, inclusive of the subject lands, are designated “Urban Residential” on Schedule ‘A’ (City Wide Land Use) of the Official Plan. This designation permits a full range of residential land uses and accessory uses, as well as small scale commercial uses that are typically found within neighborhoods.

The existing use of the subject lands as part of the adjacent Motor Vehicle Repair Garage operation is not permitted by the Urban Residential Policies of the Official Plan. The exact location of the “Urban Residential” designation boundary is subject to the interpretation policies of Section 11.7 of the PCOP (2012) which are addressed further on in this report.

3.8 Highway Commercial

In the western end of the City of Port Colborne’s Urban Area, the “Highway Commercial” designation has been generally applied to lands along the north side of Main Street West between West Side Road and Minor Road that have established commercial land uses. Lands found to the west of the existing residential dwellings along Third Avenue and north of Killaly Street are also designated Highway Commercial on Schedule A of the PCOP (2012).

As set out in the preamble of Section 3.8 of the Official Plan, the areas identified as Highway Commercial “...*represent areas of existing and future commercial development within the Urban Area which cater primarily to the travelling public, in proximity to arterial roads and highways.*”. Within these areas, the predominant use of lands shall include, but is not limited to “...*hotels and motels; automobile sales and service establishments; places of amusement or recreation; restaurants with take-out and/or drive-through facilities; and accessory uses to the aforementioned uses, including a residence for a caretaker.*”.

The existing motor vehicle repair garage operation (B&C Truck Centre) is a permitted use within the “Highway Commercial” land use designation. The use of the subject lands for such purposes is not currently permitted due to the lands being designated as “Urban Residential” on Schedule “A” of the PCOP (2012). The exact location of the boundary between the two land use designations is subject to the interpretation policies of Section 11.7 of the PCOP (2012), which are addressed further on in this report.

Section 3.8.1 of the PCOP (2012) contains general policies that apply to Highway Commercial designated lands. The policies are as follows:

- a) *Any new or expanding development in the Highway Commercial area is subject to Site Plan Control.*
- b) *Commercial uses that would be more appropriate in the Downtown Commercial areas such as retail stores, banks, medical clinics and professional offices shall not be permitted.*
- c) *New Highway Commercial uses grouped in a planned development are encouraged and extensive strip development is discouraged.*
- d) *Adequate off-street parking facilities, including consideration for bicycles, are required in well-organized, landscaped and well-illuminated parking areas or structures.*
- e) *A minimum number of driveways to the site will be allowed and driveway entrances will be configured for maximum safety.*
- f) *At the time the existing residential or commercial development fronting Main Street between the Welland Canal and Elizabeth Street are redeveloped, they should be redeveloped to a higher order of mixed use comprising ground floor commercial integrated with upper storey residential uses, and generally comply with the design guidelines in the Downtown designation.*
- g) *New and expanding Highway Commercial uses may be required to submit a Traffic Impact Assessment, prepared by a qualified professional which identifies the potential traffic generated by the development, methods of mitigating any potential impacts and any improvements that may be required to the existing road network in order to accommodate the proposed development.*
- h) *New and expanding Highway Commercial uses may be required to submit a Market Study, prepared by a qualified professional, to demonstrate that the proposed commercial floor space is warranted.*
- i) *Where more detailed guidelines, policies or secondary plans have been developed by the City in accordance with the Official Plan policies, then the specific direction provided in these shall be implemented accordingly.*

Based on the context of the applicable policies in Section 3.8.1, Policies a), e), g) and h) are relevant to the Zoning By-law Amendment.

The existing motor vehicle repair garage use is currently subject to a Site Plan Agreement. For any future development or Site Alteration, a Site Plan Amendment would be required.

The Zoning By-law Amendment reflects the existing extent of the “motor vehicle repair garage” operation. No new expansion of the use or site, or the development of new structures is contemplated that would trigger the need for a Site Plan Amendment. The City has not requested that a Site Plan Amendment be undertaken. Accordingly, the application conforms with Policy 3.8.1 a).

With regards to site access and entryways per Policy 3.8.1, the existing access to 639 Main Street West and the TODCO lands will remain unaltered. No new accesses or reconfigurations are proposed that would require a traffic study to be prepared. Accordingly, the application conforms with Policies 3.8.1 e) and g).

The application conforms with policy 3.8.1 h) as no new commercial floor space is proposed as part of the application, only a recognition of the location on the existing use on the adjacent TODCO lands.

Section 4 – Natural Heritage

Schedule ‘B’ of the PCOP (2012) delineates areas that are designated as “Natural Heritage” features. The land use designations included on Schedule “B” include Environmental Protection Areas (EPA), Environmental Conservation Areas (ECA), Streams and Fish Habitat. Schedules “B1”, “B2” and “B3” further delineate specific features within each of the land use designations.

The noted schedules do not show any natural heritage designations upon, or adjacent to the subject lands.

“Natural Hazard Lands”, such as floodplains, erosion hazards and dynamic beach hazards, are also mapped on Schedule ‘B’ and ‘B1’ of the PCOP. These features are regulated by the NPCA. In the NPCA’s pre-consultation comments it has been acknowledged that the subject lands do not contain any regulated features and that no assessment is required to be completed as part of a complete application.

Based upon a review of these schedules and resources, there is no natural heritage impact or potential negative impacts that would be caused by the proposed Zoning By-law Amendment application.

Section 7 – Cultural Heritage

The subject lands are identified on Schedule “K” of the NOP (2022) as having archaeological potential. This Regional designation now forms part of the PCOP (2012) and is used to scope the need for archaeological assessments as part of planning and development applications.

The Zoning By-law Amendment reflects the extent of the existing, active highway commercial use and will have no impact on potential archaeological resources under current conditions.

Any future development or site alteration of the subject lands would be subject to Site Plan Approval. This would be the most appropriate and feasible time to request the completion of an Archaeological Assessment.

Section 8 – Servicing and Stormwater Management

Section 8.1 – Water and Sanitary Servicing

Section 8.1.1 of the PCOP (2012) outlines the servicing requirements for lands within the City’s Urban Area Boundary. The subject lands and affected TODCO and 168 properties are within the City’s Urban Area Boundary and subject to this Section of the PCOP (2012).

Policy 8.1.1 a) of the PCOP (2012) states:

“New Development in the urban area is required to be on full municipal water services and municipal sanitary services.”

Currently, the subject lands and remnant TODCO lands are vacant and are not connected to municipal services. Future municipal service connections are readily available within the Main Street West right-of-way along the property’s existing frontage to support the future development of the TODCO lands.

639 Main Street West is currently connected to full urban services including municipal water and sanitary sewer. Stormwater management is accommodated by perimeter drainage and roadside ditches. There is no intention of developing or physically altering

the subject lands that would require the provision of new or added urban services or a servicing arrangement that would otherwise not conform with the PCOP (2012).

Section 11 – Implementation

11.7 Interpretation

Policy 11.7.1 of the Port Colborne Official Plan (2012) provides guidance to the reader on interpreting land use designation boundaries within the Plan's Schedules, establishes the order of precedence between general and site-specific policies, and outlines circumstances under which the Plan may be modified without a formal amendment.

Policy 11.7.1 policy reads as follows:

“11.7.1 Boundaries and Policies

- a) The land use designation boundaries are general except where they align with fixed or recognizable features such as roads, railways, watercourses or similar types of features. Where the intent of the Plan is maintained, minor adjustments to boundaries will not require an amendment to this Plan.*
- b) Where there may be a conflict between City-wide land use policy and site-specific land use policy, the site-specific land use policy shall prevail.*
- c) A formal Official Plan Amendment is not required to make topographical, grammatical, re-numbering or other such minor corrections to the Plan.”*

As shown previously in **Figure 6** of this report, through the adoption and approval of the PCOP (2012), the City of Port Colborne designated multiple properties along Main Street West for primarily Highway Commercial purposes on Schedule “A”. This designation applies to the entirety of 639 Main Street West, and all properties to the east to Westside Road, inclusive of a small portion of the TODCO lands where the property has frontage along Main Street West.

The preamble for Section 3.8 of the Official Plan states that:

“The areas identified on Schedule A as Highway Commercial represent areas of existing and future commercial development within the Urban Area which cater primarily to the travelling public, in proximity to arterial roads and highways.”

On the northern limit of the “Highway Commercial” designation is shown as generally aligning to the northern lot line of five adjacent properties, including 611, 615, 629, and 633 Main Street West.

The severance and merger of the subject lands with 639 Main Street West would not offend this direction as the subject lands are contiguous to the existing operation and would form part of the existing Highway Commercial designated property.

The requested Zoning By-law Amendment aligns with the adjusted property boundary of 639 Main Street West, as outlined in the related Consent application. This satisfies the intent of Section 3.8 of the PCOP, which designates the area for existing commercial development.

In this circumstance, it is my opinion that an Official Plan Amendment is not required. An administrative update to the Official Plan would be the appropriate time to revise the visual extent of the designation on Schedule ‘A’ of the PCOP (2012). However, under the policies of Section 11.7, the subject lands may continue to be considered within the Highway Commercial designation.

4.5 City of Port Colborne Zoning By-law 6575/30/18

The subject lands are located within the Port Colborne Urban Area and are subject to City of Port Colborne Zoning By-law 6575/30/18.

As shown in **Figure 8**, the TODCO lands, inclusive of the subject lands (i.e., Part 1 and 3), are zoned “Residential Development” (RD) on Schedule A8 of Zoning By-law 6575/30/18. The lands owned by 168 are zoned “Highway Commercial” (HC).

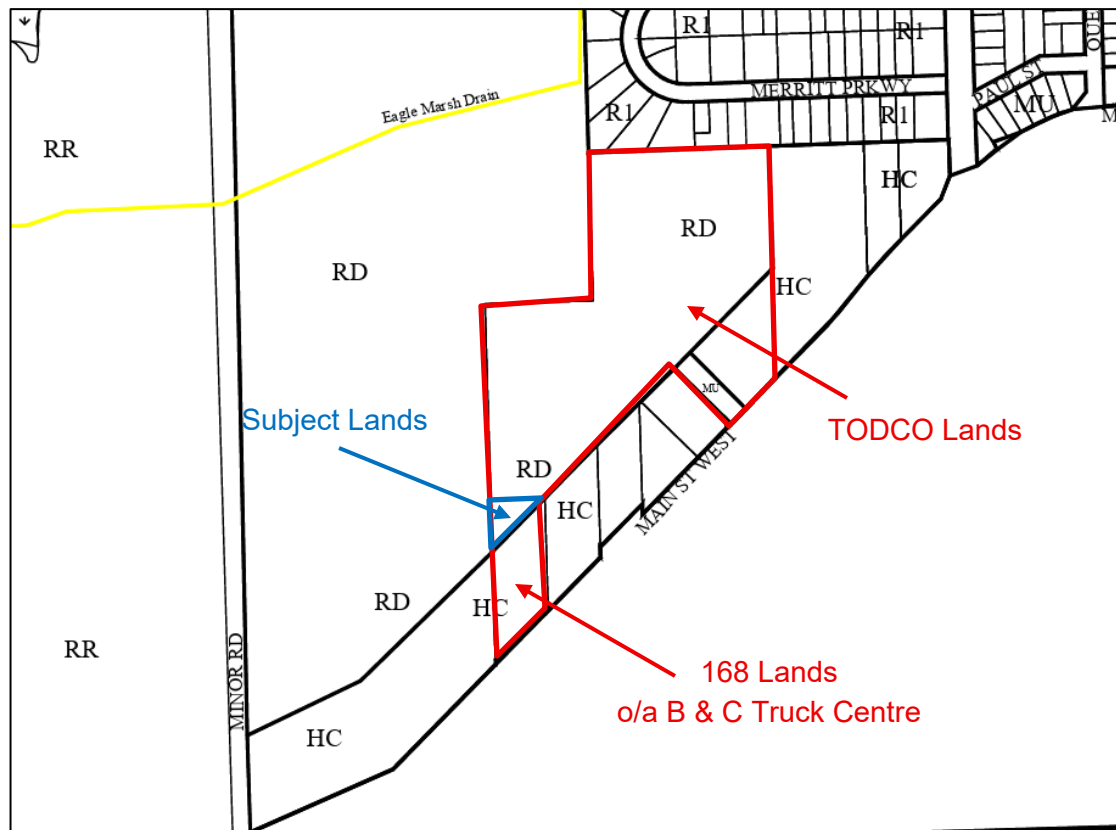


Figure 8 - Schedule A8 of By-law 6875/30/18 (Cropped Image)

4.5.1 Permitted Uses

Residential Development (RD) – TODCO Lands

The Residential Development (RD) Zone is a transitional zone that is intended to be amended to facilitate comprehensive residential development. Permitted Uses are outlined in Section 13.2 of the Zoning By-law and include:

- a) *Dwelling, Detached*
- b) *Uses, structures and buildings accessory thereto*

The remnant lands after the boundary adjustment, being Part 3 on the severance sketch, will continue to retain the RD Zoning. There is no intention by TODCO to amend the zoning of the remnant lands.

Highway Commercial (HC) – 168 Lands

The Highway Commercial (HC) Zone aligns with the overarching Highway Commercial land use designation shown on Schedule A of the PCOP (2012) that is located predominantly along Main Street East and Main Street West.

Permitted Uses within the HC Zone are outlined in Section 24.2 of the Zoning By-law include:

- | | |
|--|--|
| a) <i>Animal Care Establishment;</i> | n) <i>Personal Service Business;</i> |
| b) <i>Brew Pub;</i> | o) <i>Place of Assembly/Banquet Hall;</i> |
| c) <i>Car Wash;</i> | p) <i>Place of Worship;</i> |
| d) <i>Convenience Store;</i> | q) <i>Public Use;</i> |
| e) <i>Day Care;</i> | r) <i>Recreation Facility;</i> |
| f) <i>Drive-Thru Facility;</i> | s) <i>Restaurant, Fast Food;</i> |
| g) <i>Dwelling,</i> | t) <i>Restaurant, Full Service;</i> |
| h) <i>Accessory Food Vehicle;</i> | u) <i>Restaurant, Take-Out;</i> |
| i) <i>Hotel;</i> | v) <i>Retail Building Construction and Supply;</i> |
| j) <i>Motor Vehicle Repair Garage;</i> | w) <i>Service Commercial;</i> |
| k) <i>Motor Vehicle Sales/Rental Service Centre;</i> | x) <i>and Uses, structures and buildings accessory thereto</i> |
| l) <i>Motor Vehicle Gas Station;</i> | |
| m) <i>Office;</i> | |

The property known as 639 Main Street West has a “Motor Vehicle Repair Garage” (B&C Truck Centre) operating on the property. This use is defined in Zoning By-law 6575/30/18 as:

“Motor Vehicle Repair Garage: means a premises where mechanical repairs on motor vehicles including painting and body repairs are preformed and may include a motor vehicle gas station. “

There are two (2) types of “Motor Vehicles” defined in the Zoning By-law, these include “Motor Vehicles” and “Large Motor Vehicles”, which are defined as follows:

“Motor Vehicle: means an automobile, motorcycle, motorized boat, motorized snow vehicle and any other vehicle propelled or driven otherwise than by muscular power, but excludes a large motor vehicle”

“Large Motor Vehicle: means a motor vehicle in excess of 3600 kilograms as registered with the Ministry of Transportation and shall also include but not be limited to a tractor trailer used for hauling purposes, a bus, earth moving equipment and tractors, truck or farm vehicles.”

The definition of “motor vehicle repair garage” does not differentiate between the two types of vehicles in the definition. It is my interpretation that the service of both types of motor vehicle would be permitted, as the By-law does not define or specify a different type of “motor vehicle repair garage” for “large motor vehicles”.

The B&C Truck Centre operating at 639 Main Street West services both regular Motor Vehicles and Large Motor Vehicles. Accordingly, the existing use is a permitted use.

The subject lands will be added to 639 Main Street West for continued use as part of the “motor vehicle repair garage” operation and therefore require Highway Commercial zoning to permit the continued and legal use of the lands for that purpose. The proposed amendment to Schedule A8 of the Zoning By-law would enact this permission.

4.5.2 Lotting and Development Criteria

Prior to the conveyance of the subject lands occurring, both the remnant lands and receiving lands must comply with the provisions of Zoning By-law 6875/30/18.

The Zoning Compliance Tables provided reflect the extent of the TODCO and 168 properties after the related Consent to Sever (Boundary Adjustment) has been approved and the subject lands have been merged with 639 Main Street West.

Residential Development (RD) Zone

The remnant TODCO lands (Part 3) are undeveloped and do not contain any structures or active land uses.

A Zoning Compliance Table is provided as **Table 1**, below.

Table 1 – Residential Development Zoning Compliance (After Divestment)

Residential Development (RD) Zone			
Provision No.	Provision	Requirement	Proposed
13.3 a)	Minimum Lot Frontage	30 metres	71.93 m (Main Street West)
13.3 b)	Minimum Lot Area	As existing	8.24 hectares
13.3 c)	Minimum Front Yard	8 metres	N/A
13.3 d)	Minimum Interior Side Yard	5 metres	N/A
13.3 e)	Minimum Corner Side Yard	8 metres	N/A
13.3 f)	Minimum Rear Yard	8 metres	N/A
13.3 g)	Maximum Lot Coverage	10 percent	N/A
13.3 h)	Maximum Height	11 metres	N/A

Highway Commercial (HC) Zone (Section 24)

Part 2 on the severance sketch, known municipally as 639 Main Street West, is currently used as a “Motor Vehicle Repair Garage” (B&C Truck Center). The existing use is permitted under Section 24.2 of Zoning By-law 6575/30/18.

To facilitate the addition of the encroachment lands (Part 1) to 639 Main Street West, the resultant lot (Part 1 + Part 2, together) must comply with the Highway Commercial Zone requirements set out in Section 24.3 of Zoning By-law 6575/30/18.

A Zoning Compliance Table is provided as Table 2, below. It is noted that within Section 24.3 of the Zoning By-law there is a clerical error and that there are no provisions numbered as “24.3 e)” or “24.3 h)”. The Table reflects the By-law as writ.

Table 2 – Highway Commercial Zoning Compliance (After Merger)

Highway Commercial Zone (HC)			
Provision No.	Provision	Requirement	Proposed
24.3 a)	Minimum Lot Frontage	27 metres	84.64 metres
24.3 b)	Minimum Lot Area	0.14 hectares	0.99 hectares
24.3 c)	Minimum Front Yard	9 metres	+/- 20.2 metres
24.3 d)	Minimum Interior Side Yard	5 metres	14.95 metres

Highway Commercial Zone (HC)			
Provision No.	Provision	Requirement	Proposed
24.3 f)	Minimum Corner Side Yard	7.5 metres	N/A
24.3 g)	Minimum Rear Yard	5 metres	+/- 69.5 metres
24.3 i)	Maximum Building Height	22 metres	< 22 metres
24.3 j)	Maximum Lot Coverage	85 percent	+/- 18 percent

Zoning Compliance

As demonstrated within the Zoning Compliance Tables provided in this report, the related boundary adjustment does not result in any Zoning compliance issues for the retained or receiving lands. The Zoning By-Law Amendment remains limited to a mapping change on Schedule A8 of Zoning By-law 6575/30/18.

5. Planning Opinion and Recommendations

TODCO has applied to the City of Port Colborne to amend Schedule A8 of City of Port Colborne Zoning By-law 6575/30/18 to zone the “subject lands, shown as Part 1 on the Severance Sketch prepared by Chambers and Associated, dated September 18, 2025, as “Highway Commercial” (HC). The subject lands are currently zoned as “Residential Development” (RD) and are intended to be severed and added to the adjacent property known as 639 Main Street West through a concurrent Consent to Sever (Boundary Adjustment) application (File B11-25-PC).

Based on the review and assessment of the application, supporting materials and the relevant plans policies and provisions applicable to the subject lands, it is my independent professional planning opinion that the proposed Zoning Amendment to change the zoning of the subject lands from “Residential Development” (RD) to “Highway Commercial” (HC):

- a) has appropriate regard for relevant matters of Provincial Interest set out in Section 2 of the Planning Act;
- b) is consistent with the relevant policies of the Provincial Planning Statement (2024);
- c) conforms to the relevant policies of the Niagara Official Plan (2022);
- d) conforms to the relevant policies of the City of Port Colborne Official Plan (2012) and can be enacted without the need for related Official Plan Amendment;
- e) represents a reasonable and logical location for the minor expansion of the Highway Commercial zone along Main Street West;
- f) is necessary to implement the related Consent Application (File B11-25-PC); *and*
- g) represents good land use planning that is in the public interest.

For the reasons stated above, it is my recommendation that the City of Port Colborne support the proposed Zoning By-law Amendment application.

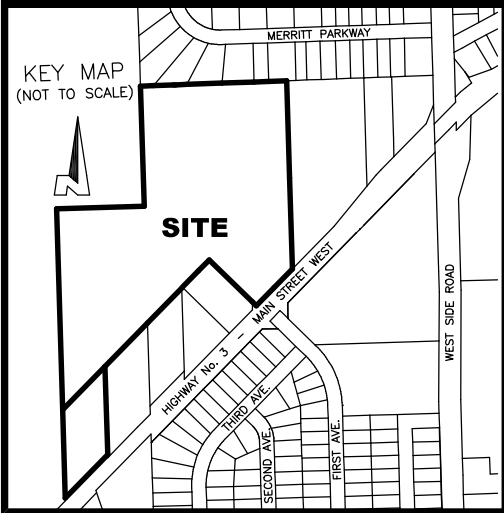
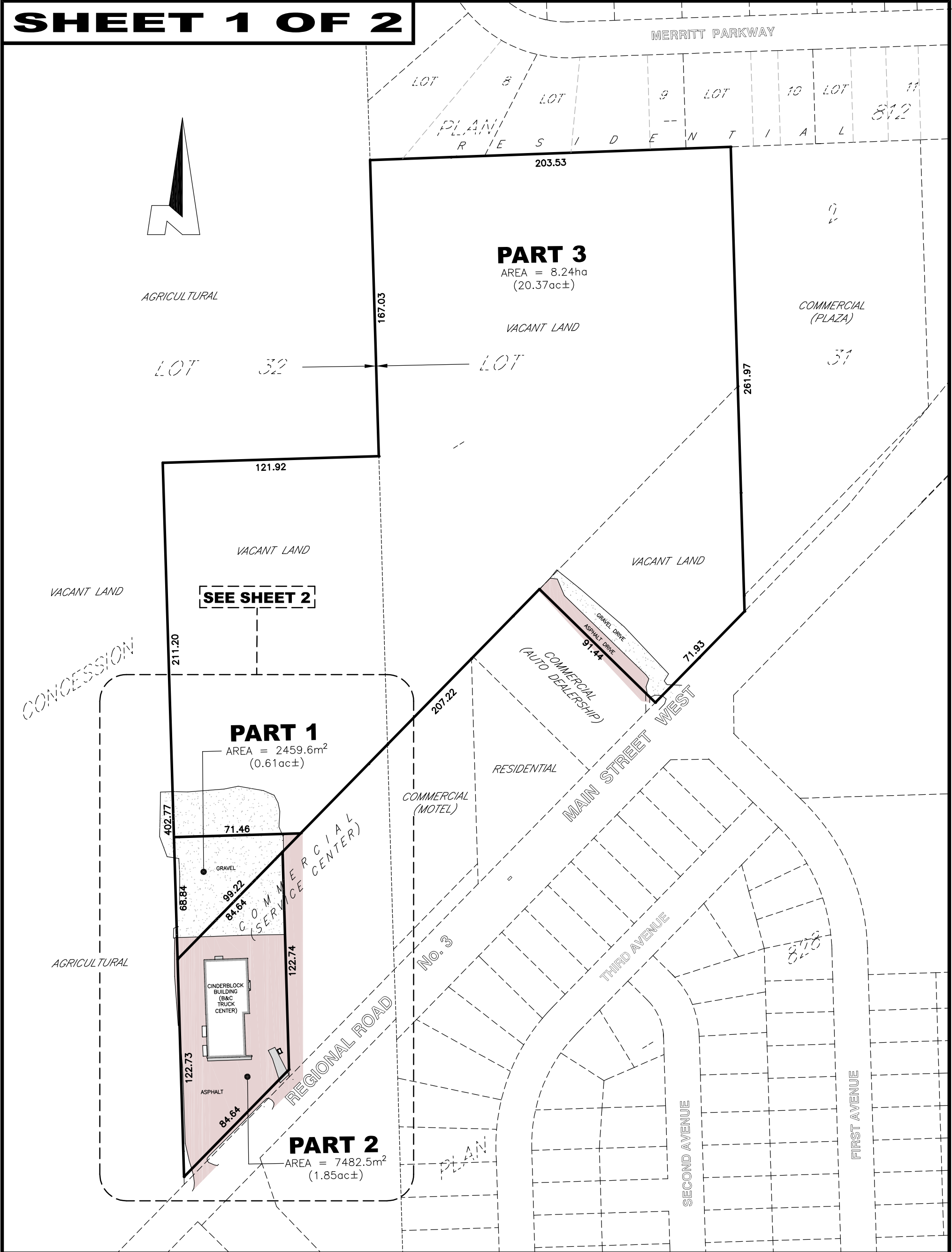
Respectfully submitted,



Craig A. Rohe, MCIP, RPP
Senior Planner
GSP Group Inc. – Hamilton Office

Appendix 1

Surveyor Plans



SKETCH
PREPARED FOR SEVERANCE APPLICATION

PART OF LOT 32
CONCESSION 2
GEOGRAPHIC TOWNSHIP OF HUMBERSTONE
IN THE
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 20,000 (METRIC)

NOTE: THIS SKETCH IS PREPARED FROM COMPILED AND CALCULATED INFORMATION, NOT FROM AN ACTUAL SURVEY.
DO NOT SCALE FROM THIS DRAWING.
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CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

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SEPT 18, 2025
DATE

Don Chambers
DONALD G. CHAMBERS, B. Sc., O.L.S.

CHAMBERS AND ASSOCIATES SURVEYING LTD
12 THOROLD ROAD EAST
WELLAND ONTARIO
L3C 3T2
(905) 735-7841 / 735-7844
FAX (905) 735-7333
www.casl-surveying.com

DWG 17036-1_SEV FILE 17-36-1

PART 3

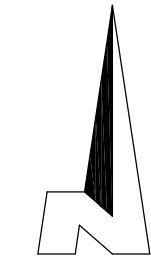
AREA = 8.24ha
(20.37ac±)

PART 1

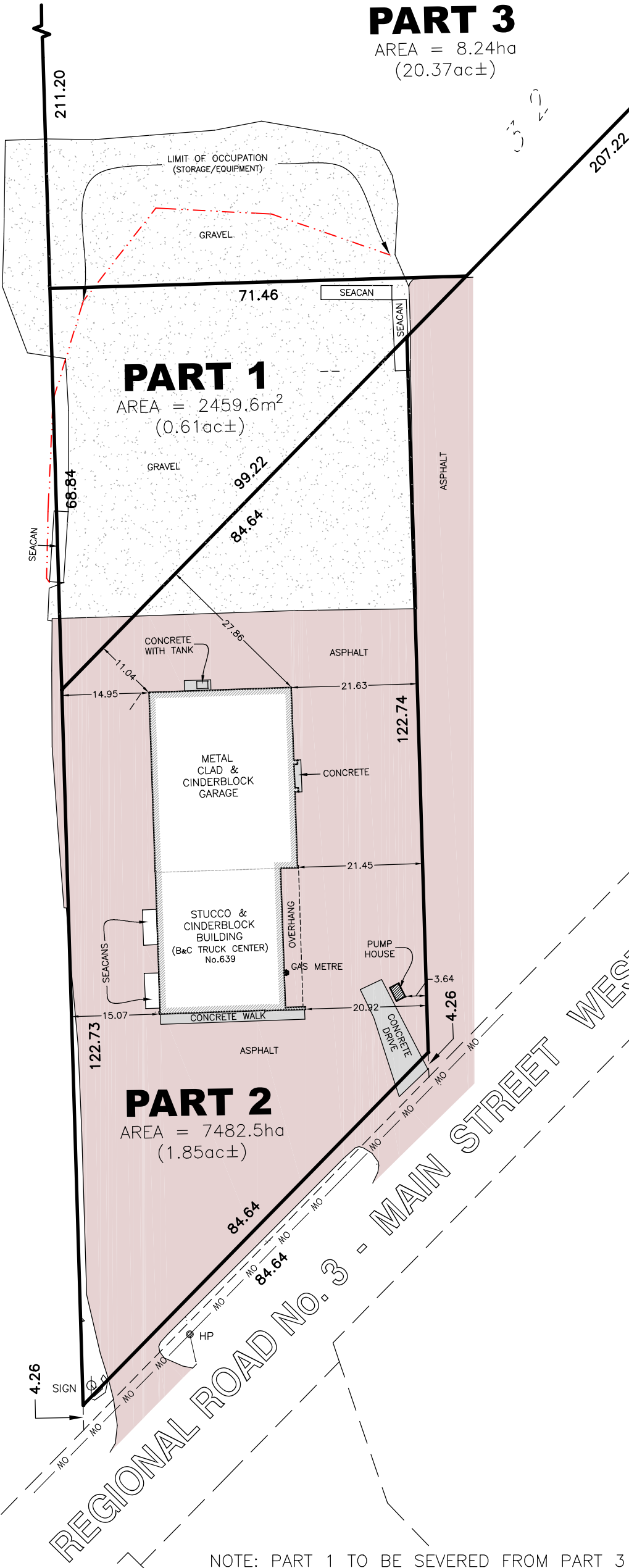
AREA = 2459.6m²
(0.61ac±)

PART 2

AREA = 7482.5ha
(1.85ac±)



CONCESSION



NOTE: PART 1 TO BE SEVERED FROM PART 3 AND MERGED WITH PART 2

SKETCH

PREPARED FOR SEVERANCE APPLICATION

PART OF LOT 32
CONCESSION 2
GEOGRAPHIC TOWNSHIP OF HUMBERSTONE
IN THE

CITY OF PORT
COLBORNE

REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 800 (METRIC)

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SEPT 18, 2025
DATE

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DONALD G. CHAMBERS, B. Sc., O.L.S.

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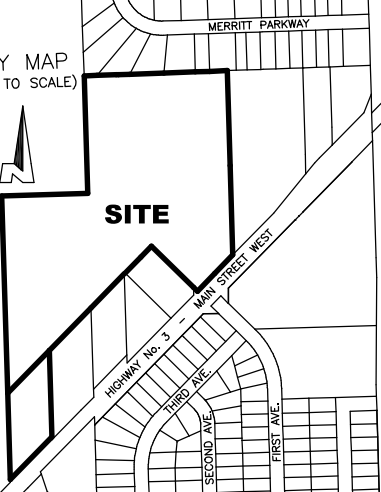
DWG 17036-1_SEV

FILE 17-36-1

KEY MAP
(NOT TO SCALE)



SITE



Appendix 2

Draft Zoning By-law Amendment

The Corporation of the City of Port Colborne

By-law No. _____

Being a by-law to amend Zoning By-law 6575/30/18 respecting Part of lands legally described as Part of Lot 32, Concession 2, Geographic Township of Humberstone in the City of Port Colborne, Regional Municipality of Niagara

Whereas By-law 6575/30/18 is a by-law of The Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures; and

Whereas the Council of The Corporation of the City of Port Colborne desires to amend the said by-law.

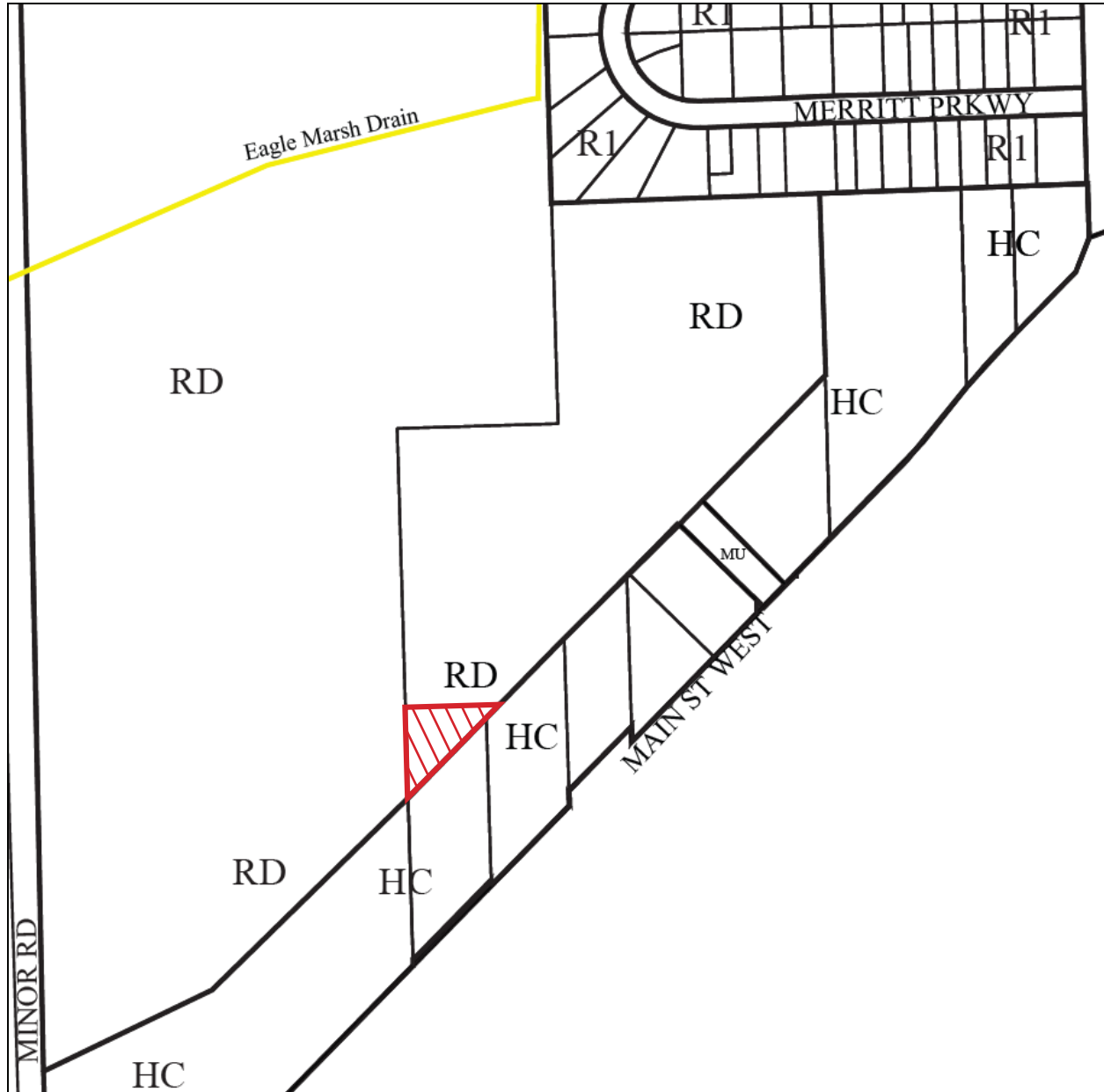
Now therefore, and pursuant to the provisions of Section 34 of the *Planning Act, R.S.O. 1990*, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule “A” attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule “A8” forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from “Residential Development” (RD) to “Highway Commercial” (HC).
3. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the Planning Act.
4. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with the Planning Act

Enacted and passed this _____ day of _____, 2026.

SCHEDULE 'A'
ZONING BY-LAW AMENDMENT NO. ____

TO THE
CITY OF PORT COLBORNE ZONING BY-LAW NO. 6575/30/18
SCHEDULE "A8"



LAND TO BE REZONED FROM THE RESIDENTIAL DEVELOPMENT (RD) ZONE
TO THE HIGHWAY COMMERCIAL (HC) ZONE



N.T.S
OCTOBER 2025

Appendix 3

Pre-consultation Notes



PORT COLBORNE

DEVELOPMENT AND GOVERNMENT RELATIONS DEPARTMENT

PRE-CONSULTATION SUMMARY

The City of Port Colborne
Niagara Region Development Services
Niagara Peninsula Conservation Authority

Persons intending to make an application for a proposed development must consult with City staff and Agency staff prior to submitting an application. A pre-consultation meeting identifies what is required to be submitted for a complete application and provides the opportunity to discuss:

- The nature of the application
- Development and planning issues
- Applicable fees
- The need for information and/or reports to be submitted with the application
- The planning approval process
- Other matters impacting the application

Pre-Consultation Meeting Date: September 25th, 2025

Municipal Contact Name: Kelly Martel

Phone: (905) 228-8130

Email: kelly.martel@portcolborne.ca

Site Address: VL Main Street West

Roll Number: 271103003813700

Land Area: N/A

Property Owner Name: TODCO Investments Inc. (c/o Thomas Drucker)

Phone Number: (416) 489-7532

Email: tcdrucker@bell.net

Agent Name: Craig Rohe of GSP Group Inc.

Phone Number: (226) 929-6026

Email: crohe@gspgroup.ca

Principal Contact: ☒ Owner

☒ Agent

Application Type

☐ Regional Official Plan Amendment

☒ Consent (Land Severance)

☒ Local Official Plan Amendment

☒ Zoning By-law Amendment

☐ Draft Plan of Subdivision

☐ Site Plan Control

☐ Draft Plan of Condominium

☐ Vacant Land & Common Element

☐ Other:

☐ Conversion

☐ Other

1. Brief description of proposed development:

Applying to remedy an existing encroachment.

2. Existing Regional Official Plan Designation: N/A

Conformity with Regional Official Plan land use designations and policies?

☐ Yes ☐ No ☒ Unknown

If 'No', what is the nature of the amendment needed?

3. Check All Applicable:

☐ Brownfield ☐ Greenfield ☐ Built-up ☐ Local CIP Area

4. Development Charges:

☐ Regional By-law 2022-71 ☒ Local By-law 7278/100/24

5. Existing Local Official Plan Designation: Urban Residential / Highway Commercial

Conformity with Official Plan land use designations and policies?

☒ Yes ☐ No ☐ Unknown

If 'No', what is the nature of the amendment needed?

6. Existing Zoning: Residential Development (RD) / Highway Commercial (HC)

Conformity with existing zoning?

☐ Yes ☒ No ☐ Unknown

If 'No', what is the proposed zoning:

7. Is the property located in an Intake Protection Zone?

If yes, notify Thomas Proks at: tproks@npca.ca

☒ No ☐ IPZ 1 ☐ IPZ 2

8. Is the property recognized under Ontario Heritage Act?

☒ No ☐ Registry ☐ Designated

9. Is Site Plan approval required?

☒ Yes ☐ No

10. Additional Agencies to be contacted:

☐ Enbridge/Pipelines

☐ Hydro

☐ Ministry of Environment

☐ CN/Trillium Rail

☐ Seaway

☐ Ministry of Transportation

☐ NPCA

☐ Other: _____

11. Fees Required at time of Submission of the Application:

Application	City of Port Colborne	Niagara Region	Niagara Peninsula Conservation Authority	Other Fees
Regional Official Plan Amendment				
Local Official Plan Amendment				
Zoning By-law Amendment	\$13,700			
Plan of Subdivision				
Plan of Condominium				
Consent	\$1,850			
Site Plan Agreement				
Other: Combined OPA/ZBA/SPA				
TOTAL	\$15,550			

Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received. Further fees may be required at a later date as per the fee schedule by-law. Separate cheques shall be made payable to the appropriate agency.

12. Incentive Programs:

Please be advised that, while the City of Port Colborne offers several grants for developments, this application may not be eligible. If you wish to learn more about our Community Improvement Program (CIP), please contact our Economic Development Officer, Bram Cotton, at 905-228-8063, or by email at bram.cotton@portcolborne.ca.

13. Required Information and Studies to be submitted with the Application(s).

Application will not be deemed complete until all requested information and studies are submitted.

Asterisk indicates the study will likely require a peer review at the cost of the developer

Local	Region	NPCA	Reports, Studies, Plans (See Notes for additional details)	No. of Copies		Notes
				Digital	Paper	
			Agricultural Impact Assessment			
			Air Quality/Noise & Vibration Study*			
			Archaeology Assessment			
			Conceptual Site Plan			
			Cultural Heritage Impact Assessment*			
			Environmental Impact Study			
			Environmental Planning Study/ Sub-Watershed Study			
			Environmental Site Assessment: Phase 1			
			Farm Business Plan*			
			Farm Operation and Ownership			
			Financial Impact Assessment*			
			Functional Servicing Report			
			Gas Well Study/Gas Migration Study			
			Geotechnical			
			Hydrogeological Study and Private Servicing Plans*			
			Land Use/Market Needs*			
			Landuse Compatibility Study			
			Mineral Aggregate Resources			
			Minimum Distance Separation I & II			
			Municipal Servicing Study			
			Phasing Plan			
✓			Planning Justification Memo as noted in Planning Comments			
			Record of Site Condition			
			Sensitive Land Use Report			
			Shadow Analysis			
			Shoreline Study/Dynamic Beach			
			Slope Stability Report			
			Soil report			
			Stormwater Management Brief			
			Transportation Impact Study/Parking Impact Analysis			
			Tree Inventory Preservation Plan			
			Urban Design			
			Wind Study*			
			Other:			

14. Site Visit:

NOTES

1. The purpose of this document is to identify the information required to commence processing and evaluating an application as set out in the Planning Act. This pre-consultation process is designed to proceed based on the mutual agreement of the parties involved in the meeting.
2. Pre-consultation does not imply or suggest any decision whatsoever on behalf of staff or the municipality to either support or refuse the application.
3. The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should any policies, by-laws, or procedures be approved by the Province, Municipality, Region, or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws, or procedures that are in effect at the time of the submission of a formal application.
4. **Any application submitted without the information identified in this Pre-consultation Document will be deemed incomplete and not processed.** Alternatively, staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
5. By filing an application under the Planning Act, the applicant understands that the Municipality and Region may release information provided as part of the application to process the application, or at the request of a third party, without notification to the applicant.
6. During the review of the application, additional studies or information may be required because of issues arising during the processing of the application or the review of the submitted studies.
7. If the Municipality or Region does not have sufficient expertise to review and determine that a study is acceptable, the Municipality may require a peer review. The cost of the peer review shall be paid for by the applicant. The Terms of Reference for a peer review is determined by the Municipality or Region.
8. Some studies may require NPCA review and clearance/approval. In this instance, the NPCA review fee shall be paid by the applicant.
9. **All plans and statistics must be submitted in metric;** employing imperial measurements will result in an application being deemed incomplete.
10. If an application is not filed with the City of Port Colborne within 18 months of the date of the pre-consultation meeting, the cost of the pre-consultation will not be subtracted from the cost of filing the application.
11. Ensure that Canadian Power Niagara (CNPI) is contacted as soon as possible in the process to discuss servicing. There are currently long lead times for servicing. Contact jeff.hoover@cnpower.com, cole.ramsey@cnpower.com or alex.sidin@cnpower.com.

If you have any questions, please contact the Local Municipal Contact provided on the first page of this document.

Kelly Martel

Manager of Planning

email: kelly.martel@portcolborne.ca

phone: (905) 228-8130

Planning staff have reviewed the pre-consultation request and note the following:

- The applicant is requesting a severance/ boundary adjustment to facilitate the transfer of lands on a portion of land owned by TODCO to 1683164 Ontario Inc.
- The TOCDO Lands are currently designated Urban Residential in accordance with the Official Plan and zoned “Residential Development (RD)” in accordance with the Zoning By-law
- The 168 Lands (legally addressed as 639 Main Street West) are currently designated Highway Commercial in accordance with the Official Plan and Zoned “Highway Commercial (HC)” in accordance with the Zoning By-law
- The applicant has noted that the following Planning Act approvals would be required to facilitate the land transfer and severance/ boundary adjustment
 - Official Plan Amendment, to extend the Highway Commercial designation such that it applies to the adjusted parcel boundary for 639 Main; and
 - Zoning By-law Amendment, to extend the Highway Commercial zone such that it applies to the adjusted parcel boundary for 639 Main
 - The applicant has indicated that the intent is to include obtaining the appropriate Planning Act approvals as a condition of Consent

Planning staff's comments are as follows:

- Based on Official Plan policy 11.7.1 (Boundaries and Policies), an Official Plan Amendment is not required in this instance. Policy 11.7.1 a) is provided for reference:
 - The land use designation boundaries are general except where they align with fixed or recognizable features such as roads, railways, watercourses or similar types of features. Where the intent of this plan is maintained, minor adjustments to boundaries will not require an amendment to this Plan.
- Planning staff will be requesting a planning justification memo for both the consent application and any identified Planning Act applications (Zoning By-law Amendment), outlining the applicable policy and regulatory frameworks and requirements and provide a rationale demonstrating how the proposal satisfies them. Specific reference to Policy 11.7.1 should be included in the memo, identifying why an OPA is not required for the boundary adjustment of the Highway Commercial designation. It is recommended that a zoning conformance chart be provided with both applications, outlining any additional relief required to the zoning requirements of the requested zone to be applied to 639 Main such that any deficiencies can be addressed concurrently with the zone change.
- Planning staff will also request that the consent application be accompanied by a supporting sketch prepared by an Ontario Land Surveyor (OLS), along with any other required documentation set out in the application form and/or noted by other commentors/ agencies

PRE-CON COMMENTS

Engineering Comment

Chris Viccica

Engineering Technologist

email: chris.viccica@portcolborne.ca

phone: (905) 228-8112

Development Engineering has no comments on this OPA, ZBA, Consent (Severance) application.

PRE-CON COMMENTS

Drainage Comment

Alana VanderVeen

Drainage Superintendent

email:

phone:

alana.vanderveen@portcolborne.ca

(905)-228-8127

The portion of property is currently estimated to be within the watershed of the Eagle Marsh drain. The engineers report for the drain is in the process of being prepared. I assume this parcel realignment will be complete prior to the report.

At this point nothing is required from the applicant regarding municipal drains. When the report is complete, all assessed property owners within the report will be notified.

Fire Comment

Charles Turpin

Fire Prevention Officer

email:

phone:

charles.turpin@portcolborne.ca

(905)-228-8079

Port Colborne Fire has no concerns regarding this application.

PRE-CON COMMENTS

Building Comment

Gary Graziani

Deputy Chief Building Official

email: gary.graziani@portcolborne.ca

phone: (905) 228-8122

Port Colborne Building has no comments about this application.

RE: NPCA Comments, VL Main Street West - Pre-Consultation Meeting

Organizer Taya Taraba <Taya.Taraba@portcolborne.ca>
Meeting time This event occurred 6 days ago (Thu 9/25/2025 10:00 AM - 10:30 AM)
Location Microsoft Teams Meeting
My response Accepted
Required attendees Thomas Drucker, Craig Rohe
Optional attendees Adam Motchka, adam.boudens@niagararegion.ca, Alana VanderVeen, alex.sidin@cnpower.com, Ali, Usama (MTO), Bell, Bell, Bram Cotton, Cassandra Banting, Catherine.MacKinnon@ontario.ca, Charles Turpin, Chris Viccica, Cole.Ramsey@cnpower.com, Craig Larmour, Danny Rodgers, DevelopmentReview, devtplanningapplications@niagararegion.ca, Dunsmore, Susan, Erik Acs, Gary Graziani, Gary Long, Isabela Berberick, Jeff.Hoover@cnpower.com, josh.wilson@niagararegion.ca, Katie Young, Kelly Martel, ksharma@npca.ca, Lampman, Cara, Lori.Karlewicz@niagararegion.ca, Maggie.Ding@niagararegion.ca, Paige Pearson, philippe.biba@niagararegion.ca, planning@dsbn.org, richard.bolliger@rci.rogers.ca, smastroianni@npca.ca, Steve Shypowskyj, T Lennard, tyler.collins@bell.ca, Maya Jaswal, Albert Ciolfi, Travis Mallaley
Message sent Mon 9/29/2025 8:46 AM

 1 attachment (591 KB)

ARN 271103003813700 - NPCA Map.pdf;

Good Afternoon Taya,

Please see the Niagara Peninsula Conservation Authority (NPCA) comments for ARN 271103003813700 for the Pre-consultation meeting on Thursday, September 25th, 2025.

NPCA has reviewed the applicant's proposal to remedy an existing encroachment through a boundary adjustment and several amendments to facilitate the transfer of affected lands.

NPCA notes that the proposed boundary adjustment is outside the NPCA regulated features and does not encroach into any regulated features.

As such, NPCA has no objection to proposed boundary adjustment.

NPCA notes that a portion of the eastern part of the subject property (ARN 271103003813700) is impacted by potential unevaluated wetland.

Please be advised that any development or site alterations proposed within NPCA regulated areas or their buffers will require NPCA approvals ahead of the commencement of the works on site and would require a formal NPCA Permit.

NPCA will not require the circulation of the Consent application.

Thank you for circulating the application for NPCA review.

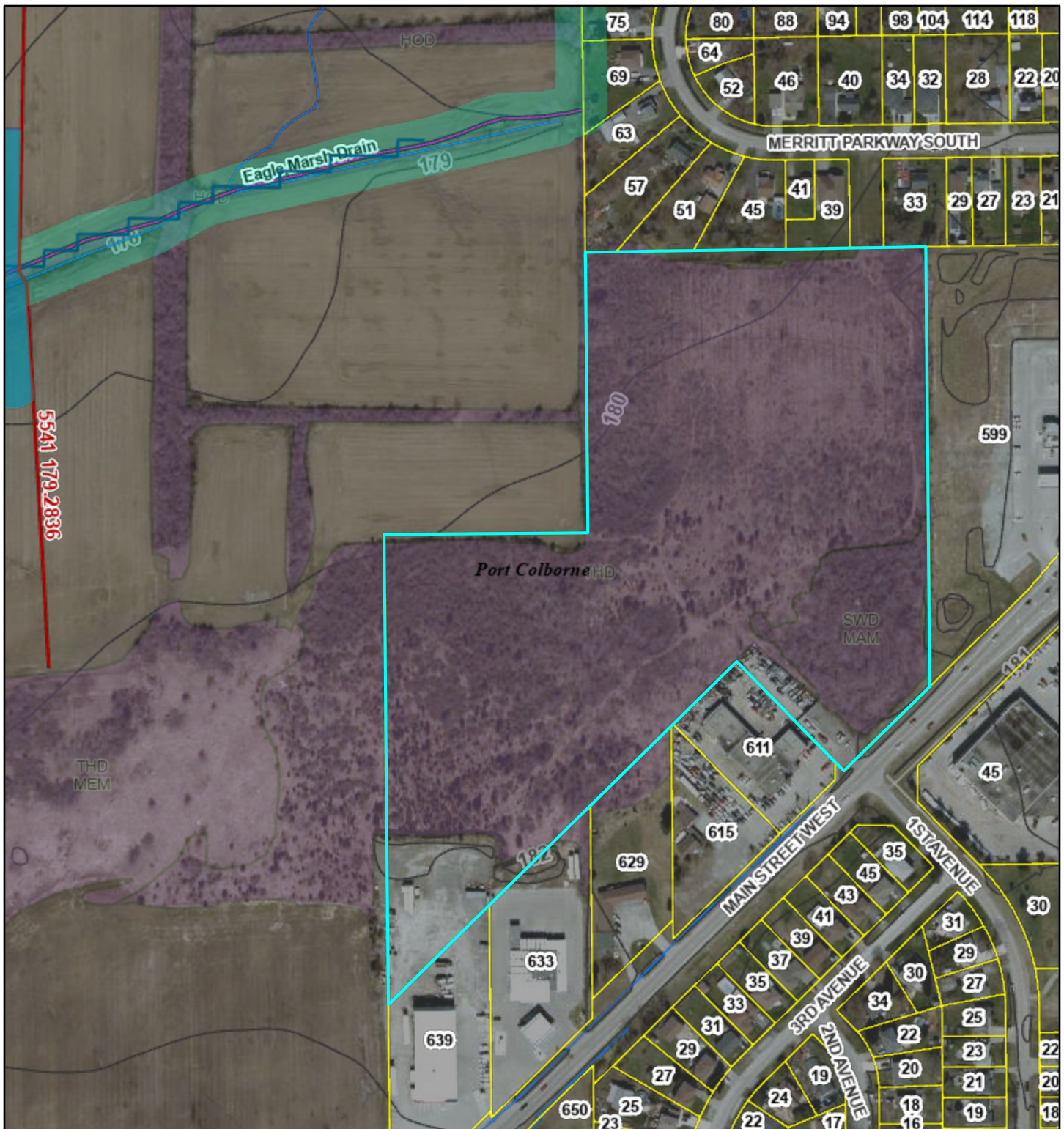
Kind Regards,

Kartiki Sharma
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 278
[www.npca.ca%20]www.npca.ca

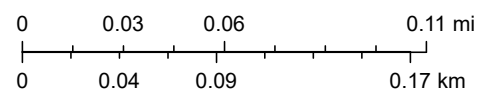
ARN 271103003813700 - NPCA Map



9/17/2025, 11:26:14 AM

1:4,514

- | | |
|--------------------------------------|--------------------------|
| Roads | Floodlines Inventory |
| Watershed Planning Areas | Regulated |
| NPCA APPROXIMATE REGULATION LANDS | Cross Sections Inventory |
| Reaches Draining 125ha Requiring FPM | XSCutline |
| ESCARPMENT HAZARD SUROGATE | Assessment Parcels |
| Regulated Floodplain Extent | Constructed Drains |
| Regulated | Municipal Drain |



NPCA, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS



SHAPING GREAT COMMUNITIES

September 3, 2025

GSP File No. 25087

Taya Taraba
Planning Technician
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

**RE: Application for Pre-Consultation
Official Plan Amendment, Zoning By-law Amendment and Consent to Sever
Unaddressed Lands known by Roll # 271103003813700 and 639 Main Street West**

On behalf of TODCO Investments Inc. ("TODCO") and 1683164 Ontario Ltd. ("168"), GSP Group is pleased to submit this Application Overview Letter to the City of Port Colborne regarding proposed applications for Official Plan Amendment, Zoning By-law Amendment and Consent to Sever (Boundary Adjustment).

TODCO is the owner of the subject lands and has authorized GSP Group (who has been retained by 168) to submit the pre-consultation application to the City. 168 will be the applicant for all proposed applications.

Purpose of the Applications

The B&C Truck Centre is a tenant at the property owned by 168 that is known municipally as 639 Main Street West. The existing motor vehicle repair facility is currently encroaching onto approximately +/-1.0 acre of land located to the north of their property (the "affected lands") which is owned by TODCO. The encroachment area was covered with gravel approximately 20 years ago and currently contains shipping containers, outdoor storage and temporarily parked vehicles that are awaiting service. These lands are also used as an informal turnaround to move vehicles from the east and west sides of the building to the service bays.

TODCO and 168 have provisionally agreed to undertake a boundary adjustment whereby 168 would acquire +/- 0.6 acres of land representing part of the encroachment, squaring the lands off in line with the limit of paving on the adjacent lands to the east.

The lands to be severed are currently designated as "Urban Residential" in the Port Colborne Official Plan (2012) and are zoned as "Residential Development" (RD) in Zoning By-law 6575/30/18.

168's lands are designated as "Highway Commercial" in the Port Colborne Official Plan (2012) and are zoned "Highway Commercial" (HC) in Zoning By-law 6575/30/18.

Required Planning Approvals

To facilitate the severance and transfer of the affected lands from TODCO to 168, an application for Consent to Sever (Boundary Adjustment) is required. This application is proposed to be filed

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria Street South, Suite 201, Kitchener, ON N2G 4Y9 519 569 8883

162 Locke Street South, Suite 200, Hamilton, ON L8P 4A9 905 572 7477

gspgroup.ca

with the City of Port Colborne Committee of Adjustment for consideration and conditional approval.

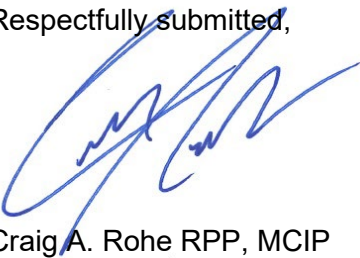
The facilitation of the land transfer would require a merger of the severed lands with 168's property. However, as the proposed use of the lands would then be part of the motor vehicle repair operation (i.e. a Highway Commercial use) it is the opinion of GSP Group that the lands to be obtained would require a redesignation and rezoning from "residential" through a concurrent Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA").

The obtainment of the OPA and ZBA approvals is desired to be made as conditions of the Consent approval. It is intended that all applications would all be submitted concurrently to the City of Port Colborne for efficiency of processing.

An aerial map showing the portion of lands to be severed from the TODCO parcel is provided with the Pre-consultation Application. The OPA and ZBA would apply to the same area. The project surveyor is set to attend the property on September 4th. If a copy of the preliminary reference plan is made available to our client's prior to the scheduled Pre-consultation meeting, we will forward it to staff for review.

Should you have any questions please contact the undersigned at 226-929-6026 or by email at crohe@gspgroup.ca.

Respectfully submitted,



Craig A. Rohe RPP, MCIP

Senior Planner

GSP Group Inc.

Cc: Scott Ciolfi, 1683164 Ontario Ltd.
Albert Ciolfi, 1683164 Ontario Ltd.
Velizar Amov, 1683164 Ontario Ltd.
Thomas Drucker, TODCO Investments Inc.



Applicants requesting to attend a pre-consultation meeting with staff from the City of Port Colborne, Regional Municipality of Niagara, and Niagara Peninsula Conservation Authority must complete this form and the attached authorization to enter property form.

Please return both forms, payment of the appropriate fee, and a site plan of your proposed development **no later than two (2) weeks** before the scheduled pre-consultation meeting date to taya.taraba@portcolborne.ca.

Forms that are incomplete, submitted without payment, not returned with a proper site plan, or submitted late, may be left off the pre-consultation meeting agenda. Planning staff reserves the right to move the scheduled date. Depending on the volume of requests, it may not be possible to be scheduled for the earliest agenda.

FEES

☐ Plans of Subdivision/Condominium	
☒ Official Plan Amendments	
☒ Zoning Bylaw Amendments	\$520
☐ Site Plan Control	
☒ Consents & Minor Variances	\$260

If an application is submitted to the City of Port Colborne within 18 months from the date of the pre-consultation meeting, the pre-consultation meeting fee will be subtracted from the application fee.

If more than one planning approval is needed (i.e. an Official Plan Amendment and a Zoning By-law Amendment), the applicant only needs to pay the pre-consultation fee once. For example, if approval is needed for a Zoning By-law amendment and an Official Plan Amendment, the total cost for the pre-consultation meeting would be \$520.

If a combination of approvals is required having different fees, the greater fee will be charged. For example, if the pre-consultation meeting is for a Consent and a Zoning By-law Amendment the fee would be \$520. **Please note that the pre-consultation fee is non-refundable.**

APPLICATION TYPE

Check all that apply:

Regional Official Plan Amendment		Consent (Land Severance) Boundary Adjustment	X
Local Official Plan Amendment	X	Zoning By-law Amendment	X
Draft Plan of Subdivision		Site Plan Control	
Draft Plan of Condominium		Other:	

Site Information

Address: No municipal address.

Assessment Roll Number: 271103003813700

Owner Contact Information

Name:

Thomas Drucker - TODCO Invesments Inc.

Phone Number:

(416) 489-7532

Email:

tcdruker@bell.net

Agent Contact Information

Name: Craig Rohe of GSP Group Inc.

Phone Number: 226-929-6026

Email: crohe@gspgroup.ca

Description Of Proposed Development

Remedy of an existing encroachment.

Please see the provided Application Overview Letter provided with the Pre-consultation Application.

SITE PLAN INSTRUCTIONS

The Pre-consultation Request Form must be submitted with a site plan showing the proposed development. The following items must be included on site plans:

- Location of existing and proposed land uses, buildings and structures;
- Location of significant features on the site and adjacent to the site (i.e. wetlands, hazard lands, watercourses, woodlands, wells, septic tanks, etc.);
- Existing and proposed lot fabric (as appropriate); and
- Proposed development concept, including setbacks from lot lines and significant features.

PERMISSION TO ENTER PROPERTY

I hereby give permission to the City of Port Colborne, Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority to enter my property for the purpose of inspection and information gathering regarding the pre-consultation meeting requested for my property.

Address:

Date:

Unaddressed lands known by Roll # 271103003813700

August 5, 2025

Name of Property Owner:

TODCO Investments Inc.

Signature of Property Owner:

per Thomas C. Drucker



- Legend
- Regional
 - Municipal/Private
 - Address Points

0 30 60 120 180 240

Date: 2025-06-13 Time: 9:57 AM

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 The Niagara Region makes no representations or warranties whatsoever, either expressed or implied,
 as to the accuracy, completeness, reliability, currency or otherwise of the information shown on this map.



Option 3 - +/- 0.6 acres



NAVIGATOR



Craig Rohe

From: Kelly Martel <Kelly.Martel@portcolborne.ca>
Sent: October 14, 2025 2:44 PM
To: Craig Rohe; Taya Taraba
Subject: RE: Pre-Consultation - 639 Main Street W Comments

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Hi Craig

No issues on our end with revising the fee to reflect the minor ZBA.

Have a good day!

-Kelly



Kelly Martel
Manager of Planning
City of Port Colborne



66 Charlotte Street
Port Colborne, ON L3K 3C8
Phone 905-228-8130
Email Kelly.Martel@portcolborne.ca

www.portcolborne.ca

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From: Craig Rohe <crohe@gspgroup.ca>
Sent: October 14, 2025 2:41 PM
To: Taya Taraba <Taya.Taraba@portcolborne.ca>; Kelly Martel <Kelly.Martel@portcolborne.ca>
Subject: RE: Pre-Consultation - 639 Main Street W Comments

You don't often get email from crohe@gspgroup.ca. [Learn why this is important](#)

Thank you, Taya. Received.

Everything looks consistent with what was discussed at the meeting, although it appears that the “regular” zoning fee of \$13,700.00 is now being requested.

@Kelly Martel, you had indicated during our meeting this was a technical or minor zoning amendment. Is that still the case, and if so, would we not be subject to the Minor ZBA fee \$6,850.00 instead?

Thanks, C.



Craig A. Rohe MCIP, RPP
Senior Planner

office: 905.572.7477
direct: 289.814.3090
mobile: 226.929.6026
email: crohe@gspgroup.ca
162 Locke Street South, Suite 200
Hamilton, ON L8P 4A9



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From: Taya Taraba <Taya.Taraba@portcolborne.ca>
Sent: October 14, 2025 2:33 PM
To: Craig Rohe <crohe@gspgroup.ca>
Cc: Kelly Martel <Kelly.Martel@portcolborne.ca>
Subject: Pre-Consultation - 639 Main Street W Comments

Good afternoon Craig,

Attached, please find your pre-consultation comments.

Should you have any questions or concerns, please do not hesitate to let me know.

Best,

Taya



Taya Taraba
Planning Technician
City of Port Colborne

66 Charlotte Street
Port Colborne, ON L3K 3C8

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Phone 905-228-8124
Email Taya.Taraba@portcolborne.ca

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