



**Date:** Wednesday, March 11, 2026  
**Time:** 6:00 pm  
**Location:** Council Chambers, 3rd Floor, City Hall  
66 Charlotte Street, Port Colborne

**Pages**

1. Call to Order
2. Adoption of Agenda
3. Reading of Meeting Protocol
4. Disclosures of Interest
5. Request for Any Deferrals or Withdrawals of Applications
6. New Business
  - 6.1 B09-26-PC; B10-26-PC; B11-26-PC - 5930 Michener Road 1

**Action:** Consent to Sever

**Agent:** Matt Kernahan

**Applicant:** Michael and Stephanie Phibbs

**Location:** 5930 Michener Road
7. Other Business
  - 7.1 OACA 2026 Conference & AGM
  - 7.2 Reformatting Committee of Adjustment Minutes
8. Approval of Minutes
  - 8.1 February 11, 2026, Committee of Adjustment Minutes 14
9. Adjournment



# PORT COLBORNE

PLANNING AND DEVELOPMENT DEPARTMENT

## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

Consent Application

File No. B09-26-PC

File No. B10-26-PC

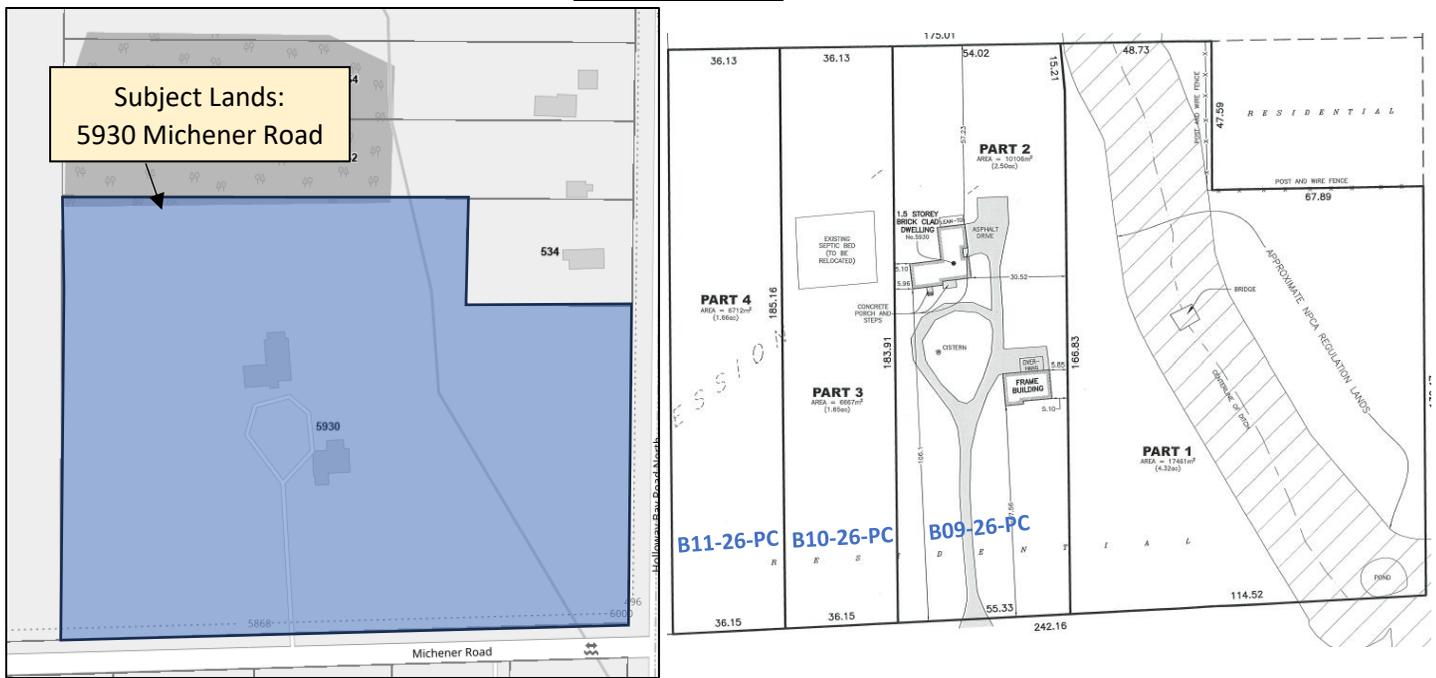
File No. B11-25-PC

**IN THE MATTER OF** the *Planning Act, R.S.O., 1990, c.P. 13, Section 53 (1)*;

**AND IN THE MATTER OF** the lands legally known as Concession 1 Part Lot 1, in the City of Port Colborne, located in the Rural (RU) zone, municipally known as 5930 Michener Road;

**AND IN THE MATTER OF AN APPLICATION** by the agent Matt Kernahan, on behalf of the owners, Michael and Stephanie Phibbs, for consent to sever for the purpose of creating several new residential lots. The subject parcels are shown as Parts 1, 2, 3 and 4 on the proposed sketch, where Part 1 is to be retained, for a future residential use. Part 2 is to be severed with an existing residential use, and Parts 3 and 4 are to be severed for future residential uses. A sketch of the subject lands is shown on the reverse side of this notice. A higher resolution PDF version of this sketch can be found on the City's website.

### LOCATION MAP



**PLEASE TAKE NOTICE** that this application will be heard in-person and virtually by the Committee of Adjustment as shown below:

**Date:** March 11, 2026

**Time:** 6:00 p.m.

**Location:** 66 Charlotte Street – Third Floor Council Chambers and Virtually via Zoom

Additional information regarding this application is available for public inspection. An appointment can be scheduled in the office of the Planning and Development department, Monday to Friday, during the hours of 8:30 A.M. to 4:30 P.M., by telephone at (905)-228-8124 or through email at [taya.taraba@portcolborne.ca](mailto:taya.taraba@portcolborne.ca) to view the material.

**PUBLIC HEARING:** You are entitled to participate and express your views about this application, or you may be represented by counsel for that purpose. The Planning Division's report may be available for public inspection by **Friday, March 6, 2026**. If you are receiving this notice as the owner of land that contains multiple residential units, please post this in a location that is visible to all tenants.

**Electronic Hearing Procedures  
How to Get Involved in the Hearing**

Anyone wishing to participate in the meeting can attend either virtually or in-person and is encouraged to submit a written submission that will be circulated to the Committee of Adjustment prior to the meeting. All comments submitted are part of the public record.

If anyone wishes to orally participate in the meeting, they must pre-register with the Secretary-Treasurer. **Written submissions and participation requests must be received by 12:00 p.m. on Tuesday, March 10, 2026**, by emailing taya.taraba@portcolborne.ca or by calling (905)-228-8124. Written submissions may also be submitted to the mail slot located in the front-left of City Hall; 66 Charlotte Street.

If you have any questions about the application(s) or submission process, please email taya.taraba@portcolborne.ca or call (905)-228-8124.

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer.

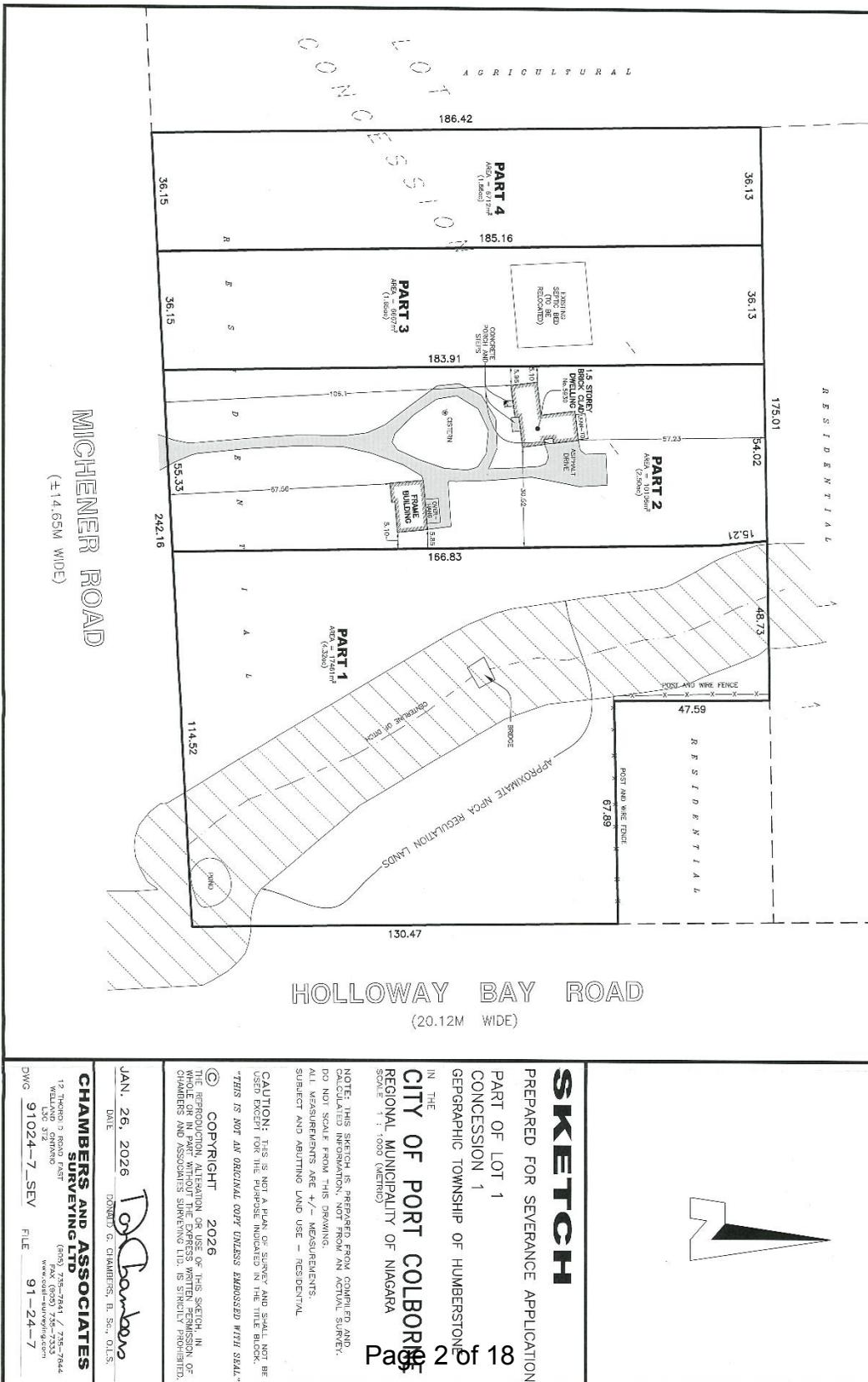


By order of the Committee of Adjustment,

Taya Taraba  
Secretary-Treasurer

Date of Mailing: February 24, 2026

**SKETCH**



**SKETCH**  
PREPARED FOR SEVERANCE APPLICATION  
PART OF LOT 1  
CONCESSION 1  
GEOGRAPHIC TOWNSHIP OF HUMBERSTONE  
IN THE  
CITY OF PORT COLBORNE  
REGIONAL MUNICIPALITY OF NIAGARA  
SCALE 1:1,000 (METRIC)

NOTE: THIS SKETCH IS PREPARED FROM COMPILED AND CALCULATED INFORMATION, NOT FROM AN ACTUAL SURVEY. ALL MEASUREMENTS ARE +/- MEASUREMENTS. SUBJECT AND ABUTTING LAND USE = RESIDENTIAL

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JAN. 26, 2026  
DATE  
DRAWN BY: Taya Taraba  
CHECKED BY: G. CHAMBERS, R. SEC., O.L.S.

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**Development and Government Relations Department**  
Planning Division Report

March 11, 2026

Secretary-Treasurer  
Port Colborne Committee of Adjustment  
66 Charlotte Street  
Port Colborne, ON L3K 3C8

**Re: Application for Consent: B09-26-PC, B10-26-PC & B11-26-PC  
Concession 1, Part Lot 1  
5390 Michener Road  
Agent: Matt Kernahan.  
Owner: Michael & Stephanie Phibbs**

**Proposal**

The purpose of these applications is to seek approval for a severance to create 3 new lots. These applications have been made concurrently and propose to reconfigure 1 existing lot into 4 lots total, as illustrated in the provided figures and described below:



- **Part 1** is proposed to **be retained** as a new residential lot, with a lot frontage of 114.52 metres and a lot area of 17,461 square metres.
- **Part 2** is proposed to **be severed** with an existing residential use, with a lot frontage of 55.33 metres and a lot area of 10,106 square metres.

- **Part 3** is proposed to **be severed** for future residential use, with a lot frontage of 36.15 metres and a lot area of 6,667 square metres.
- **Part 4** is proposed to **be severed** for future residential use, with a lot frontage of 36.15 metres and a lot area of 6,712 square metres.

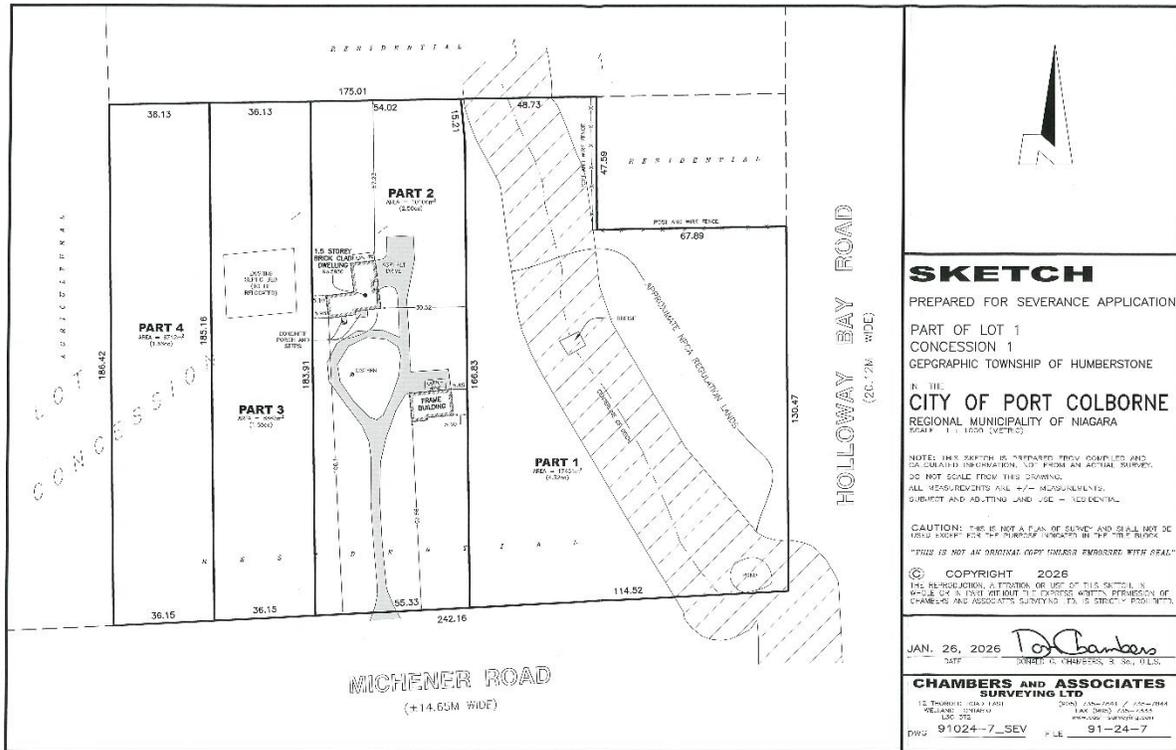


Figure 2 (above): Proposed severance sketch

### Surrounding Land Uses and Zoning

The Subject Lands are zoned Rural (RU), and rural uses exist on the parcels to the north, west, and south. East of the Subject Lands are lots within the Town of Fort Erie and are primarily rural and agricultural. Figure 3 shows the zoning of the subject and surrounding lands.

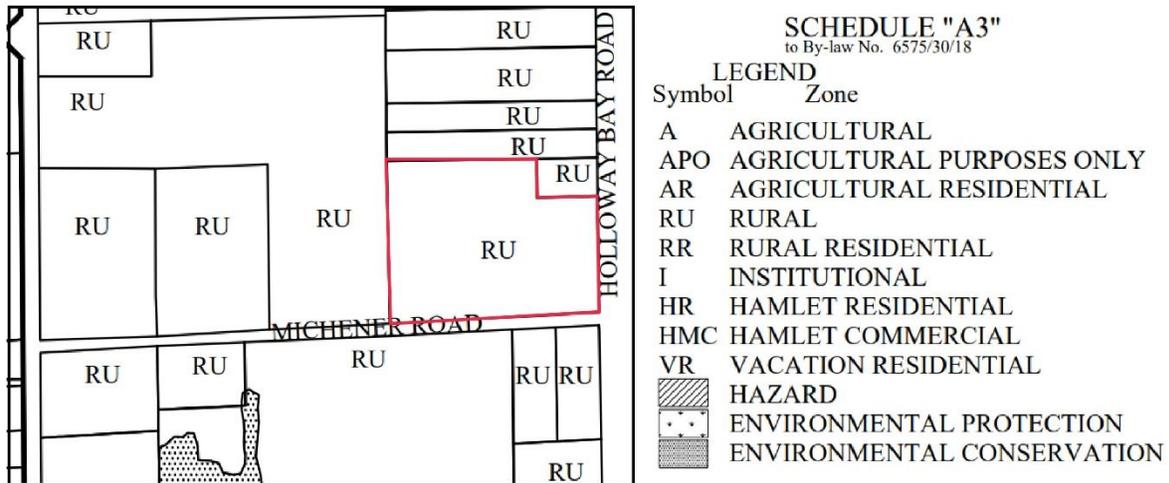


Figure 3 (above): Zoning of the subject and surrounding lands

### Environmentally Sensitive Areas

There are no natural areas or features mapped within the Niagara Official Plan (NOP) or City of Port Colborne Official Plan (OP) on or adjacent to the Subject Lands. However, the NPCA has indicated that Part 1 is impacted by a regulated watercourse, which also functions as a municipal drain. There are setback distances that will impact future development of Part 1.

### Public Comments

Notice was circulated on February 24, 2026, to properties within 60 metres of the subject lands, in accordance with the *Planning Act*. At the time of writing this report, no comments from the public have been received.

### Agency Comments

Notice of the application was circulated on February 10, 2026, to internal City departments and external agencies. As of February 26, 2026, the following comments have been received.

Commenter	Comments	Planning Staff Response
<b>Drainage Superintendent</b>	This parcel is in the watershed of the Point Abino drain. There is not a municipal drain on the parcel however as noted on the plan there is a significant water feature. Due to this feature, if the application is approved, it is recommended that a mutual agreement drain be entered	Condition 4 reflects this comment

	<p>into the conditions of severance. A mutual agreement drain will address the current drainage status of the parcel as a whole and provide future rights for parts 2-4 to continue to drain as they currently do now assuming, the parcel as a whole, drains to the NPCA Regulated area. If assistance or guidance is required, please contact the drainage superintendent.</p> <p>Additionally, if the application is approved, a drainage apportionment agreement will be required. This can be completed by the drainage superintendent or by an approved drainage engineer. The cost to complete this by the drainage superintendent is \$118.00. If the applicant chooses to have this completed by a drainage engineer, there will be additional fees. Once approved, a copy of the application and the deposited plan will be provided to the drainage superintendent to complete the re-apportionment of the drainage assessment for the Point Abino Drainage assessment schedules.</p>	
<b>Fire Department</b>	No Comment	
<b>Engineering Technologist</b>	A municipal consent permit will be required for the entrances and culverts to access the newly created lots.	Noted
<b>Niagara Peninsula Conservation Authority</b>	<p>NPCA has reviewed the Consent application to sever for the purpose of creating new residential lots.</p> <p>The subject property is impacted by NPCA regulated watercourse and associated 15m buffer.</p> <p>NPCA notes that the proposed severance is outside the</p>	Noted

	<p>NPCA regulated features and the proposed lot lines do not encroach any regulated features.</p> <p>As such, NPCA has no objection to proposed severance.</p> <p>NPCA notes that the retained parcel 'Part 1' is impacted by NPCA regulated watercourse and associated 15m buffer. As such, any future development proposed within a NPCA regulated area will require NPCA review, approval and permits from this office prior to the commencement of any works on site.</p>	
<b>Niagara Region</b>	<p>Regional Infrastructure Planning and Development staff would not be opposed to the approval of the consent applications subject to the following condition of approval:</p> <p><i>That the proposed property lines be revised to show the minimum three (3) metre setback from the existing septic system to the proposed west property line on Part 2 or, alternatively, that a new class 4 sewage system is applied for and installed to be fully contained on Part 2, meeting the required setbacks to the proposed property lines, to the satisfaction of the Niagara Region.</i></p>	<p>Condition 5 of B09-26-PC reflects this comment</p> <p>Condition 5 of B10-26-PC reflects this comment</p>
<b>Ministry of Transportation</b>	<p>MTO has reviewed the site location and has no comments to provide as this site is outside of MTO permit jurisdiction. No MTO permits or approvals would be required by the proponent for any development at the above address at this time.</p>	Noted

**Discussion**

Consent applications B09-26-PC, B10-26-PC, and B11-26-PC were reviewed in consideration of the applicable policies in the Provincial Planning Statement (2024), the

Niagara Official Plan (2022), the City of Port Colborne Official Plan (2013), and Zoning By-law 6575/30/18.

### Provincial Planning Statement (PPS)

Based on the policies and definitions in the PPS, the subject lands are considered rural lands. Section 2.6.2 suggests that development that can be sustained by rural service levels should be promoted. Section 3.6.4 indicates that individual onsite sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

Section 4.6 of the PPS provides direction for the conservation of significant cultural heritage and archaeological resources. Development and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless archaeological resources have been conserved. The creation of a new lot is considered development. The Niagara Region Official Plan (NOP) includes an operative schedule that identifies areas of archaeological potential (Schedule K). The Subject Lands are located within an area of identified archaeological potential. To address this, staff are recommending that the applicant complete the necessary works to obtain archaeological clearance from the Ministry of Citizenship and Multiculturalism (MCM) as a condition of consent.

Staff are satisfied that the proposed severance is consistent with the PPS. The proposal to create new lots within rural lands is appropriate for the site's characteristics.

### Niagara Official Plan (NOP)

The Niagara Official Plan (NOP) provides the long-term land use planning framework for development across the Niagara Region, including the City of Port Colborne. As a result of the passing of Bill 185, the NOP is deemed to be a local Official Plan for Planning Act applications. The subject lands are designated as Rural Lands in accordance with Schedule F – Agricultural Land Base and an Area of Archeological Potential, in accordance with Schedule K – Areas of Archeological Potential.

Section 4.1.9 of the NOP discusses non-agricultural uses on rural lands, with section 4.1.9.2 providing some criteria to guide development. Section 4.1.4.2 states that residential lots within rural lands must have an area of 0.4 hectares to support an on-site private water supply and long-term operation of a private sewage disposal system.

Based on the analysis above, the proposed consent application conforms to the NOP.

### City of Port Colborne Official Plan (OP)

The subject lands are designated Rural in accordance with Schedule A of the OP. Section 3.4 of the OP identifies the planned function of the Rural designation as follows:

*“The predominant uses for lands designated Rural shall include, but not be limited to; land uses permitted in the Agricultural designation; single-detached residential; natural heritage areas; parks and public open spaces; golf courses, conservation clubs, off-road trails and on-road bicycle routes; veterinary establishments; commercial or industrial uses that serve or directly relate to agriculture and cannot be located in a Hamlet such as a nursery or farm produce sales establishment, research station, farm machinery sales or repair depot, roads maintenance depot, feed or saw mill and fertilizer or seed depot; and activities normally found in close proximity to a lakeshore area including docks, accessory boat storage buildings, navigation facilities and erosion control measures.”*

The proposed consent application is being brought forward to facilitate the development of 3 parcels for uses consistent with the OP designation; and, meets the requirements to sever the lands set out in the OP, subject to necessary conditions which are outlined in the Recommendation section of this report.

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

The subject lands are zoned Rural (RU) in accordance with Zoning By-law 6575/30/18. The requested consent applications will enable the three new lots to be developed for residential uses. Detached dwelling and their associated accessory uses are the only permitted residential use in the RU Zone.

The proposed severance will leave the following dimensions:

- Part 1 Lot area of 17,461 square metres and 114.52 metres of frontage
- Part 2 Lot area of 10,106 square metres and 55.33 metres of frontage
- Part 3 Lot area of 6,667 square metres and 36.15 metres of frontage
- Part 4 Lot area of 6,712 square metres and 36.15 metres of frontage

The RU zone requires minimum lot frontages and lot areas. Minimum lot frontage is 30 metres or as existing. Minimum lot area is 0.4 hectares or 4000 square metres.

The consent applications B09-26-PC, B10-26-PC, and B11-26-PC propose to create 3 new lots, all of which meet the requirements of the RU zone.

#### **Recommendation:**

That consent applications B09-26-PC, be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds for the conveyance of the subject parcels, including a registrable legal description of the subject parcels, and a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
2. That the applicant signs 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.

3. That the applicant shall undertake an archaeological assessment and obtain archaeological clearance from the Ministry of Citizenship and Multiculturalism (MCM).
4. 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.
5. That a new Class 4 septic system be constructed, with appropriate permits, to service the existing dwelling on Part 2.
6. That the applicable final certification fee, per application, payable to the City of Port Colborne, is submitted to the Secretary-Treasurer.
7. That all conditions of consent be completed by March 11, 2028.

For the following reasons:

1. The application is consistent with the Provincial Planning Statement, conforms to the Niagara Official Plan and the City of Port Colborne Official Plan; and, complies with the provisions of Zoning By-law 6575/30/18, as amended.

That consent applications B10-26-PC, be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds for the conveyance of the subject parcels, including a registrable legal description of the subject parcels, and a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
2. That the applicant signs 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.

3. That the applicant shall undertake an archaeological assessment and obtain archaeological clearance from the Ministry of Citizenship and Multiculturalism (MCM).
4. 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.
5. That the existing septic leaching bed located on Part 3 be decommissioned.
6. That the applicable final certification fee, per application, payable to the City of Port Colborne, is submitted to the Secretary-Treasurer.

For the following reasons:

1. The application is consistent with the Provincial Planning Statement, conforms to the Niagara Official Plan and the City of Port Colborne Official Plan; and, complies with the provisions of Zoning By-law 6575/30/18, as amended.

That consent applications B11-26-PC, be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds for the conveyance of the subject parcels, including a registrable legal description of the subject parcels, and a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
2. That the applicant signs 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.
3. That the applicant shall undertake an archaeological assessment and obtain archaeological clearance from the Ministry of Citizenship and Multiculturalism (MCM).
4. 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.

Superintendent through the planning department for the apportionment agreement to be completed.

5. That the applicable final certification fee, per application, payable to the City of Port Colborne, is submitted to the Secretary-Treasurer.

For the following reasons:

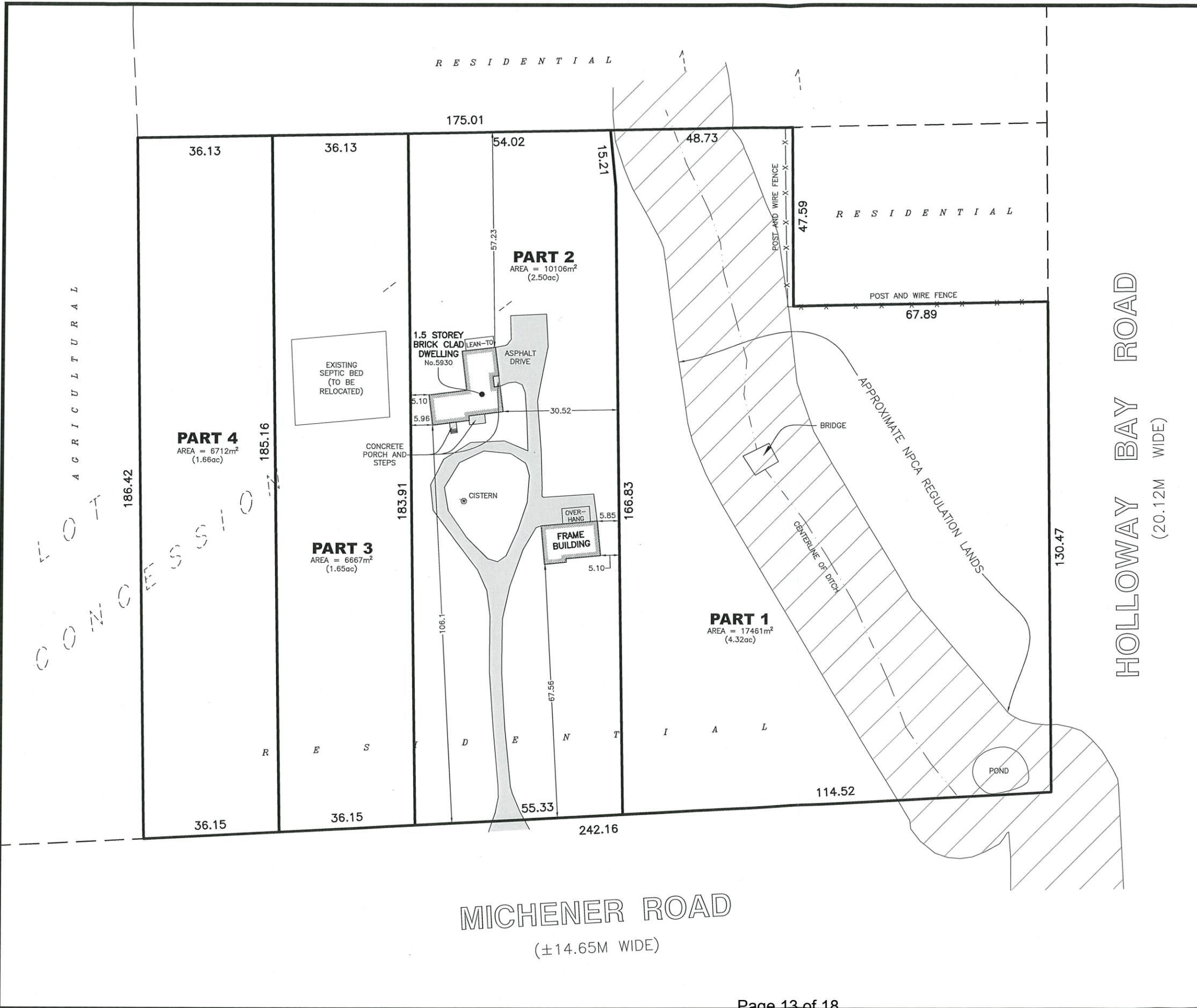
1. The application is consistent with the Provincial Planning Statement, conforms to the Niagara Official Plan and the City of Port Colborne Official Plan; and, complies with the provisions of Zoning By-law 6575/30/18, as amended.

That all conditions of consent be completed by March 11, 2028.

Respectfully submitted,

Erik Acs

Chief Planner



# SKETCH

PREPARED FOR SEVERANCE APPLICATION

PART OF LOT 1  
 CONCESSION 1  
 GEPGRAPHIC TOWNSHIP OF HUMBERSTONE

IN THE  
**CITY OF PORT COLBORNE**  
 REGIONAL MUNICIPALITY OF NIAGARA  
 SCALE 1 : 1000 (METRIC)

NOTE: THIS SKETCH IS PREPARED FROM COMPILED AND CALCULATED INFORMATION, NOT FROM AN ACTUAL SURVEY.  
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 SUBJECT AND ABUTTING LAND USE - RESIDENTIAL

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JAN. 26, 2026 *Don Chambers*  
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**PORT COLBORNE**

## Committee of Adjustment -Meeting Minutes-

Wednesday, February 11, 2026

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**Members Present:** Dan O'Hara, Chair  
Gary Bruno, Committee Member  
Dave Elliott, Committee Member  
Eric Beauregard, Committee Member

**Staff Present:** Erik Acs, Chief Planner  
Taya Taraba, Secretary-Treasurer

**Members Absent:** Angie Desmarais, Vice-Chair

1. **Call Meeting to Order**  
The Chair called the meeting to order at approximately 5:59 p.m.
2. **Reading of Meeting Protocol**  
The Chair read the Meeting Protocol.
4. **Disclosures of Interest**  
Nil.
5. **Requests for Deferrals or Withdrawals of Applications**  
Nil.
6. **Order of Business**
  - a. **Application:** A03-26-PC  
**Action:** Minor Variance  
**Agent:** Hank Nauta  
**Applicant:** Tanya Franke  
**Location:** 22 Ridgewood Avenue

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

The Chair asked if the agent was present at the Hearing; the agent, Hank Nauta, introduced himself and mentioned that there were no further concerns at this time.

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

That the Committee of Adjustment recommend application **A03-26-PC** be **granted** for the following reasons:

1. The application is minor in nature.
2. It is appropriate for the development of the site.
3. It is desirable and in compliance with the general intent and purpose of the Zoning By-law.
4. It is desirable and in compliance with the general intent and purpose of the Official Plan.

**Motion:** Eric Beauregard

**Seconded:** Gary Bruno

**Carried:** 4-0

**b. Application:** B08-26-PC; A01-26-PC; A02-26-PC  
**Action:** Consent to Sever and Minor Variance  
**Applicant:** Crystal and Jamie McNay  
**Location:** 953 Cedar Bay Road

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

The Chair asked if the applicants were present at the Hearing; the applicant did not have anything further to add at this time.

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

Given the information above, the Committee of Adjustment also recommend application **B08-26-PC** be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds for the conveyance of the subject parcels, including a registrable legal description of the subject parcels, and a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
2. That the applicant signs 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.
3. That the applicant shall undertake an archaeological assessment and obtain archaeological clearance from the Ministry of Citizenship and Multiculturalism (MCM).
4. 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.

5. That the applicant shall obtain final approval for Minor Variance Applications A01-26-PC & A02-26-PC to the satisfaction of the Chief Planner.
6. That a final certification fee of \$400 per application, payable to the City of Port Colborne, is submitted to the Secretary-Treasurer.
  
7. That all conditions of consent be completed by February 11, 2028.

For the following reasons:

1. The application is consistent with the Provincial Planning Statement, conforms to the Niagara Official Plan and the City of Port Colborne Official Plan; and, complies with the provisions of Zoning By-law 6575/30/18, as amended.

Given the information above, the Committee of Adjustment recommend applications A01-26-PC and A02-26-PC be **granted** for the following reasons:

1. The applications are minor in nature.
2. They are appropriate for the development of the site.
3. They are desirable and in compliance with the general intent and purpose of the Zoning By-law.
4. They are desirable and in compliance with the general intent and purpose of the Official Plan.

**Motion:** Dave Elliott

**Seconded:** Eric Beauregard

**Carried:** 4-0

**c. Application:** A04-26-PC  
**Action:** Minor Variance  
**Applicant:** Chris Phelan  
**Location:** 936 Cedar Bay Road

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

The Chair asked if the applicant was present at the Hearing; the applicant had nothing further to add.

Member Bruno inquired to the applicant regarding whether there needs to be additional septic capacity. The Chief Planner answered that additional septic would be done through an application with the Region of Niagara and that this would likely be a different system, although that will be determined through a building permit.

The Chair mentioned to the applicant regarding the septic and as to whether the applicant had considered splitting the septic beds into two individual units to give each ADU a respective septic system.

Member Beauregard inquired to the Chief Planner as to whether a Hydrogeological Study was required for this site. The Chief Planner answered that a Pre-Consultation meeting was done for this property and that was not identified nor required during the process.

That the Committee of Adjustment recommend application **A04-26-PC** be **granted** for the following reasons:

1. The application is minor in nature.
2. It is appropriate for the development of the site.
3. It is desirable and in compliance with the general intent and purpose of the Zoning By-law.
4. It is desirable and in compliance with the general intent and purpose of the Official Plan.

Motion: Gary Bruno

Seconded: Dave Elliott

Carried: 4-0

d. Application: B03-26-PC  
Action: Consent to Sever (Easement)  
Agent: Carol Moroziuk  
Applicant: Wendy and Jacob Bas  
Location: 205 Kent Street

The Chair introduced the application and gave a brief overview regarding where the application currently stands, as the application was adjourned.

The Agent spoke about the nature of the application and mentioned that the applicant had amended the sketch to address the Engineering concerns brought up in the prior meeting.

Given the information above, the Committee of Adjustment also recommend application **B03-26-PC** be **granted** subject to the following conditions:

1. That the applicant provides the Secretary-Treasurer with the deeds for the conveyance of the subject parcels, including a registrable legal description of the subject parcels, and a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
2. That the applicant shall submit a detailed servicing plan demonstrating compliance with the Ontario Building Code, MECP guidelines, and the City's Engineering Design Manual to the satisfaction of the City's Engineering Division.

3. That the applicant shall provide a pre-condition structural assessment and post-condition assessment of the existing dwelling.
4. That the applicant shall enter into a legal agreement, registered on title, ensuring perpetual access rights for operation, maintenance, and repair of services within the easement, to the satisfaction of the City Solicitor.
5. That the owner shall indemnify and hold harmless the City from any claims, damages, or liabilities arising from the installation, maintenance, or failure of services within the easement.
6. That a final certification fee of \$400 per application, payable to the City of Port Colborne, is submitted to the Secretary-Treasurer.
7. That all conditions of consent be completed by February 11, 2028.

For the following reasons:

1. The application is consistent with the Provincial Planning Statement, conforms to the Niagara Official Plan and the City of Port Colborne Official Plan; and, complies with the provisions of Zoning By-law 6575/30/18, as amended.

**Motion:** Dan O'Hara  
**Carried:** 3-0

**Seconded:** Gary Bruno

## 7. Other Business

Nil

## 8. Approval of Minutes

That the minutes from the January 14, 2026 meeting be approved.

**Motion:** Dave Elliott      **Seconded:** Dan O'Hara  
**Carried:** 4-0

## 9. Adjournment

There being no further business, the meeting was adjourned at approximately 6:50 pm.

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Dan O'Hara, Chair

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Taya Taraba, Secretary-Treasurer