



Date: Wednesday, May 13, 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 A06-26-PC; B13-26-PC - 12 Main Street East 1

Action: Minor Variance and Consent
Applicant: Rick Armenti
Location: 12 Main Street East
 - 6.2 A07-26-PC - 20 Main Street East 17

Action: Minor Variance
Applicant: 1000677999 Ontario Inc.
Location: 20 Main Street East
7. Other Business
8. Approval of Minutes
 - 8.1 April 08, 2026, Committee of Adjustment Minutes 26
9. Adjournment



PORT COLBORNE

PLANNING AND DEVELOPMENT DEPARTMENT

COMMITTEE OF ADJUSTMENT
NOTICE OF PUBLIC HEARING
Consent and Minor Variance Application
File No. A06-26-PC
File No. A07-26-PC
File No. B13-26-PC

IN THE MATTER OF the *Planning Act, R.S.O., 1990, c.P. 13*, Section 53 (1) and Sections 24.3 (d) (f) (g) of the City of Port Colborne Zoning By-law 6575/30/18, as amended;

AND IN THE MATTER OF the lands legally known as Part of Bridge Street, Part of Lots 17 & 18, on Plan 785, and Part of Lots 762 & 763, on Plan 836, in the City of Port Colborne, located in the Highway Commercial (HC) zone, municipally known as 12 Main Street East (A06-26-PC; B13-26-PC) and 20 Main Street East (A07-26-PC);

AND IN THE MATTER OF AN APPLICATION by the owner, Rick Armenti, for consent to adjust the boundary for the purpose of merging two lots on title, to accommodate a future building addition. The subject parcels are shown as Parts 1 and 2 on the proposed sketch, where a parcel from Part 2 will be added to Part 1. The owner is also requesting relief from the provisions of Zoning By-law 6575/30/18, as amended, under Section 45 of the *Planning Act, R.S.O 1990 C.P 13*, to permit the boundary adjustment and the construction of a future addition notwithstanding the following:

A06-26-PC:

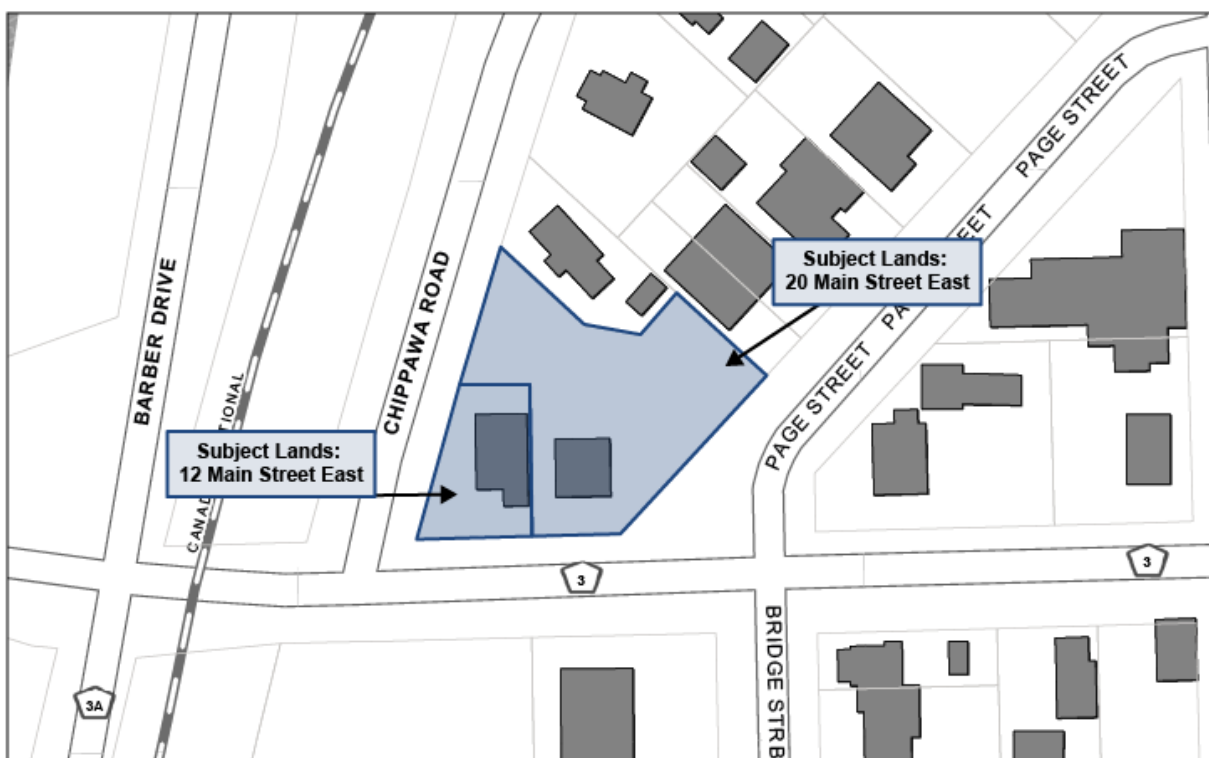
1. That a minimum interior side yard of 2.1m be permitted, whereas a minimum interior side yard of 5m is required.
2. That a minimum corner side yard of 5.1m be permitted, whereas a minimum corner side yard of 7.5m is required.
3. That a minimum rear yard of 3.6m be permitted, whereas a minimum rear yard of 5m is required.

A07-26-PC:

1. That a minimum interior side yard of 1.6m be permitted, whereas a minimum interior side yard of 5m is required.

Explanatory Relief from the Zoning By-law: The applicant is requesting to adjust the property line between the subject parcels, for a future addition to the existing commercial building, and allow the existing building to be closer to the property line, which requires a minor variance from the provisions of the Zoning By-law. A sketch of the proposed site plan is shown on the reverse side of this notice. More information, such as a higher resolution PDF version of this sketch, can be requested through the Secretary-Treasurer.

LOCATION MAP



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

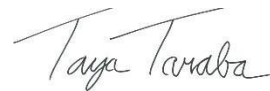
Date: May 13, 2026
Time: 6:00 p.m.
Location: 66 Charlotte Street – Third Floor Council Chambers and Virtually via Zoom

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 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, May 8, 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
<p>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.</p> <p>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, May 12, 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.</p> <p>If you have any questions about the application(s) or submission process, please email taya.taraba@portcolborne.ca or call (905)-228-8124.</p> <p>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.</p>

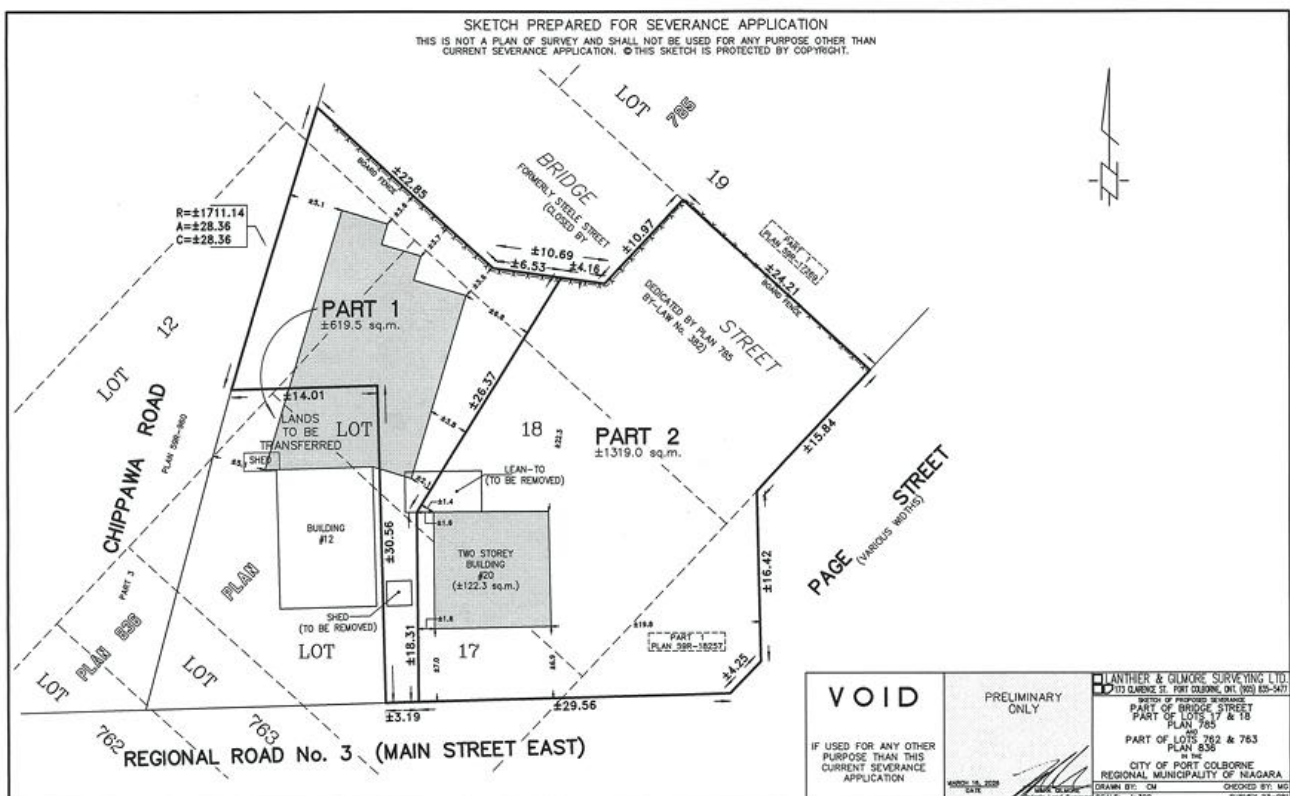
By order of the Committee of Adjustment,



Taya Taraba
Secretary-Treasurer

Date of Mailing: April 28, 2026

SKETCH





Development and Government Relations Department

Planning Division Report

May 8th, 2026

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

Re: Application for Consent: B13-26-PC
Part of Bridge Street, Part of Lots 17 & 18, on Plan 785 (12 Main Street East)
and Part of Lots 762 & 763, on Plan 836 (20 Main Street East)
Owner(s): Richard Armenti & 1000677999 Ontario Inc

Proposal

The purpose of this application is to permit a boundary adjustment to make Part 1 (12 Main Street East) larger, by taking lands from Part 2 (20 Main Street East). Both properties are owned by the same applicant, under different names. This application has been made concurrently with 2 Minor Variance applications; A06-26-PC and A07-26-PC. The proposed boundary adjustment is illustrated in the provided figures and described below:



Figure 1 (above): Subject Lands

- **Parcel 1** is proposed to be enlarged, with a lot frontage of 26.05 metres and a lot area of 619.5 square metres.
- **Parcel 2** is proposed to be reduced in size with a lot frontage of 29.56 metres and a lot area of 1319 square metres.

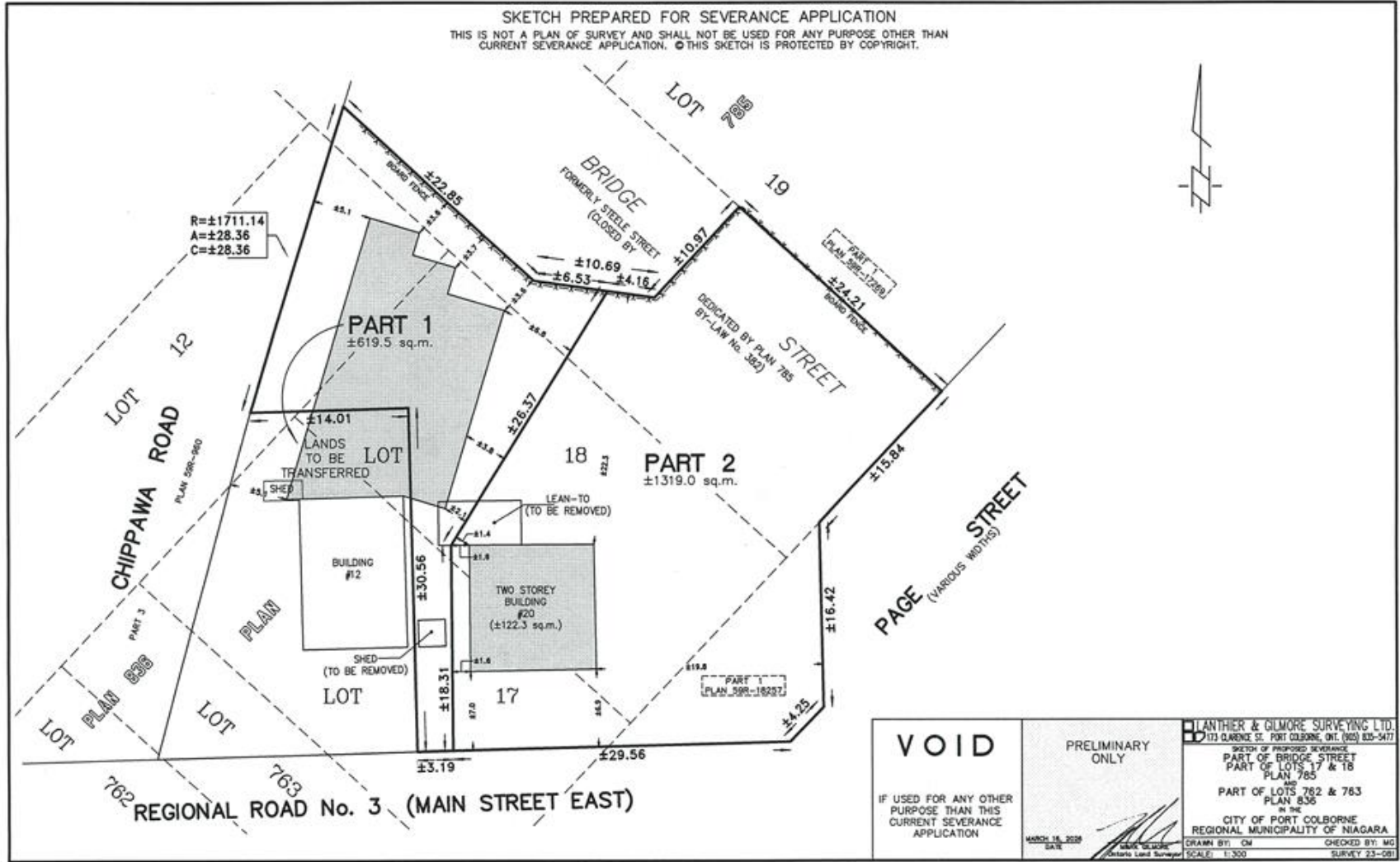


Figure 2 (above): Proposed boundary adjustment sketch

Surrounding Land Uses and Zoning

The Subject Lands are zoned Highway Commercial (HC). Part 1 (12 Main Street East) has a lot area of 555.99 square metres and a lot frontage of approximately 22.86 metres along the north side of Main Street East. Part 2 (20 Main Street East) has a lot area of 1764.95 square metres and a lot frontage of approximately 32.75 metres along the north side of Main Street East. Residential uses exist to the north of the Subject Lands, Mixed-Use and Highway Commercial uses exist to the south and east, and the Canadian National Rail line and Welland Canal exist to the west. Figure 3 shows the zoning of the subject and surrounding lands.

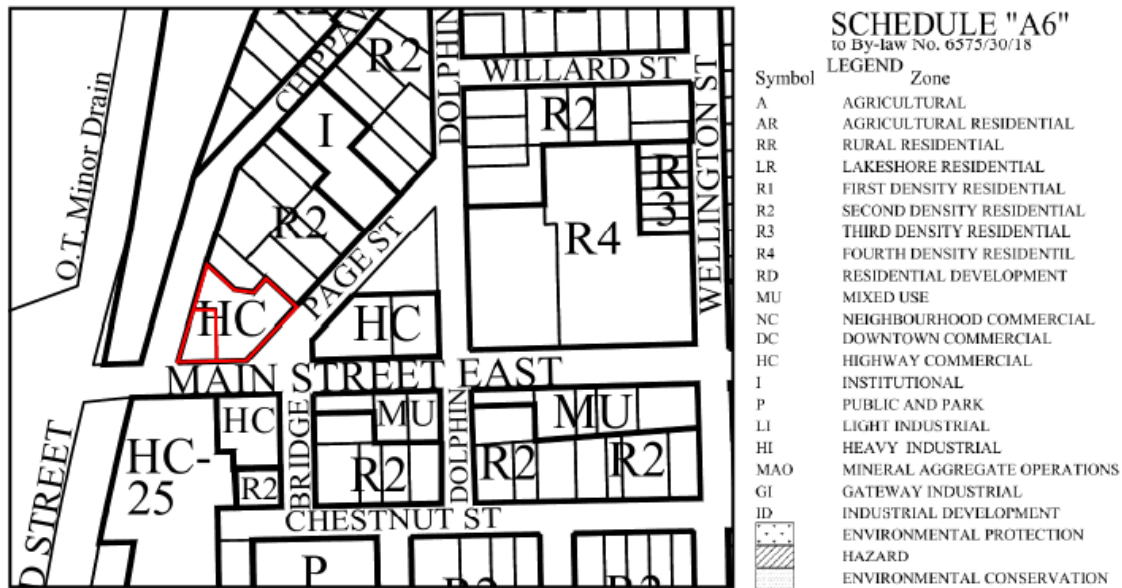


Figure 3 (above): Zoning of the subject and surrounding lands

Environmentally Sensitive Areas

The subject lands do not contain any environmentally sensitive areas.

Public Comments

Notice was circulated on April 28, 2026, to properties within 60 metres of the subject lands, in accordance with the *Planning Act*. As of the date of writing this report, no comments from the public have been received.

Agency Comments

Notice of the application was circulated on April 9, 2026, to internal City departments and external agencies. As of the date of writing this report, the following comments have been received.

Commenter	Comments	Planning Staff Response
Drainage Superintendent	No comments for this property. It is not within an active drainage area.	Noted.
Fire Department	No objection to the property merger.	Noted.
Building	Building has no concerns with this consent.	Noted.
Engineering Technologist	Conveyance of any sight triangles shall be accordance with Regional requirements.	Noted.
Niagara Peninsula Conservation Authority	The subject property does not contain and is not impacted by any NPCA regulated features. As such, NPCA has no objections.	Noted.
Region of Niagara	<p>Regional Infrastructure Planning and Development staff would not be opposed to the approval of the consent and minor variance applications subject to the following condition of consent approval:</p> <ul style="list-style-type: none"> • That the Owner dedicates the required 6 metre by 6 metre daylight triangle at the corner of Regional Road 3 (Main Street East) and Chippawa Road at the Site Plan stage. • That the Owner dedicates the required 6 metre by 6 metre daylight triangle at the corner of Regional Road 3 (Main Street East) and Page Street (existing 3 metre by 3 metre daylight triangle) to the satisfaction of the Surveys section of the Niagara Region Transportation Services Division at the Site Plan stage. All costs for providing the necessary survey plan and all related documents 	<p>Condition 4 addresses the daylight triangle requirement at Main Street East and Chippawa Road.</p> <p>City staff note that a daylight triangle at Main Street East and Paige Street was recently dedicated to the Region last year. No further expansion of this triangle is recommended at this time.</p>

	are the responsibility of the applicant.	
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Discussion

Consent application B13-26-PC was 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 within a settlement area. Section 2.3.1.1 suggests that settlement areas shall be the focus of growth and development. Section 3.6.3 indicates 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.

Staff are satisfied that the proposed severance is consistent with the PPS. The proposal for a boundary adjustment for lots within the Highway Commercial area supports the provincial requirement to direct growth and development to settlement areas.

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 NOP designates the Subject Lands as follows:

- Delineated Built-Up Area, in accordance with Schedule B – Regional Structure;
- Regional Road, in accordance with Schedule J1 – Transportation Infrastructure

Chapter 2 of the NOP mainly discusses growth within settlement areas, further to this Section 2.2.2 provides some criteria to guide development and employment growth. Section 5.1.5 provides some criteria for Regional Roads to accommodate future growth, and Section 5.2.6 discusses utility provision along Regional Roads.

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 Highway Commercial in accordance with Schedule A of the OP. Section 3.8 of the OP identifies the planned function of the Highway Commercial designation as follows:

“The predominant uses of lands designated Highway Commercial shall include, but not be 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. For lands having frontage on Main Street East between the Welland Canal and Elizabeth Street, a mix of uses including both commercial and residential uses are permitted in accordance with the appropriate Policies.”

The proposed consent application is being brought forward to facilitate the proposed building addition to the existing automobile sales establishment, which is consistent with the uses set out in the OP designation; and, meets the requirements to sever and merge 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 Highway Commercial (HC) in accordance with Zoning By-law 6575/30/18. The requested consent application will enable Part 1 to be developed with an addition on the existing motor vehicle sales use. Permitted uses within the HC zone include, but are not limited to; Animal Care Establishment; Brew Pub; Car Wash; Convenience Store; Day Care; Drive-Thru Facility; Dwelling, Accessory; Food Vehicle; Hotel; Motor Vehicle Repair Garage; Motor Vehicle Sales/Rental Service Centre; Motor Vehicle Gas Station; Office; Personal Service Business; Place of Assembly/Banquet Hall; Place of Worship; Public Use; Recreation Facility; Restaurant, Fast Food; Restaurant, Full Service; Restaurant, Take Out; Retail Building Construction and Supply; Service Commercial, and Uses, structures and buildings accessory thereto.

The proposed severance will leave the following dimensions:

- Parcel 1 Lot area of 619.5 square metres and 26.05 metres of frontage
- Parcel 2 Lot area of 1319 square metres and 29.56 metres of frontage

The HC zone requires minimum rear and side yards. Minimum interior side yard is 5 metres and minimum corner side yard is 7.5 metres. Minimum rear yard is 3.6 metres. Concurrent Minor Variance applications A06-26-PC & A07-26-PC seek relief from the minimum rear and side yard provisions.

Consent application B13-26-PC meets all other requirements of the HC zone.

Recommendation:

That consent application B13-26-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 obtain final approval for Minor Variance Applications A06-26-PC & A07-26-PC to the satisfaction of the Chief Planner.
4. That a 6 metre by 6 metre daylight triangle at the corner of Regional Road 3 (Main Street East) and Chippawa Road be dedicated to the Region.
5. That a final certification fee of \$400 per application, payable to the City of Port Colborne, is submitted to the Secretary-Treasurer.
6. That all conditions of consent be completed by May 13, 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.

Respectfully submitted,

Erik Acs
Chief Planner

Development and Government Relations

Planning Division Report

May 8th, 2026

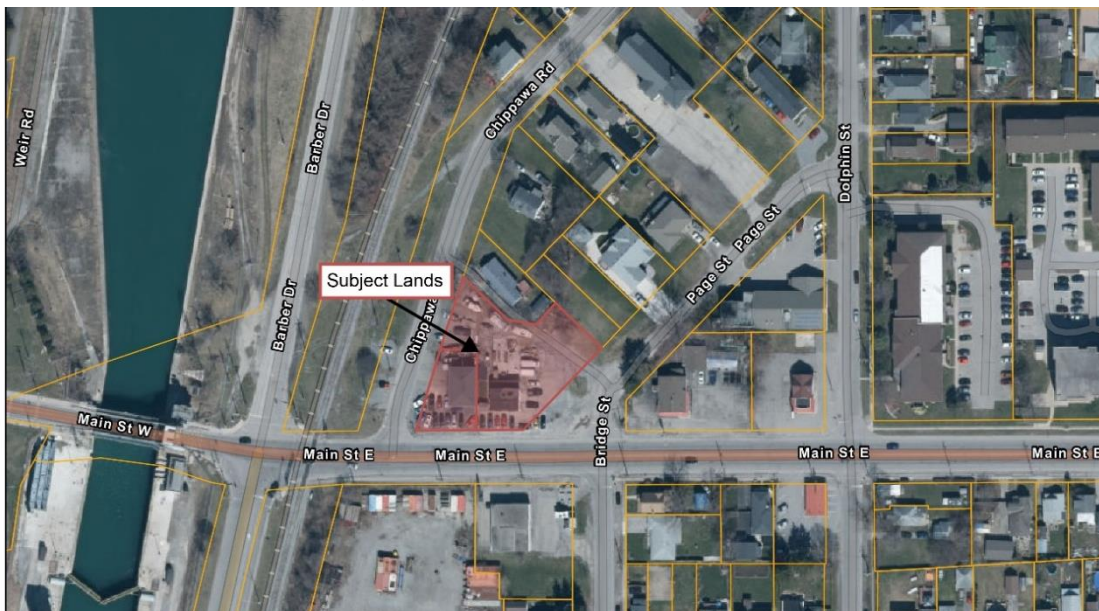
Secretary-Treasurer
Port Colborne Committee of Adjustment
66 Charlotte Street
Port Colborne, ON L3K 3C8

**Re: Application for Minor Variance File No. A06-26-PC, Part of Bridge Street,
Part of Lots 17 & 18, on Plan 785 (12 Main Street East)
Owner(s): Rick Armenti**

Proposal

The purpose of this report is to provide a recommendation on a Minor Variance application for 12 Main Street East, east of Chippawa Road, legally described as Part of Bridge Street, Part of Lots 17 & 18, on Plan 785, municipally addressed as 12 Main Street East,

Figure 1 (above): Subject Lands



The purpose of this application is to facilitate the boundary adjustment for the purpose of merging two lots on title. In order to meet the required minimum interior side yard, corner side yard, and rear yard setbacks, the applicant is requesting relief from the

Zoning By-law that would permit reduced interior side yard, corner side yard, and rear yard.

A copy of the proposed concept development plan is shown below.

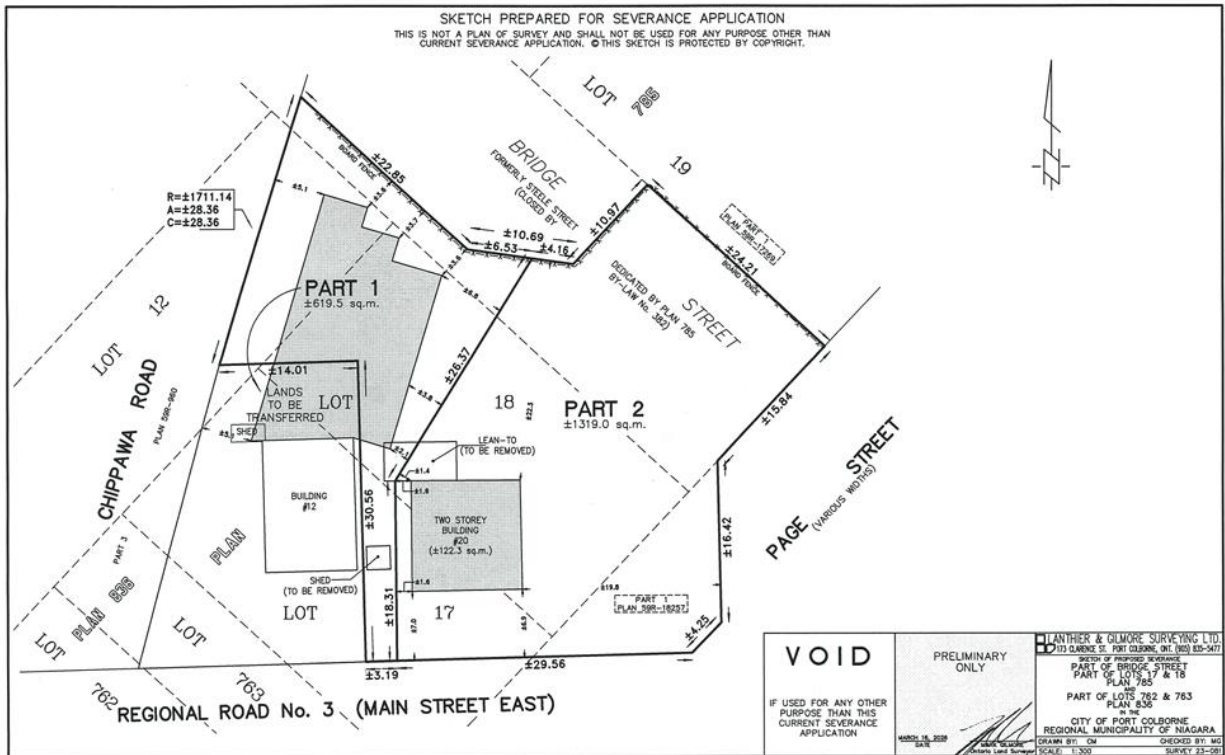


Figure 2 (above): Proposed boundary adjustment sketch

Surrounding Land Uses and Zoning

The Subject Lands are zoned Highway Commercial (HC). Part 1 (12 Main Street East) has a lot area of 555.99 square metres and a lot frontage of approximately 22.86 metres along the north side of Main Street East. Part 2 (20 Main Street East) has a lot area of 1764.95 square metres and a lot frontage of approximately 17.47 metres along the north side of Main Street East. Residential uses exist to the north of the Subject Lands, Mixed-Use and Highway Commercial uses exist to the south and east, and the Canadian National Rail line and Welland Canal exist to the west. Figure 3 shows the zoning of the subject and surrounding lands.

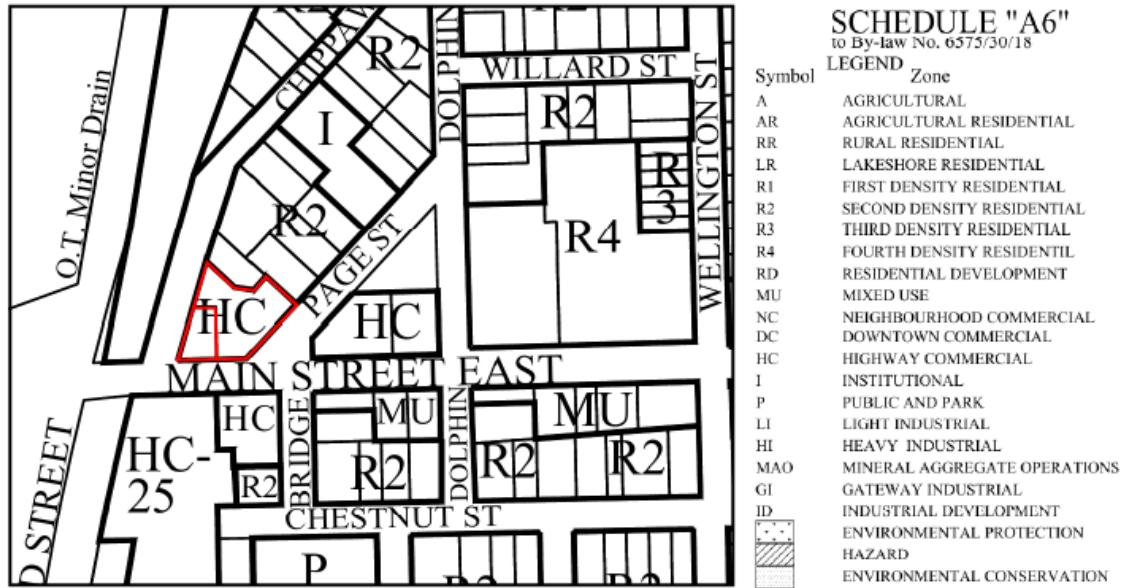


Figure 3 (above): Zoning of the subject and surrounding lands

Environmentally Sensitive Areas

The subject lands do not contain any environmentally sensitive areas.

Public Comments

Notice was circulated on April 28, 2026, to properties within 60 metres of the subject lands, in accordance with the *Planning Act*. As of the date of writing this report, no comments from the public have been received.

Agency Comments

Notice of the application was circulated on April 9, 2026, to internal City departments and external agencies. As of the date of writing this report, the following comments have been received.

Commenter	Comments	Planning Staff Response
Drainage Superintendent	No comments for this property. It is not within an active drainage area.	Noted.
Fire Department	No objection to the property merger.	Noted.
Engineering Technologist	No comments.	Noted.
Niagara Peninsula Conservation Authority	The subject property does not contain and is not impacted by any NPCA regulated features. As such, NPCA has no objections.	Noted.
Niagara Region	Comments received and addressed in B13-26-PC report.	N/A.

Discussion

Concurrent Consent application B13-26-PC is also applied to the Subject Lands, to permit a boundary adjustment, adding Part 1 to 12 Main Street East. This boundary adjustment is to increase the total lot area of 12 Main Street East to support the construction of a building addition to the existing motor vehicle sales establishment. In order to permit this boundary adjustment, this Minor Variance is seeking relief from Policies 24.3 (d) (f) (g) of Zoning By-law 6575/30/18 to permit reduced rear and side yard setbacks for the existing buildings on the lands. The applicant is proposing one lot with an area of 619.5 square metres and one lot with an area of 1319 square metres:

- Application A06-26-PC seeks a minimum interior side yard of 2.1 metres, a minimum corner side yard of 5.1 metres, and a minimum rear yard of 3.6 metres

For a minor variance application to be approved, it must meet the four-part test outlined under section 45 (1) of the *Planning Act*. An analysis of the four tests follows.

Does the application maintain the general intent and purpose of the Official Plan?

The Subject Lands are designated Highway Commercial in Schedule A: City-Wide Land Use of the City of Port Colborne Official Plan. Highway Commercial lands 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. Predominant land uses include; 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. For lands having frontage on Main Street East between the Welland Canal and Elizabeth Street, a mix of uses including both commercial and residential uses are permitted in accordance with the appropriate Policies.

The application is consistent with this designation and maintains the general intent and purpose of the Official Plan. The requested variances will enable the reduction of side and rear yard setbacks to support a proposed boundary adjustment. The boundary adjustment will allow the creation of a building addition to the existing automobile sales establishment, which is a permitted use in the Highway Commercial Designation.

Does the application maintain the general intent and purpose of the Zoning By-law?

The Subject Lands are zoned Highway Commercial (HC), in accordance with the Zoning By-law. Specific zone requirements are set out in Section 24 of the Zoning By-law, and zone requirements are contained within Section 24.3 of the Zoning By-law.

A06-26-PC

Zoning By-Law 6575/30/18		
24.3 Zone Requirements		
Provision	Required	Proposed Provision
a) Minimum lot frontage	27 metres	No change

b) Minimum lot area	0.14 hectares	No change
c) Minimum front yard	9 metres	No change
d) Minimum interior side yard	5 metres	2.1 metres
f) Minimum corner side yard	7.5 metres	5.1 metres
g) Minimum rear yard	5 metres	3.6 metres
i) Maximum building height	22 metres	No change
j) Maximum lot coverage	85 percent	No change

As demonstrated in the tables above, proposed minor variance A06-26-PC (for Part 1) seeks to reduce the required interior side yard from 5 metres to 2.1 metres, the required corner side yard from 7.5 metres to 5.1 metres, and the required rear yard from 5 metres to 3.6 metres. Due to the existing configurations of the Subject Lands, a boundary adjustment will result in the existing buildings being closer to the adjusted shared lot line.

Due to the shape of the Subject Lands, the requested reduction in minimum corner side yard and interior side yard setbacks (will only apply to the shared lot line between the parcels. As the requested minimum rear yard reduction represents a difference of 1.4 metres (3.6 metres whereas 5 metres is permitted). It is staff's opinion that it will not result in any adverse effects to the neighbouring property.

It is staff's opinion that it is appropriate to allow the reductions in required minimum rear, interior and corner side yard setbacks, as the extent of reliefs requested are minimal. All other provisions are met, and the proposed variances are appropriate and maintain the general purpose and intent of the Zoning By-law by supporting a permitted Highway Commercial use, and helping to support the City's objectives for economic growth and infill.

Is the variance desirable for the appropriate development or use of the land, building, or structure?

The proposed variances allow for a boundary adjustment for the Subject Lands. The boundary adjustment supports the creation of a building addition to the existing motor vehicle sales establishment, which is a permitted use within the Highway Commercial area. All other lot requirements set out in the Zoning By-law are met by the proposed boundary adjustment. As such, the requested variance is desirable and appropriate, as it enables the lot lines to be closer to the existing buildings on the property.

Is the variance minor in nature?

The requested variances are considered minor in nature. For a variance to qualify as being "minor" in nature, the zoning relief must result in a development that has limited adverse impacts on other properties in the neighbourhood. The decrease in corner (2.4 metres for Part 1), interior side (2.9 metres for Part 1) and rear yard setbacks (1.4 metres for Part 1) is modest and does not result in any significant change to the overall use, function, or character of the site. It is staff's opinion that the variances do not result in adverse effects on the adjacent properties or the overall functionality of the site.

Recommendations

Planning staff recommend that application A06-26-PC be **granted** for the following reasons:

1. **Application A06-26-PC maintains the general intent and purpose of the Official Plan.**
2. **Application A06-26-PC maintains the general intent and purpose of the Zoning By-law.**
3. **Application A06-26-PC is desirable for the appropriate development of the land.**
4. **Application A06-26-PC is minor in nature.**

Respectfully submitted,

Erik Acs
Chief Planner



PORT COLBORNE

PLANNING AND DEVELOPMENT DEPARTMENT

COMMITTEE OF ADJUSTMENT
NOTICE OF PUBLIC HEARING
Consent and Minor Variance Application
File No. A06-26-PC
File No. A07-26-PC
File No. B13-26-PC

IN THE MATTER OF the *Planning Act, R.S.O., 1990, c.P. 13*, Section 53 (1) and Sections 24.3 (d) (f) (g) of the City of Port Colborne Zoning By-law 6575/30/18, as amended;

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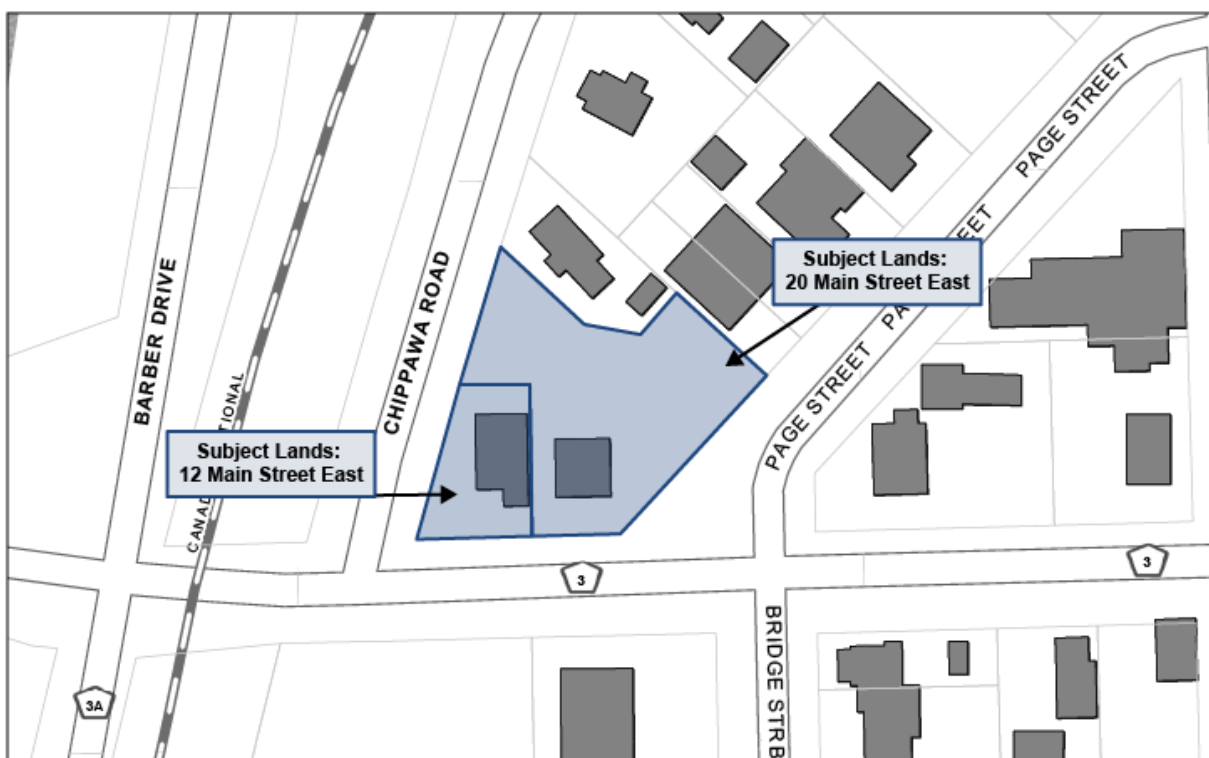
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A07-26-PC:

1. That a minimum interior side yard of 1.6m be permitted, whereas a minimum interior side yard of 5m is required.

Explanatory Relief from the Zoning By-law: The applicant is requesting to adjust the property line between the subject parcels, for a future addition to the existing commercial building, and allow the existing building to be closer to the property line, which requires a minor variance from the provisions of the Zoning By-law. A sketch of the proposed site plan is shown on the reverse side of this notice. More information, such as a higher resolution PDF version of this sketch, can be requested through the Secretary-Treasurer.

LOCATION MAP



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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 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, May 8, 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
<p>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.</p> <p>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, May 12, 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.</p> <p>If you have any questions about the application(s) or submission process, please email taya.taraba@portcolborne.ca or call (905)-228-8124.</p> <p>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.</p>

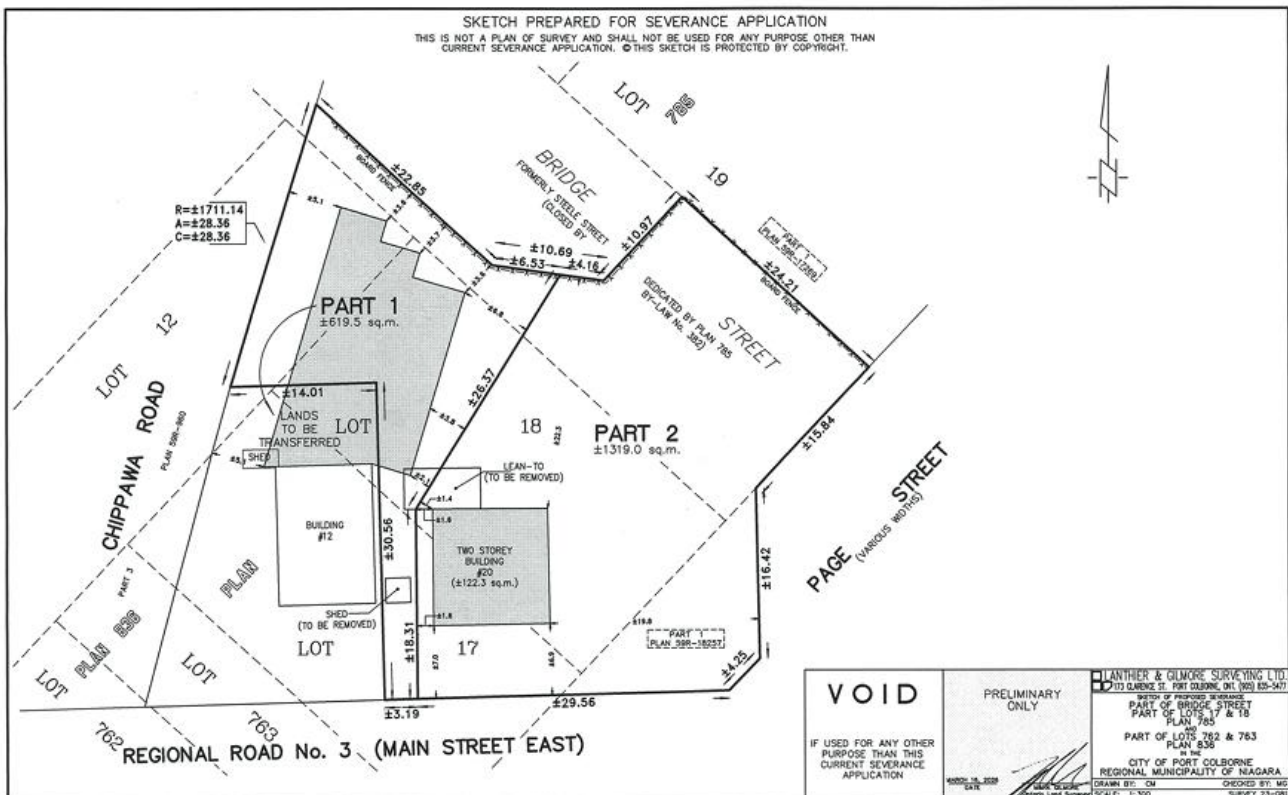
By order of the Committee of Adjustment,



Taya Taraba
Secretary-Treasurer

Date of Mailing: April 28, 2026

SKETCH



Development and Government Relations

Planning Division Report

May 13, 2026

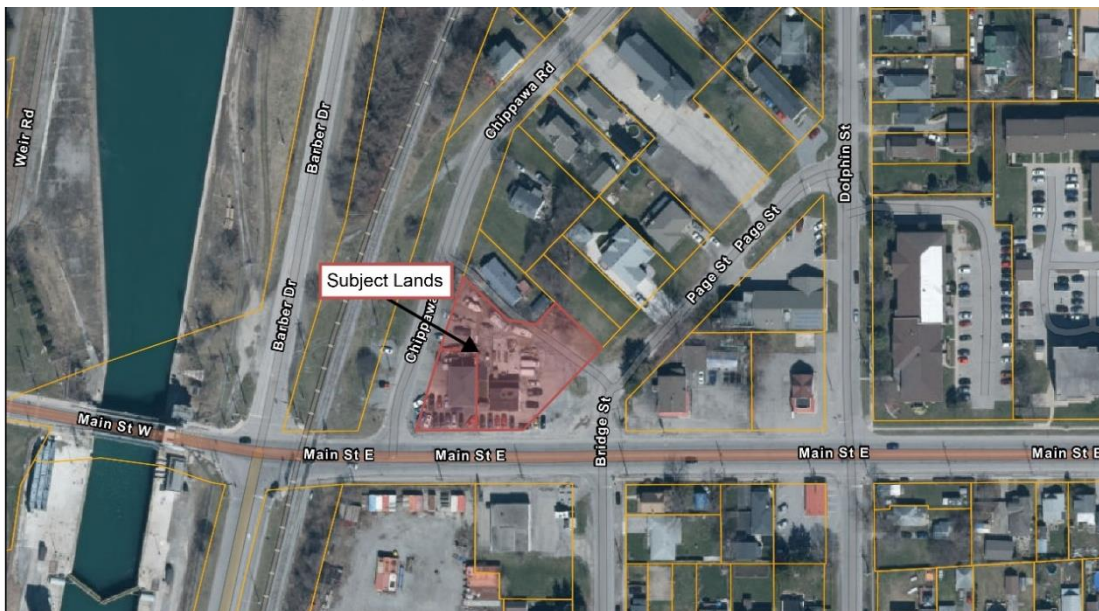
Secretary-Treasurer
Port Colborne Committee of Adjustment
66 Charlotte Street
Port Colborne, ON L3K 3C8

**Re: Application for Minor Variance File No. A07-26-PC
Part of Lots 762 & 763, on Plan 836 (20 Main Street East)
Owner(s): 1000677999 Ontario Inc (Rick Armenti)**

Proposal

The purpose of this report is to provide a recommendation on a Minor Variance applications for a lot on the north side of Main Street East, east of Chippawa Road, legally described as Part of Lots 762 & 763, on Plan 836, municipally addressed as 20 Main Street East.

Figure 1 (above): Subject Lands



The purpose of this application is to facilitate the boundary adjustment for the purpose of merging two lots on title. In order to meet the required minimum interior side yard setback, the applicant is requesting relief from the Zoning By-law that would permit reduced interior side yard for the parcel.

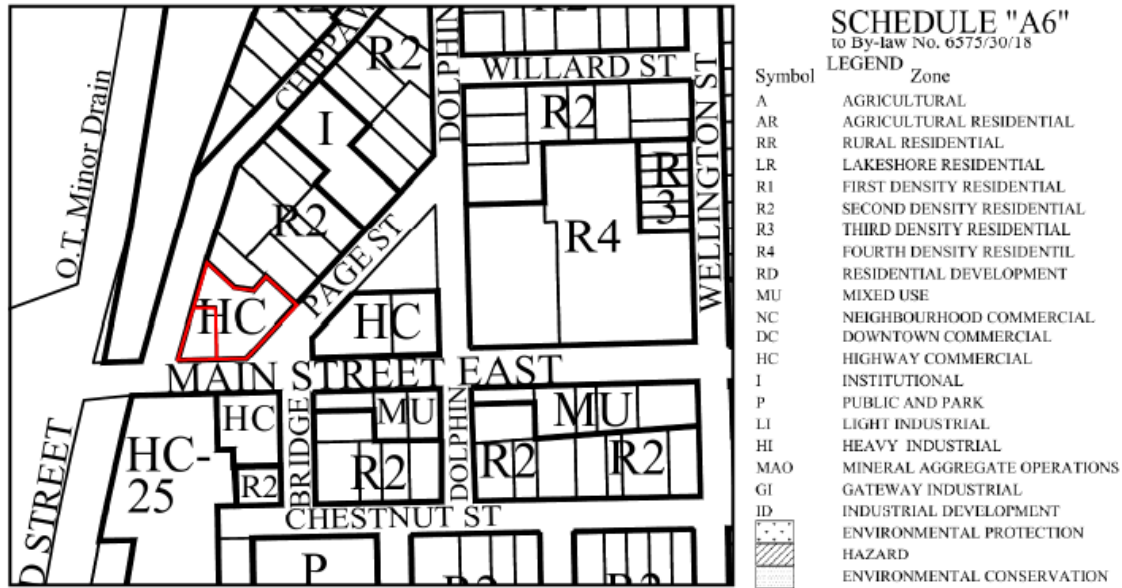


Figure 3 (above): Zoning of the subject and surrounding lands

Environmentally Sensitive Areas

The subject lands do not contain any environmentally sensitive areas.

Public Comments

Notice was circulated on April 28, 2026, to properties within 60 metres of the subject lands, in accordance with the *Planning Act*. As of the date of writing this report, no comments from the public have been received.

Agency Comments

Notice of the application was circulated on April 9, 2026, to internal City departments and external agencies. As of the date of writing this report, the following comments have been received.

Commenter	Comments	Planning Staff Response
Drainage Superintendent	No comments for this property. It is not within an active drainage area.	Noted.
Fire Department	No objection to the property merger.	Noted.
Engineering Technologist	No comments.	Noted.
Niagara Peninsula Conservation Authority	The subject property does not contain and is not impacted by any NPCA regulated features. As such, NPCA has no objections.	Noted.
Niagara Region	Comments were received but relate to the consent application. A	Addressed in B13-26-PC report.

	summary of those comments is included in B13-26-PC.	
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Discussion

Concurrent Consent application B13-26-PC is also applied to the Subject Lands, to permit a boundary adjustment, adding Part 1 to 12 Main Street East. This boundary adjustment is to increase the total lot area of 12 Main Street East to support the construction of a building addition to the existing motor vehicle sales establishment. In order to permit this boundary adjustment, these applications are seeking relief from Policy 24.3 (d) of Zoning By-law 6575/30/18 to permit interior side yard setback for the existing building on the lands. The applicant is proposing one lot with an area of 619.5 square metres and one lot with an area of 1319 square metres:

- Application A07-26-PC seeks a minimum interior side yard of 1.6 metres

For a minor variance application to be approved, it must meet the four-part test outlined under section 45 (1) of the *Planning Act*. An analysis of the four tests follows.

Does the application maintain the general intent and purpose of the Official Plan?

The Subject Lands are designated Highway Commercial in Schedule A: City-Wide Land Use of the City of Port Colborne Official Plan. Highway Commercial lands 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. Predominant land uses include; 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. For lands having frontage on Main Street East between the Welland Canal and Elizabeth Street, a mix of uses including both commercial and residential uses are permitted in accordance with the appropriate Policies.

The application is consistent with this designation and maintains the general intent and purpose of the Official Plan. The requested variances will enable the reduction of side and rear yard setbacks to support a proposed boundary adjustment. The boundary adjustment will allow the creation of a building addition to the existing automobile sales establishment, which is a permitted use in the Highway Commercial Designation.

Does the application maintain the general intent and purpose of the Zoning By-law?

The Subject Lands are zoned Highway Commercial (HC), in accordance with the Zoning By-law. Specific zone requirements are set out in Section 24 of the Zoning By-law, and zone requirements are contained within Section 24.3 of the Zoning By-law.

A07-26-PC

Zoning By-Law 6575/30/18
24.3 Zone Requirements

Provision	Required	Proposed Provision
a) Minimum lot frontage	27 metres	No change
b) Minimum lot area	0.14 hectares	No change
c) Minimum front yard	9 metres	No change
d) Minimum interior side yard	5 metres	1.6 metres
f) Minimum corner side yard	7.5 metres	No change
g) Minimum rear yard	5 metres	No change
i) Maximum building height	22 metres	No change
j) Maximum lot coverage	85 percent	No change

As demonstrated in the tables above, proposed minor variance A07-26-PC (for Part 2) seeks to reduce the minimum interior side yard from 5 metres to 1.6 metres. Due to the existing configurations of the Subject Lands, a boundary adjustment will result in the existing buildings being closer to the adjusted shared lot line.

Due to the shape of the Subject Lands, the requested reduction in interior side yard setback will only apply to the shared lot line between the parcels. It is staff's opinion that it will not result in any adverse effects to the neighbouring property.

It is staff's opinion that it is appropriate to allow the reduction in required side yard setback, as the extent of the relief requested is minimal. All other provisions are met, and the proposed variance is appropriate and maintains the general purpose and intent of the Zoning By-law by supporting a permitted Highway Commercial use, and helping to support the City's objectives for economic growth and infill.

Is the variance desirable for the appropriate development or use of the land, building, or structure?

The proposed variance allows for a boundary adjustment for the Subject Lands. The boundary adjustment supports the creation of a building addition to the existing motor vehicle sales establishment, which is a permitted use within the Highway Commercial area. All other lot requirements set out in the Zoning By-law are met by the proposed boundary adjustment. As such, the requested variance is desirable and appropriate, and it will facilitate the expansion of an existing business.

Is the variance minor in nature?

The requested variance is considered minor in nature. For a variance to qualify as being "minor" in nature, the zoning relief must result in a development that has limited adverse impacts on other properties in the neighbourhood. The decrease in interior side yard (1.6 metres for Part 2) is modest and does not result in any significant change to the overall use, function, or character of the site. It is staff's opinion that the variance does not result in adverse effects on the adjacent properties or the overall functionality of the site.

Recommendations

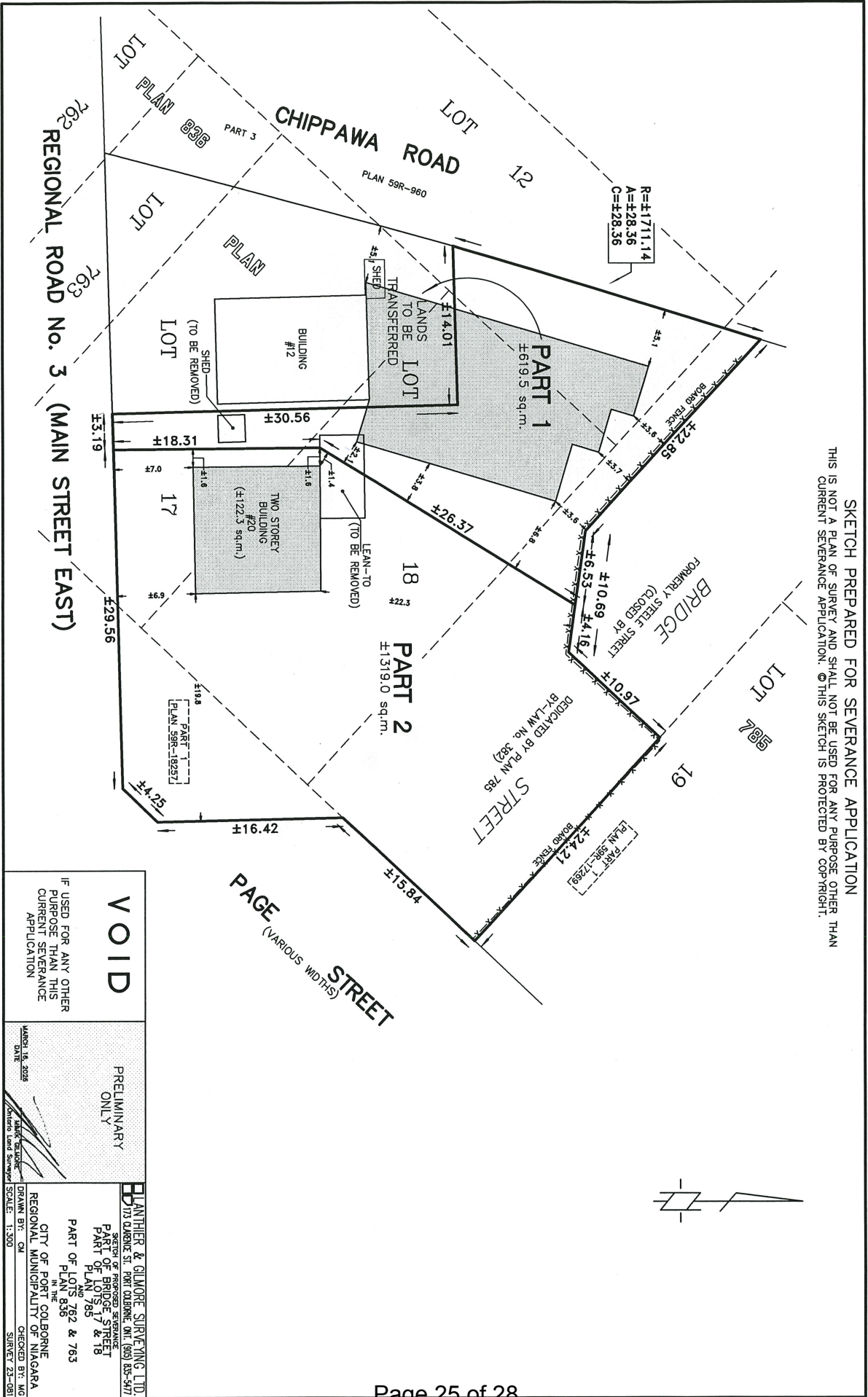
Planning staff recommend that application A07-26-PC and be **granted** for the following reasons:

1. **Application A07-26-PC maintains the general intent and purpose of the Official Plan.**
2. **Application A07-26-PC maintains the general intent and purpose of the Zoning By-law.**
3. **Application A07-26-PC is desirable for the appropriate development of the land.**
4. **Application A07-26-PC is minor in nature.**

Respectfully submitted,

Erik Acs
Chief Planner

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 APPLICATION

PRELIMINARY
 ONLY

PLANTHIER & GILMORE SURVEYING LTD.
 1713 CLARKE ST. PART COLBORNE, ONT. (905) 835-5477

SHEET OF PROPOSED SEVERANCE
 PART OF BRIDGE STREET
 PART OF BRIDGE STREET
 PLAN 785

PART OF LOTS 762 & 763
 IN THE
 REGIONAL MUNICIPALITY OF NIAGARA
 DRAWN BY: CUI
 CHECKED BY: MG
 SURVEY 23-081
 SCALE: 1:300

DATE: JAN 16, 2025
 PLAN



PORT COLBORNE

**Committee of Adjustment
-Meeting Minutes-**

Wednesday, April 8, 2026

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 6:03 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:** B12-26-PC
Action: Consent to Sever
Applicant: Levi Fretz
Location: 3367 Wilhelm Road

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

The Chair asked if the applicant was present at the Hearing; the applicant did not have anything further to provide. The Chair asked if the members of the Committee had any questions, to which, Member Beauregard questioned why the parcel that Part 1 was to merge with was not disclosed on the severance sketch. The Chief Planner had mentioned that this was instead a condition.

The Chair had inquired whether the property could be severed again, in which the Chief Planner had mentioned that the property cannot, unless an application to dissolve the severance was applied for.

Member Beauregard had inquired as to why Part 1 will not be rezoned as Agricultural Purposes Only (APO); the property will be merged with an Agricultural (A) zoned property, which will maintain the existing uses of the land.

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

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 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.
3. That the applicable final certification fee, per application, payable to the City of Port Colborne, is submitted to the Secretary-Treasurer.
4. That the applicant's solicitor shall provide written confirmation to the Secretary Treasurer of the Committee of Adjustment that under the *Planning Act*, the severed lands will merge with the adjacent lands known as 5245 Lever Road.
5. That, immediately following the registration of the Transfer of the lot addition lands, the applicant/owner shall register an Application to Consolidate Parcels in order to include the lot addition (Part 1) with the abutting lands municipally known as 5245 Lever Road. The Secretary Treasurer shall accept, to their satisfaction of this condition, and Undertaking from an Ontario solicitor to register the Application to Consolidate Parcels within 60 days following registration of the Transfer of the lot addition lands.
6. That the applicant shall have Niagara Region staff conduct a review and inspection of the on-site sewage system to the satisfaction of Niagara Region.
7. That all conditions of consent be completed by April 8, 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: Gary Bruno

Seconded: Eric Beauregard

Carried: 4-0

b. Application: A05-26-PC

Action: Minor Variance

Agent: Dan Cook

Applicant: Lori Spittal
Location: 271 Lancaster Drive

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

The Chair asked if the agent was present at the Hearing; the agent did not have anything further to provide.

The Chair inquired to the agent regarding the size of the enclosed deck. The agent had responded stating that the deck was not relatively large and that the variance was required as the deck was to be enclosed.

The Chief Planner and Member Beauregard clarified why the variance was required.

The Committee of Adjustment have decided that application A05-26-PC be **granted** for the following reasons:

1. Application A05-26-PC maintains the general intent and purpose of the Official Plan.
2. Application A05-26-PC maintains the general intent and purpose of the Zoning By-law.
3. Application A05-26-PC is desirable for the appropriate development of the land.
4. Application A05-26-PC is minor in nature.

Motion: Dave Elliott **Seconded:** Eric Beauregard
Carried: 4-0

7. Other Business

Nil.

8. Approval of Minutes

That the minutes from the March 11, 2026 meeting be approved.

Motion: Gary Bruno **Seconded:** Eric Beauregard
Carried: 4-0

9. Adjournment

There being no further business, the meeting was adjourned at approximately 6:19 pm.

Dan O'Hara, Chair

Taya Taraba, Secretary-Treasurer