

Date: Wednesday, August 12, 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 B16-26-PC - 2124 Wilhelm Road 1

Action: Consent to Sever (Boundary Adjustment)

Applicant: Joseph Grifa

Location: 2421 Wilhelm Road
 - 6.2 A11-26-PC - 2775 Highway 3 12

Action: Minor Variance

Agent: David Funk

Applicant: Eric Vanderzalm

Location: 2775 Highway 3
 - 6.3 A12-26-PC - 5520 Firelane 27 20

Action: Minor Variance

Applicant: N and J Signs

Location: 5520 Firelane 27

7. Other Business

8. Approval of Minutes

8.1 July 07, 2026, Committee of Adjustment Minutes

30

9. Adjournment



PORT COLBORNE

PLANNING AND DEVELOPMENT DEPARTMENT

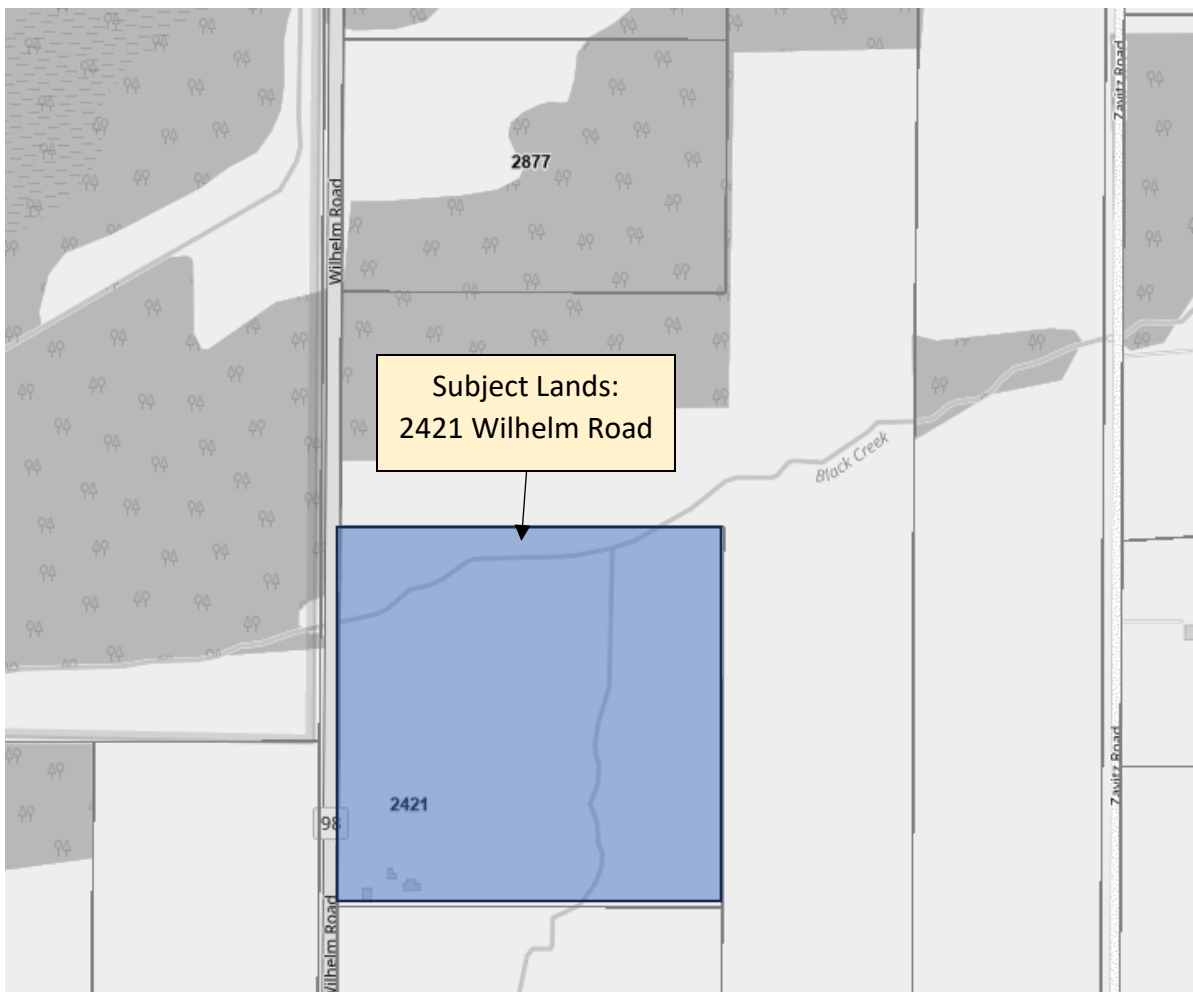
COMMITTEE OF ADJUSTMENT
NOTICE OF PUBLIC HEARING
Consent Application
File No. B16-26-PC

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 3, Part Lot 4, in the City of Port Colborne, located in the Agricultural (A) zone, municipally known as 2421 Wilhelm Road;

AND IN THE MATTER OF AN APPLICATION by the owner, Joseph Grifa, for consent to adjust the boundary for the purpose of severing a surplus agricultural residence. The subject parcels are shown as Parts 1 and 2 on the proposed sketch, where Part 1 is to be retained for existing residential use, and Part 2 is to be severed with an existing agricultural use. 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: August 12, 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, August 7, 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 <i>How to Get Involved in the Hearing</i>
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, August 11, 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.

Taya Taraba

Date of Mailing: July 28, 2026

SKETCH FOR SEVERANCE APPLICATION
2421 WILHELM ROAD
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:1000
 RASCH & HYDE LTD.
 ONTARIO LAND SURVEYORS

SKETCH

WILHELM ROAD
 FROM ALUMINUM CONCRETE PAVEMENT TO EXISTING SURFACING
 PIN 64174 - 0033 (LT)

LOT 4

CONCESSION

PIN 64174 - 0035 (LT)

PIN 64174 - 0033 (LT)

PIN 64174 - 0034 (LT)

PIN 64174 - 0035 (LT)

LOT 3

NO FEAR NOT TO SCALE

PROPERTY DESCRIPTION

PORT OF COLBORNE
 REGIONAL MUNICIPALITY OF NIAGARA
 CITY OF PORT COLBORNE
 REGIONAL MUNICIPALITY OF NIAGARA
 ALL OF PIN 64174-003 (LT)

CAUTION

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 2. THIS SURVEY IS PROVIDED BY CONVEYANCE.
 3. THIS IS NOT AN ORIGINAL COPY. ANY REPRODUCTION OF THIS SURVEY SHALL BE VOID.
 4. ALL DIMENSIONS AND AREAS ARE APPROXIMATE.

BOUNDARY NOTE

BOUNDARY LINE OF PIN 64174-003 (LT) IS THE SAME AS THE BOUNDARY LINE OF PIN 64174-003 (LT).

LEGEND & NOTES

1. EXISTING PROPERTY LINE (DASHED LINE)
 2. EXISTING PROPERTY LINE (DASHED LINE)
 3. EXISTING PROPERTY LINE (DASHED LINE)
 4. EXISTING PROPERTY LINE (DASHED LINE)

Development and Government Relations Department
Planning Division Report

August 07, 2026

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

Re: Application for Consent: B16-26-PC
Concession 3, Part Lot 4 (2421 Wilhelm Road)
Owner(s): Joseph Grifa

Proposal

The purpose of this application is to seek approval to adjust the boundary for the parcel at 2421 Wilhelm Road, for the purpose of consolidating farms. The effect of the adjustment is to resize the existing parcel with the home and merge the balance of the agricultural land with the abutting farmland located at 2234 Wilhelm Road. The proposed boundary adjustment is partially illustrated in the provided figures and described below:

- **Parcel 1** will be resized with a lot frontage of 126.49 metres and a lot area of 1.5 hectares. The existing residential use will remain on Parcel 1.
- **Parcel 2** with a lot frontage of 275.84 metres and a lot area of 14.9 hectares will be merged with the neighbouring agricultural lands located at 2234 Wilhelm Road.
- The sketch does not illustrate a Part 3, which would be the surrounding agricultural lands to which Part 2 would merge.

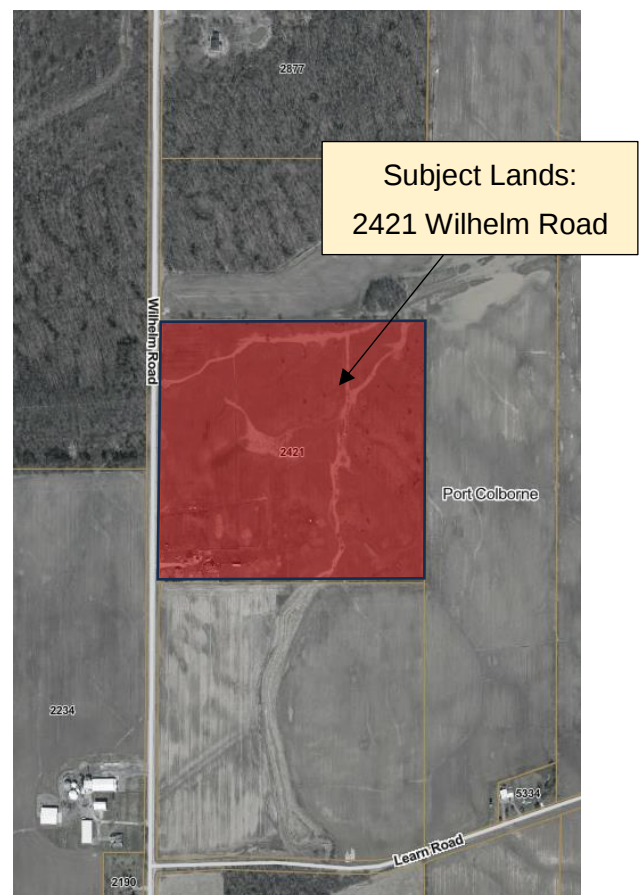
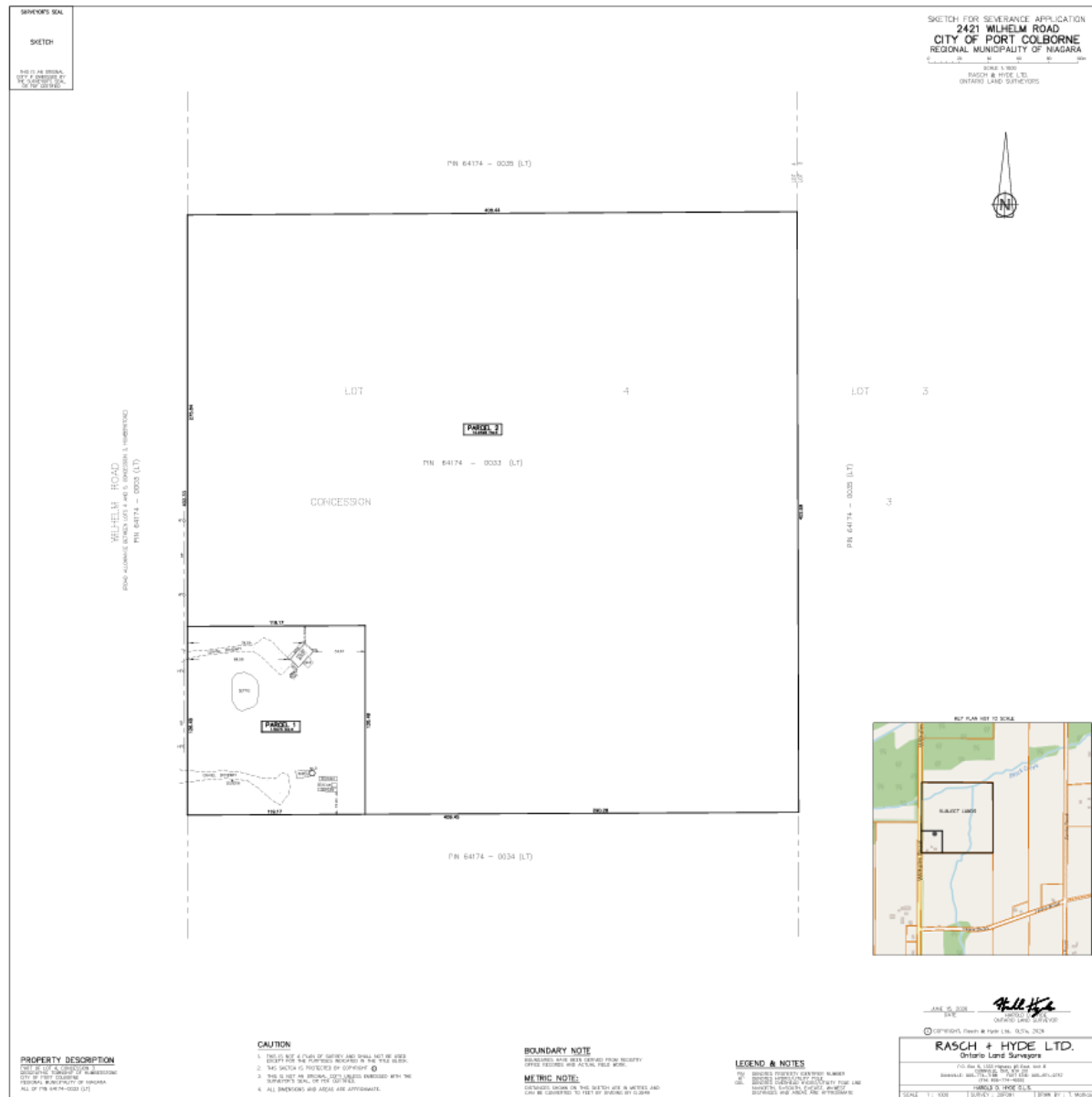


Figure 1 (above): Subject Lands



Surrounding Land Uses and Zoning

The Subject Lands are zoned Agricultural (A) with an Environmental Conservation Area (ECA) overlay, and have lot area of approximately 16.45 hectares and a lot frontage of approximately 402.33 metres along the east side of Wilhelm Road. Agricultural uses exist to the north, south, east and west of the Subject Lands. Figure 3 shows the zoning of the subject and surrounding lands.

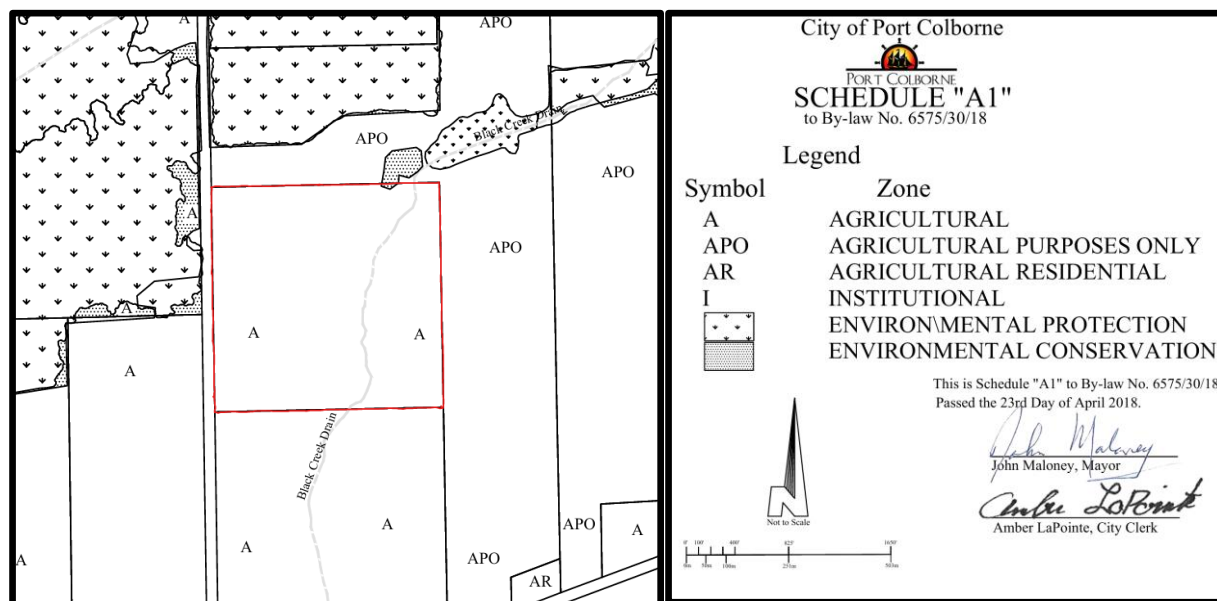


Figure 3 (above): Zoning of the subject and surrounding lands

Environmentally Sensitive Areas

There is a minor overlay of natural features on the northern portion of the subject lands mapped within the Niagara Official Plan (NOP) designated as Non-Provincially Significant Wetlands in the Natural Environment System (NES) Overlay and the City of Port Colborne Official Plan (OP) designated Environmental Protection Area.

The small overlay of Environmental Conservation Area within Schedule "A1" of the City of Port Colborne Zoning By-law are in the northeast corner of Part 2 on the sketch. As no future development is proposed on the site, it is of Staff's opinion that it will not be affected by the severance.

The subject lands are impacted by a Niagara Peninsula Conservation Authority (NPCA) regulated feature, consisting of an unmapped floodplain. The NPCA has advised that it cannot support the proposed boundary adjustment at this time, as it has not been demonstrated that the proposed lot contains sufficient area outside the flood hazard to accommodate a building envelope, servicing and amenities. The NPCA has requested a floodplain mapping study to confirm the extend of the flood hazard, which Staff have

added as a condition of consent. Additional information is provided in the NPCA comments in the Agency Comments section of this report.

However, it is staffs' opinion that an updated sketch, which should illustrate a Part 3, and make clear the intent to merge Part 2 with surrounding agricultural lands would resolve the NPCA concerns, as no new development is proposed, and the lands are already actively farmed.

Public Comments

Notice was circulated on July 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 July 6, 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	This parcel is in the watershed of the Black Creek. There is currently a review being completed on this drainage system and there is a potential that a report will be complete by years end. At this point, there is not a current assessment schedule so there are no further actions required by the applicant. This content is for information purposes only and when upcoming meetings are scheduled for this drainage area, then the current landowner will be notified.	Noted.
Fire Department	No objections	Noted
Engineering Technologist	No objections	Noted
Niagara Peninsula Conservation Authority	The subject property has an unmapped floodplain. It is the objective of the NPCA that the creation of lots is away from natural hazards. This preventative approach supports provincial and municipal financial well-being over the long term, protects public health and safety, and minimizes cost, risk, and social disruption.	Added as condition 5

	Additionally, the NPCA will not support lot creation in flood hazards. Lot additions and boundary adjustments may be supported where it has been demonstrated that there is sufficient room outside the flood hazard to accommodate a building envelope, including space for servicing and amenities. Technical Staff have reviewed the proposed plans as well as the topography and have indicated that they have a flooding concern with the proposed application. The NPCA would require that a floodplain mapping study be circulated, to the satisfaction of the NPCA, to determine if the proposed lot has adequate space outside of the flood hazard to accommodate a building envelope, including space for servicing and amenities. As such, the NPCA cannot support the proposed application at this time. Additionally, the NPCA still has not received the review fee of \$1,215. Should the application be resubmitted with a floodplain mapping study the NPCA would require a major review fee at that time, which is currently \$2,300. Please note that any future development on these lands will require NPCA review and approval including possible work permit.	
Region of Niagara	No objections.	Noted

Discussion

Consent application B16-26-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 considered agricultural lands. Section 4.3.3 speaks to lot creation and lot adjustments in the Prime Agricultural Area. Section 4.3.3.2 states: *“Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.”*

Section 8 defines the following: *“legal or technical reasons means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.”*

Staff are satisfied that the proposed boundary adjustment is consistent with the PPS. The proposal for a boundary adjustment will resize the existing parcel, while creating an opportunity to create a larger agricultural parcel through a consolidation with 2234 Wilhelm Road. No new lot will be created, and no new development is proposed.

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 Prime Agricultural Area in accordance with Schedule F – Agricultural Land Base.

Section 4.1.6.1 of the NOP discusses lot creation in prime agricultural areas. Policy 4.1.6.1 d) reflects the policies of the PPS, noting that consents are permitted for legal or technical reasons.

Section 4.1 outlines the objectives of the Regional Official Plan's focuses in regard to the Agricultural System. Objective g) highlights a goal to protect prime agricultural areas from fragmentation. This application supports a consolidation that results in a larger farm parcel for 2234 Wilhelm Road, which is the neighbouring farm to the subject lands.

Based on the analysis above, Staff are satisfied that this application conforms to the Niagara Official Plan.

City of Port Colborne Official Plan (OP)

The subject lands are designated Agricultural in accordance with Schedule A of the OP. Section 3.5 of the OP identifies the planned function of the Agriculture designation as follows:

"The predominant uses of lands designated Agriculture shall include, but not be limited to; the cultivation of crops on a commercial basis; the storage and processing of produce grown on the premises; the raising of livestock; greenhouses; small-scale agri-tourism; value added agricultural activities; specialty agricultural uses such as an agricultural research station, fertilizer or seed depot, feed mill, saw mill or kennel, provided uses are compatible with adjacent uses; and agriculture-related accessory uses, including the sale of products from the farm operation."

The proposed consent application is being brought forward to facilitate a boundary adjustment that supports consolidation of farm parcels. This is consistent with the OP and meets the necessary requirements with respect to lot creation in prime agricultural area, 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 Agricultural (A) in accordance with Zoning By-law 6575/30/18. The requested boundary adjustment will enable the consolidation of farm parcels, while retaining the existing residential dwelling on a smaller lot. Detached dwellings and their associated accessory uses either existing at the date of passing of the By-law as a principal use on a new lot or a principal use on an existing lot of record at the date of passing are the only permitted residential use in the Agricultural (A) zone.

The proposed boundary adjustment will leave the following dimensions:

- Parcel 1 Lot area of 1.5 hectares and 126.49 metres of frontage Lot area of 14.9 hectares and 275.84 metres of frontage.
- Parcel 2 Lot area of 14.9 hectares and 275.84 metres of frontage.

The Agricultural (A) zone requires minimum lot frontages and lot areas. Minimum lot frontage is 30 metres or as existing. Minimum lot area is as existing. Consent application B16-26-PC is consistent with Zoning By Law 6575/30/18.

Recommendation:

That consent application B16-26-PC be **deferred**, to allow the applicant time to revise the sketch to better illustrate the intent of merging Part 2 with surrounding agricultural lands and to allow the NPCA to revise its comments accordingly.

Should the Committee choose to grant application B16-26-PC, the following conditions are proposed:

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 applicable final certification fee, payable to the City of Port Colborne, is submitted to the Secretary-Treasurer.
3. 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 legally known as Concession 3 Part Lot 3 Part Lot 4 RP 59R4396 Part 1.
4. 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 2) with the abutting lands municipally known as 2234 Wilhelm Road. The Secretary Treasurer shall accept, to their satisfaction of this condition, an Undertaking from an Ontario solicitor to register the Application to

Consolidate Parcels within 60 days following the registration of the Transfer of the lot addition lands.

5. The NPCA would require that a floodplain mapping study be circulated, to the satisfaction of the NPCA, to determine if the proposed lot has adequate space outside of the flood hazard to accommodate a building envelope, including space for servicing and amenities.
6. That all conditions of consent be completed by August 12, 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,

Owen McDonnell

Planning Student

Erik Acs

Chief Planner

SURVEYOR'S SEAL

SKETCH

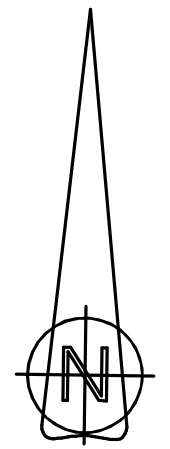
THIS IS AN ORIGINAL
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THE SURVEYOR'S SEAL,
OR PDF CERTIFIED

SKETCH FOR SEVERANCE APPLICATION

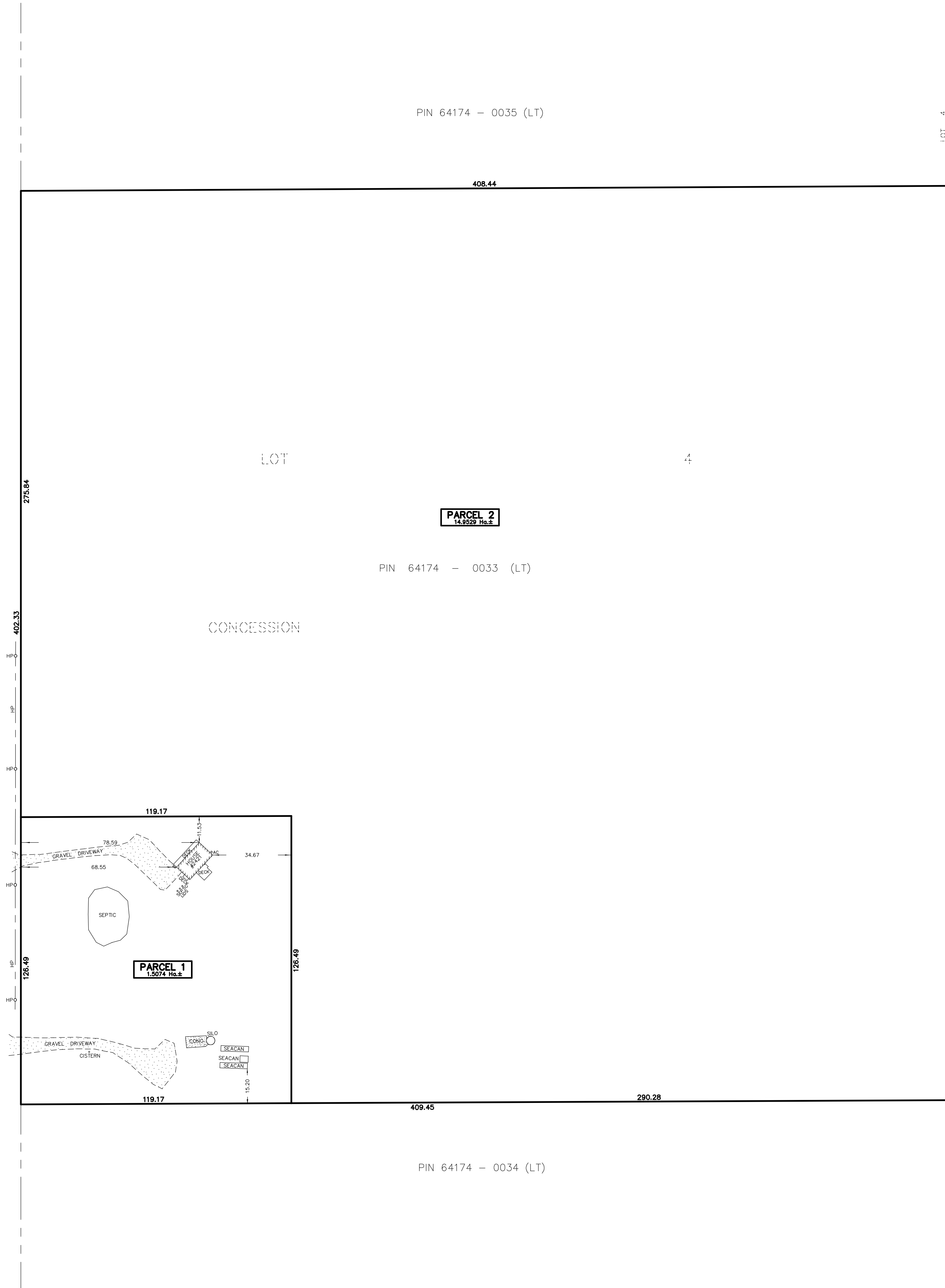
2421 WILHELM ROAD
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA

0 20 40 60 80 100m

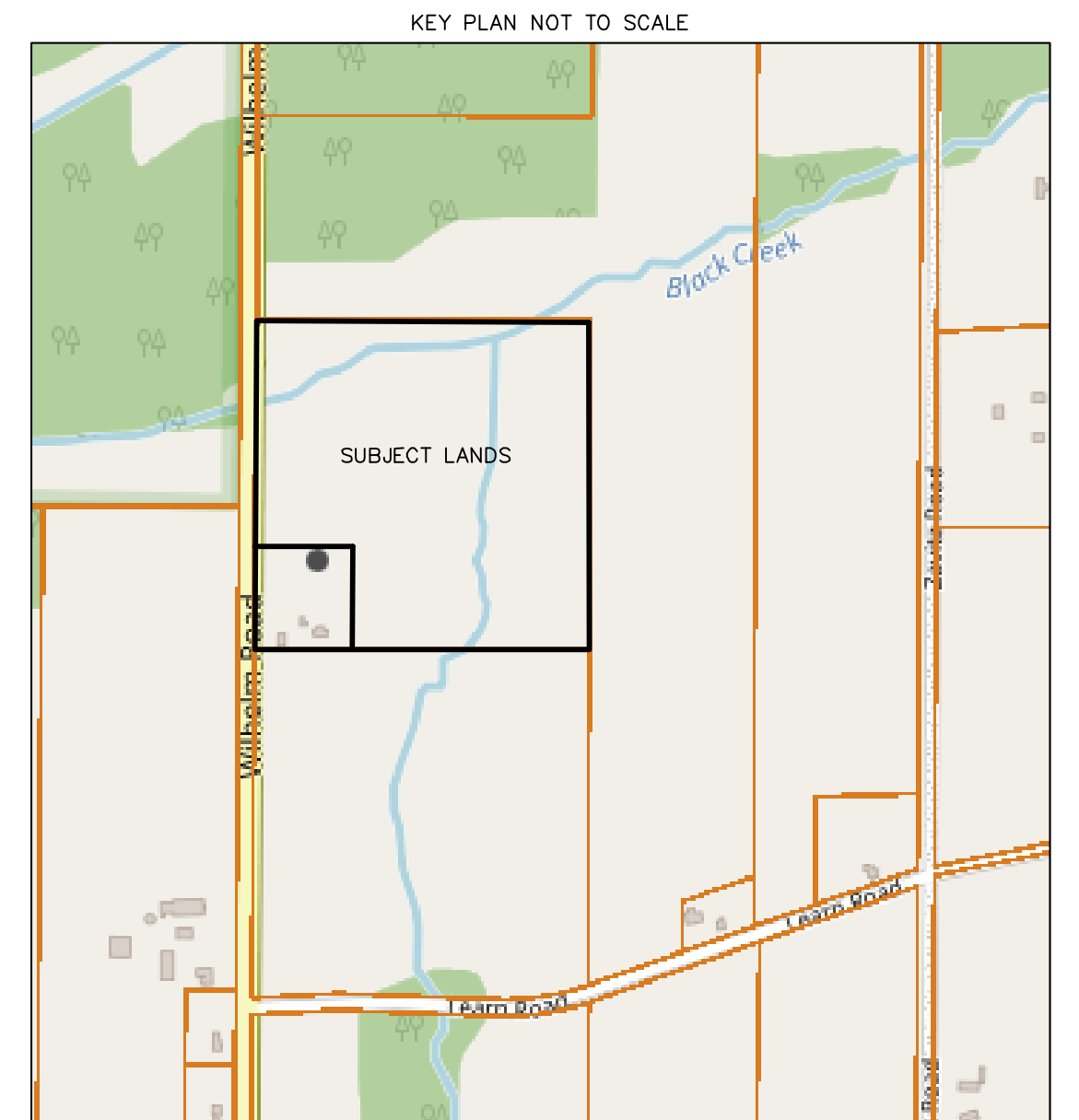
SCALE 1:1000
RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS



WILHELM ROAD
(ROAD ALLOWANCE BETWEEN LOTS 4 AND 5, CONCESSION 3, HUMBERSTONE)
PIN 64174 - 0003 (LT)



PIN 64174 - 0035 (LT)



CAUTION

- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.
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BOUNDARY NOTE

BOUNDARIES HAVE BEEN DERIVED FROM REGISTRY OFFICE RECORDS AND ACTUAL FIELD WORK.

METRIC NOTE:

DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND & NOTES

PIN DENOTES PROPERTY IDENTIFIER NUMBER
HP DENOTES HYDRO/UTILITY POLE
OUL DENOTES OVERHEAD HYDRO/UTILITY POLE LINE
N=NORTH, S=SOUTH, E=EAST, W=WEST
DISTANCES AND AREAS ARE APPROXIMATE

PROPERTY DESCRIPTION

PART OF LOT 4, CONCESSION 3
GEOGRAPHIC TOWNSHIP OF HUMBERSTONE
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA
ALL OF PIN 64174-0033 (LT)

JUNE 15, 2026
DATE

Harold D. Hyde
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

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RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT. N1A 2X1
DUNNVILLE: 905-774-7188 FORT ERIE: 905-871-9757
(FAX 905-774-4000)

HAROLD D. HYDE O.L.S.

SCALE 1 : 1000 SURVEY : 20F091 DRWN BY : T. Matheson



PORT COLBORNE

PLANNING AND DEVELOPMENT DEPARTMENT

COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING Minor Variance Application File No. A11-26-PC

IN THE MATTER OF the *Planning Act, R.S.O., 1990, c.P. 13*, as amended, and Section 2.8.1 (a) (ii) of the City of Port Colborne Zoning By-law 6575/30/18 as amended;

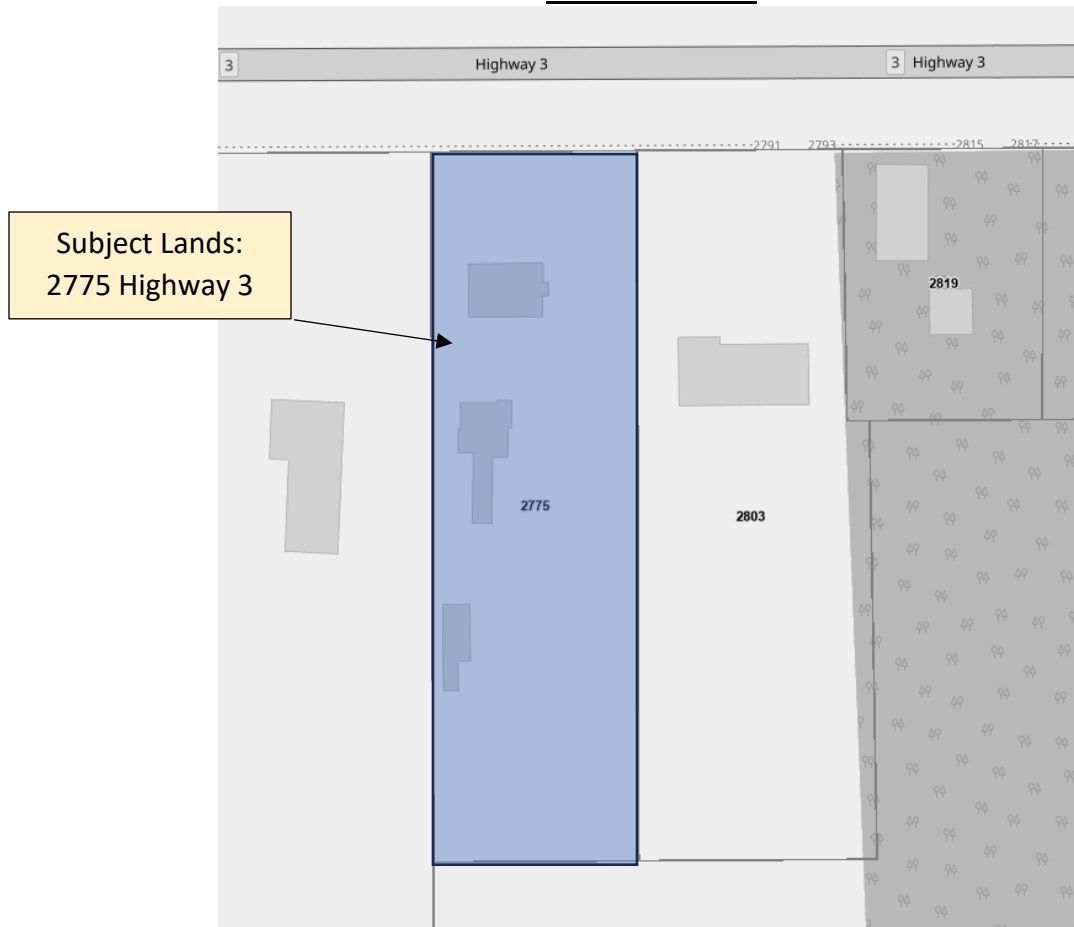
AND IN THE MATTER OF the lands legally known as Concession 1, Part Lot 13, RP 59R-3144 Part 1 in the City of Port Colborne, located in the Hamlet Residential (HR) zone, municipally known as 2775 Highway 3.

AND IN THE MATTER OF AN APPLICATION by the agent, David Funk, on behalf of the owner, Eric Vanderzalm, for 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 construction of a new accessory structure, notwithstanding the following:

1. That a maximum accessory building height of 7.32m be permitted, whereas a maximum accessory building height of 6m is required.

Explanatory Relief from the Zoning By-law: The applicant is requesting permission to build a new, taller accessory building within the back yard, 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 the 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: August 12, 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, August 7, 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, August 11, 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.

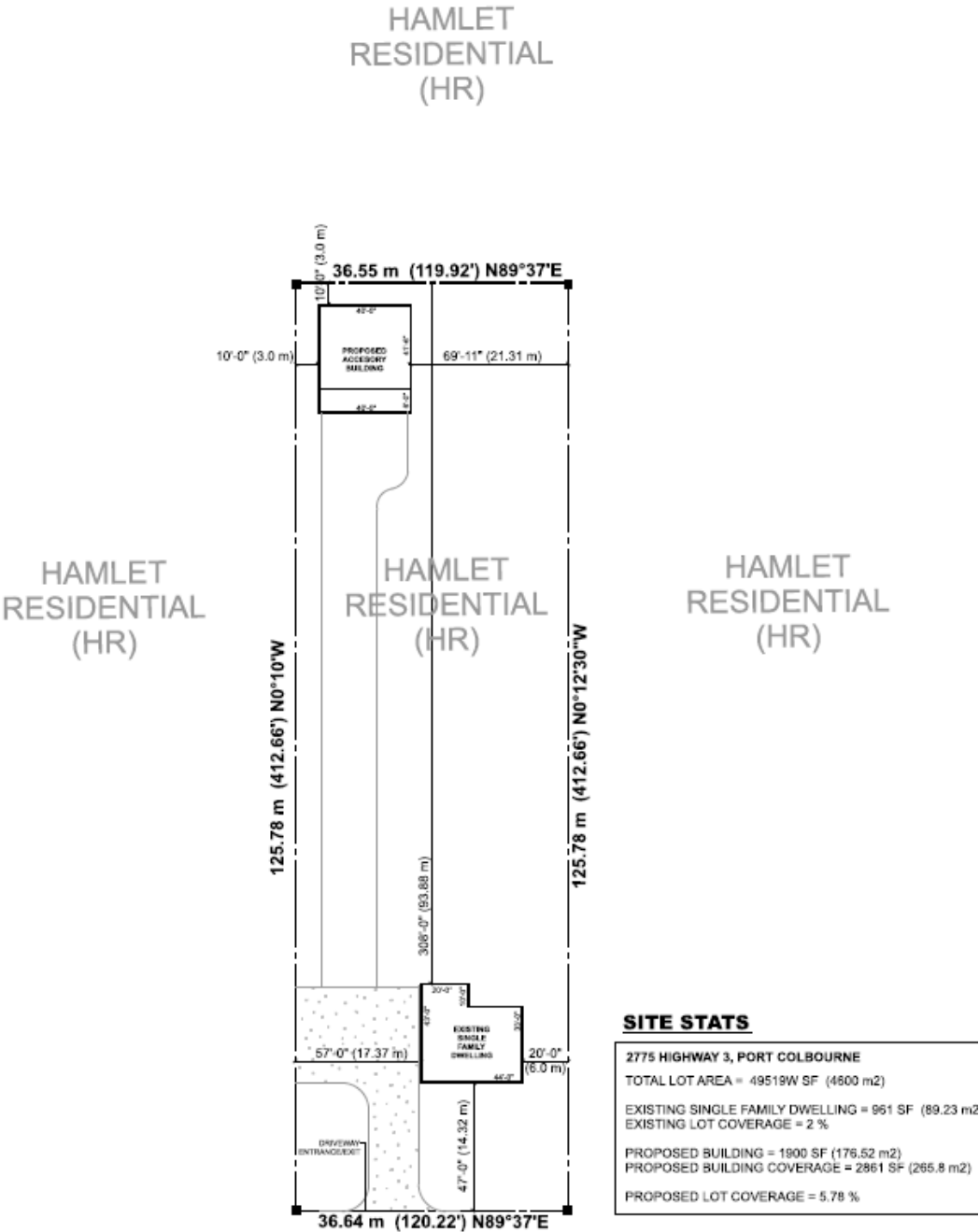
Taya Taraba

By order of the Committee of Adjustment,

Date of Mailing: July 28, 2026

Taya Taraba
Secretary-Treasurer

SKETCH



HIGHWAY 3 (PUBLIC TRAVEL ROAD)

Planning and Development Department
Planning Division Report

August 12, 2026

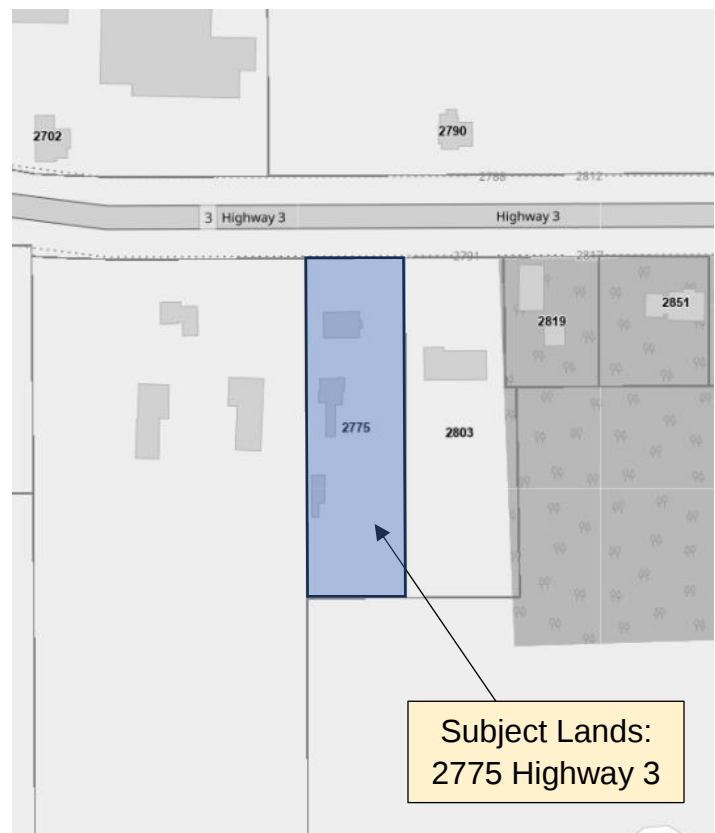
Secretary-Treasurer
Port Colborne Committee of Adjustment
66 Charlotte Street
Port Colborne, ON L3K 3C8

Re: Application for Minor Variance File No. A11-26-PC
2775 Highway 3
Concession 1, Part Lot 13, RP 59R3144, Part 1, in the City of Port Colborne
Agent: David Funk
Owners: Eric Vanderzalm

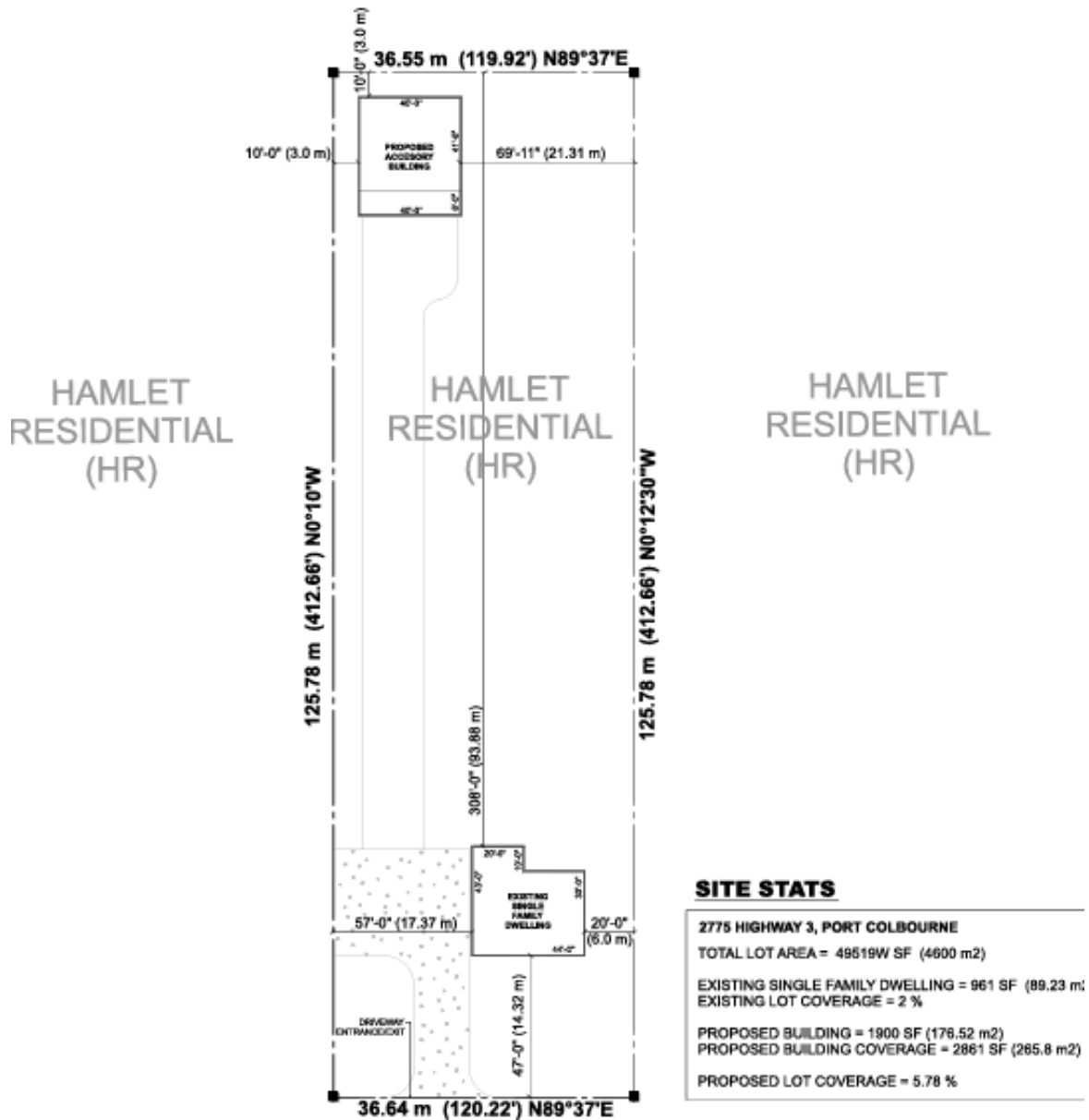
Proposal

The purpose of this report is to provide a recommendation on a Minor Variance application for a lot at 2775 Highway 3, legally described as Concession 1, Part Lot 13, RP 59R3144 Part 1, in the City of Port Colborne (the Subject Lands), as shown in the image on the right hand side of this page.

The purpose of this application is to build a new accessory building in the back yard, which requires a minor variance from the provisions of the Zoning By-law to permit that a maximum accessory building height of 7.32 metres be permitted, whereas a maximum accessory building height of 6 metres is required. The applicant's proposed site sketch for the accessory building location is shown on the following page.



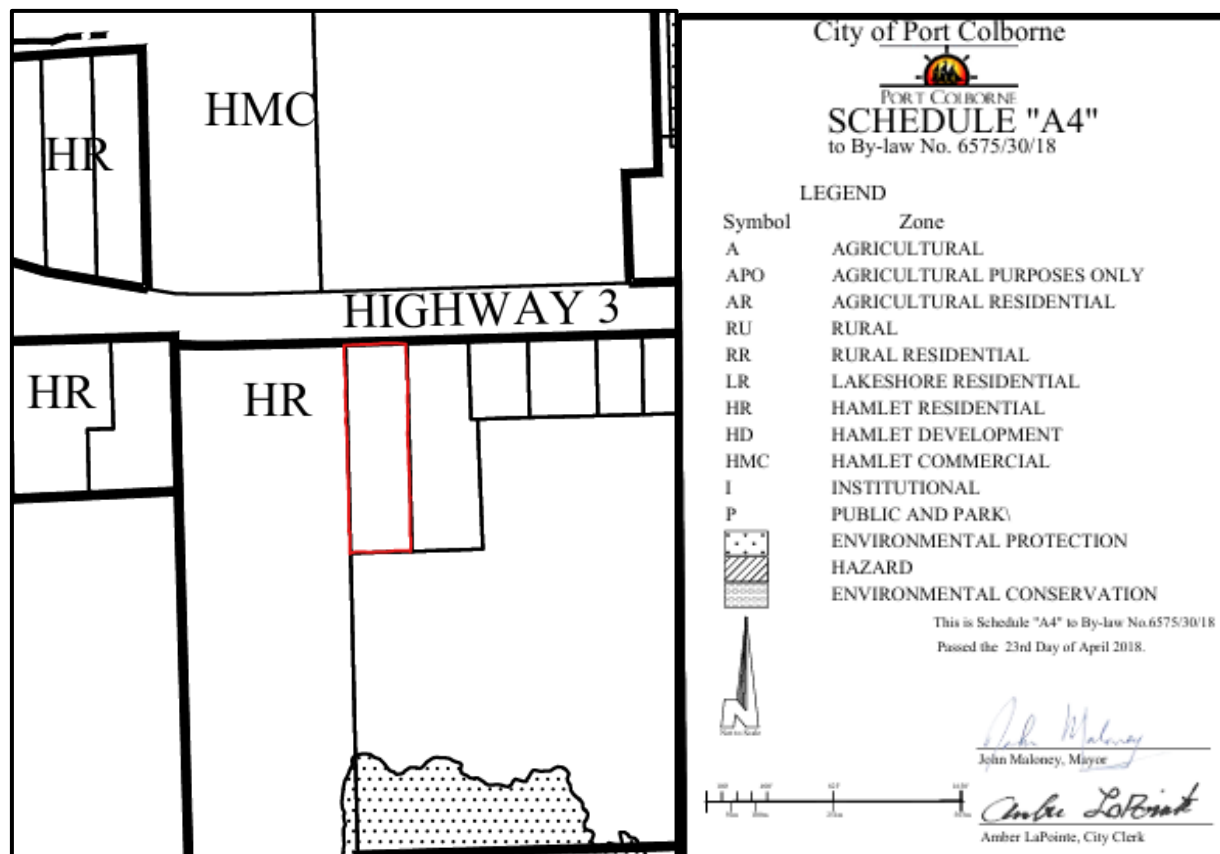
HAMLET RESIDENTIAL (HR)



HIGHWAY 3 (PUBLIC TRAVEL ROAD)

Surrounding Land Uses and Zoning

The Subject Lands are zoned Hamlet Residential (HR) and have a lot area of approximately 4,600 square metres and a lot frontage of approximately 36.55 metres along the south side of Highway 3. The parcels surrounding the Subject Lands are primarily zoned Hamlet Residential (HR) and Hamlet Commercial (HMC), while Agricultural (A) uses exist further west of the Subject Lands. The figure below shows the zoning of the Subject Lands.



Environmentally Sensitive Areas

The subject lands do not contain any environmentally sensitive areas.

Public Comments

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

Agency Comments

Notice of the application was circulated on July 6, 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 objections	Noted
Fire Department	No objections	Noted
Engineering Technologist	No objections	Noted
Niagara Peninsula Conservation Authority	No objections	Noted
Niagara Region	No objections	Noted

Discussion

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.

- That a maximum accessory building height of 7.32 metres be permitted, whereas a maximum accessory building height of 6 metres is required.

Is the variance minor in nature?

The proposed accessory building is located further back from the road than the main dwelling, which will reduce the visual impact of the increased height. The immediate surrounding land uses are primarily agricultural fields and residences, which will reduce the likelihood of any negative impacts to surrounding parcels. The closest residence is approximately 60 metres north of the proposed structure. This distance is also further than other structures located on the subject lands. This separation from neighbouring structures and the surrounding agricultural fields, reduce the chance of any compatibility concerns arising from the proposed variance in height. As such, the variance is minor in nature.

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

The variance has been requested to facilitate the construction of an accessory building on a property in the Hamlet Residential zone. The lot is large in size, with the accessory building proposed to be located approximately 110 metres from the road. The requested height increase is necessary to provide the owners with sufficient interior clearance, appropriate building proportions, and intended roof design they seek for the proposed use

of the structure. The proposed variance also maintains the architectural character of the principal dwelling and surrounding property improvements. On this basis, Staff are satisfied that the variances are desirable for the appropriate development of the Subject Lands.

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

The intent of the maximum accessory building height is to prevent overdevelopment and ensure accessory structures remain accessory to the primary use of the lot. The proposed development maintains the general intent and purpose of this provision as the lot is large enough to accommodate a building of this height without appearing overdeveloped. Accordingly, this application maintains the general intent and purpose of the Zoning By-law.

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

The subject lands are within the Hamlet designation in the Official Plan. Buildings accessory to residential uses are permitted in the Hamlet designation. This application maintains the general intent and purpose of the City of Port Colborne Official Plan (OP).

Recommendation

Given the information above, Planning staff recommend that application A11-26-PC be **granted** for the following reasons:

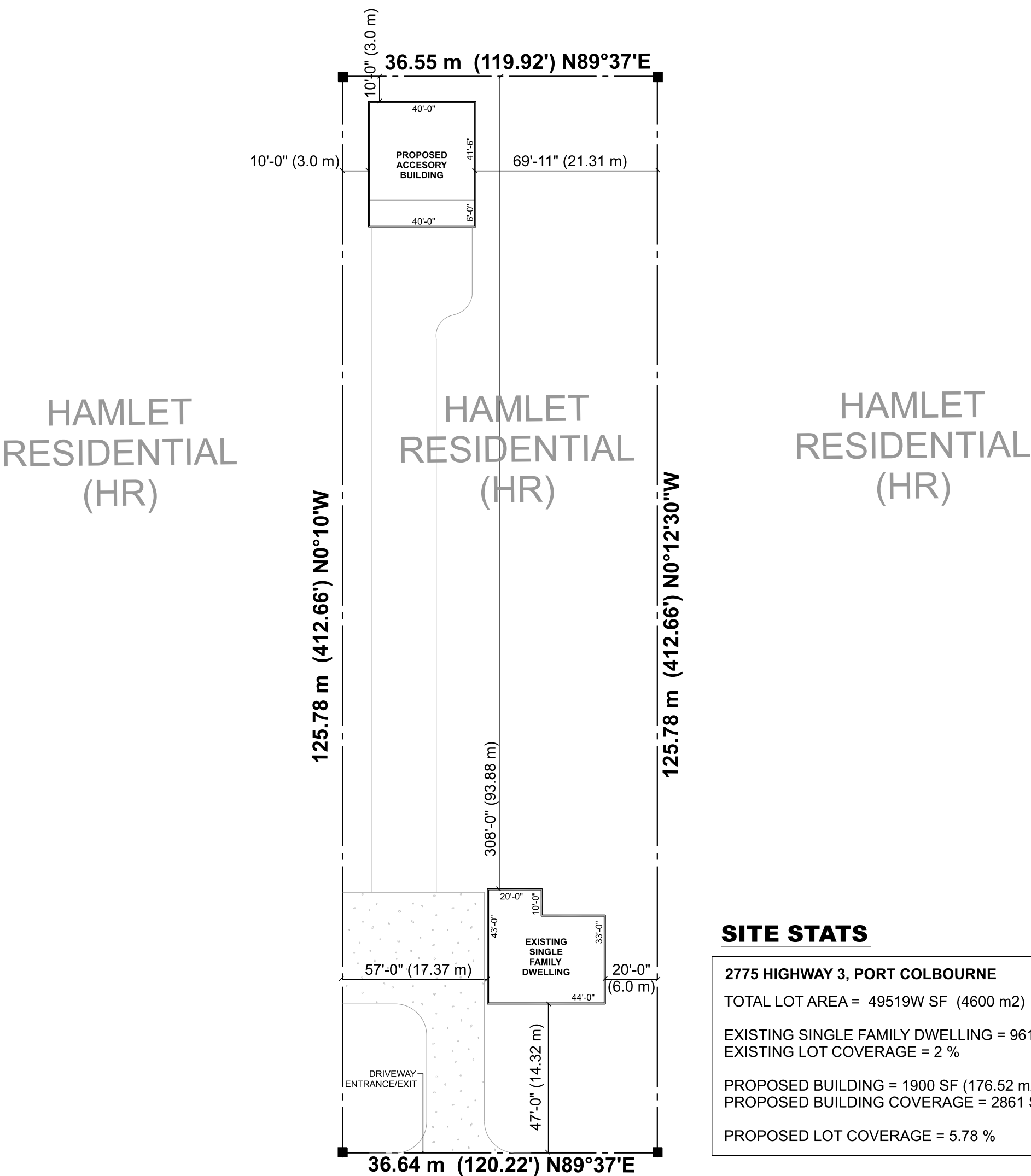
- 1. The application is minor in nature.**
- 2. It is desirable for the appropriate development of the land.**
- 3. It maintains the general intent and purpose of the Zoning By-law.**
- 4. It maintains the general intent and purpose of the Official Plan.**

Respectfully submitted,

Owen McDonnell
Planning Student

Erik Acs
Chief Planner

HAMLET
RESIDENTIAL
(HR)



HIGHWAY 3 (PUBLIC TRAVEL ROAD)

IN THE MATTER OF the *Planning Act, R.S.O., 1990, c.P. 13*, as amended, and Section 2.8.1 (a) (ii) of the City of Port Colborne Zoning By-law 6575/30/18 as amended;

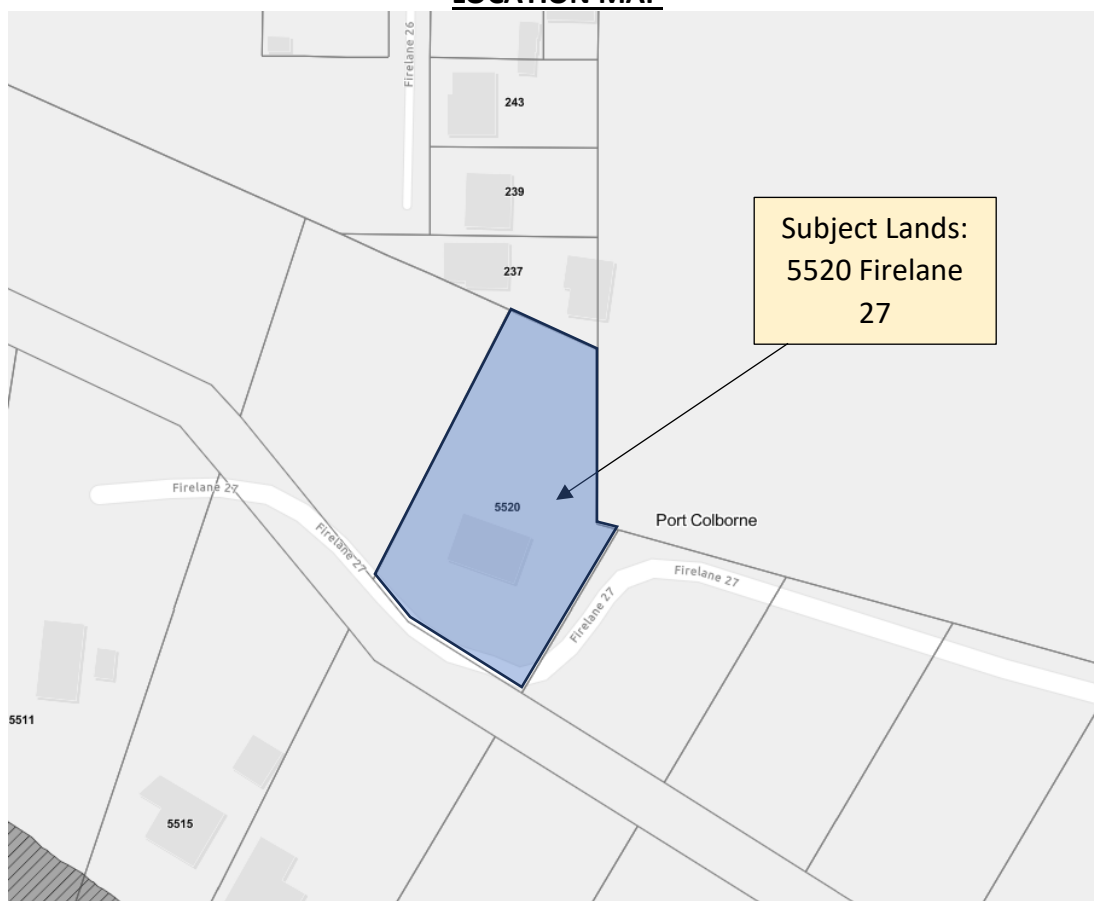
AND IN THE MATTER OF the lands legally known as Plan 45, Part Block P, New Plan 804, in the City of Port Colborne, located in the Lakeshore Residential (LR) zone, municipally known as 5520 Firelane 27.

AND IN THE MATTER OF AN APPLICATION by the agent, Jason Cardwell, on behalf of the owner, N and J Signs, for 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 relocation of an existing accessory structure, notwithstanding the following:

1. That a maximum accessory building height of 6.7m be permitted, whereas a maximum accessory building height of 6m is required.

Explanatory Relief from the Zoning By-law: The applicant is requesting permission to relocate an existing accessory building to the back yard of a different property, which requires a minor variance from the provisions of the Zoning By-law as the structure is too tall. 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 the 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: August 12, 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, August 7, 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.

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, August 11, 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.

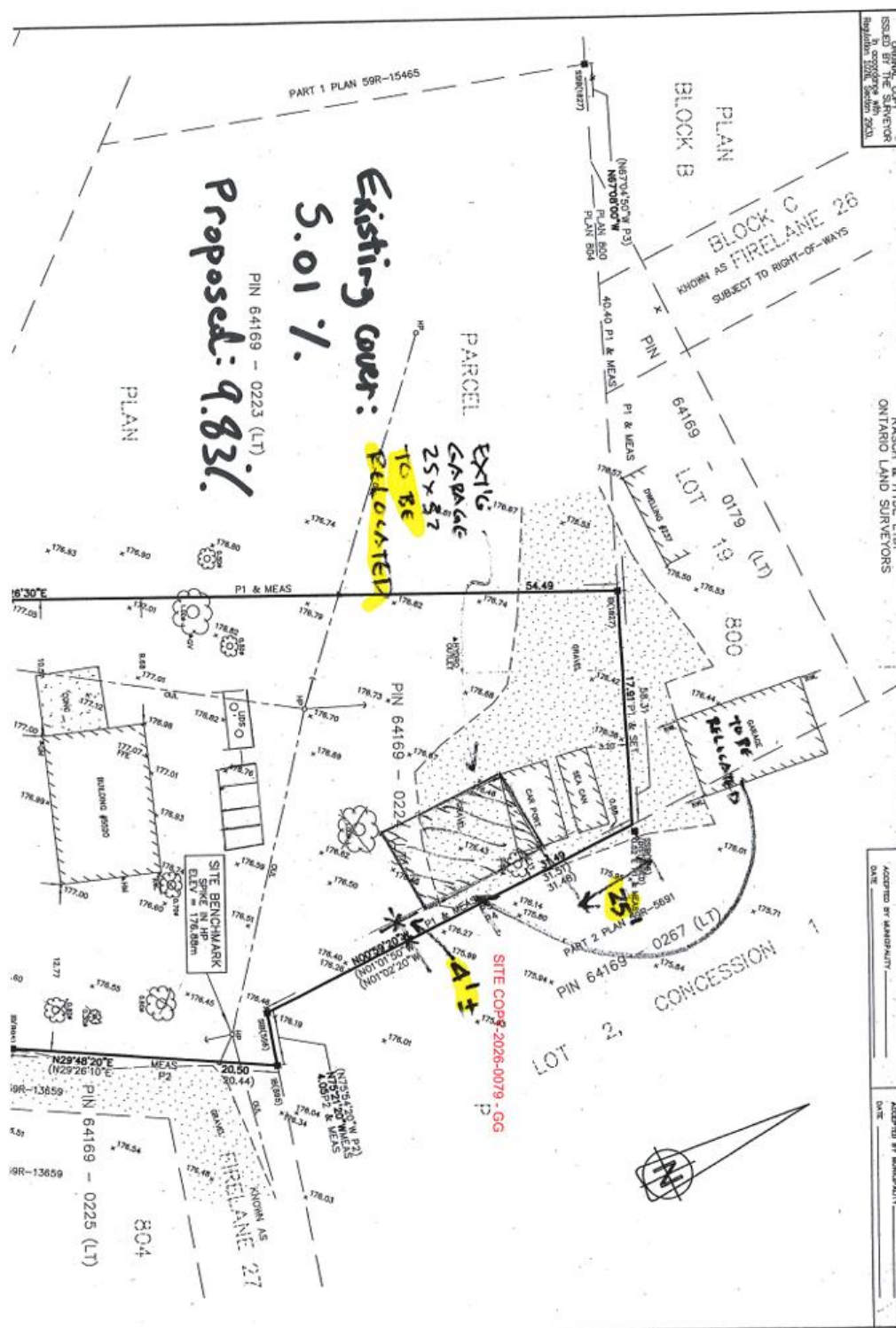
If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer.

By order of the Committee of Adjustment,

Date of Mailing: July 28, 2026

Taya Taraba
Secretary-Treasurer

SKETCH



Planning and Development Department
Planning Division Report

August 07, 2026

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

Re: Application for Minor Variance File No. A12-26-PC
5520 Firelane 27
Plan 45, Part Block P, New Plan 804, in the City of Port Colborne
Agent: Jason Cardwell
Owners: N and J Signs

Proposal

The purpose of this report is to provide a recommendation on a Minor Variance application for a lot at 5520 Firelane 27, legally described as Plan 45, Part Block P, New Plan 804, in the City of Port Colborne (the Subject Lands), as shown in the image on the right hand side of this page.

The purpose of this application is to relocate an existing accessory building from the rear yard from a neighbouring property to the rear yard of the Subject Lands. A minor variance is required from the Zoning By-law to permit that a maximum accessory building height of 6.7 metres be permitted, whereas a maximum accessory building height of 6 metres is required. The applicant's proposed site sketch for the accessory building relocation is shown on the following page.

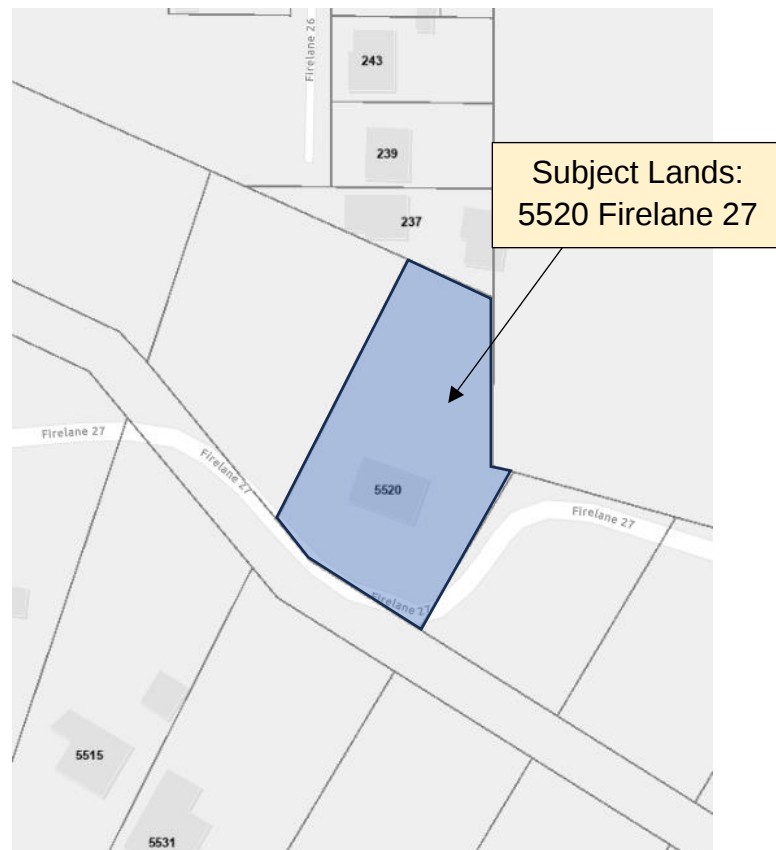
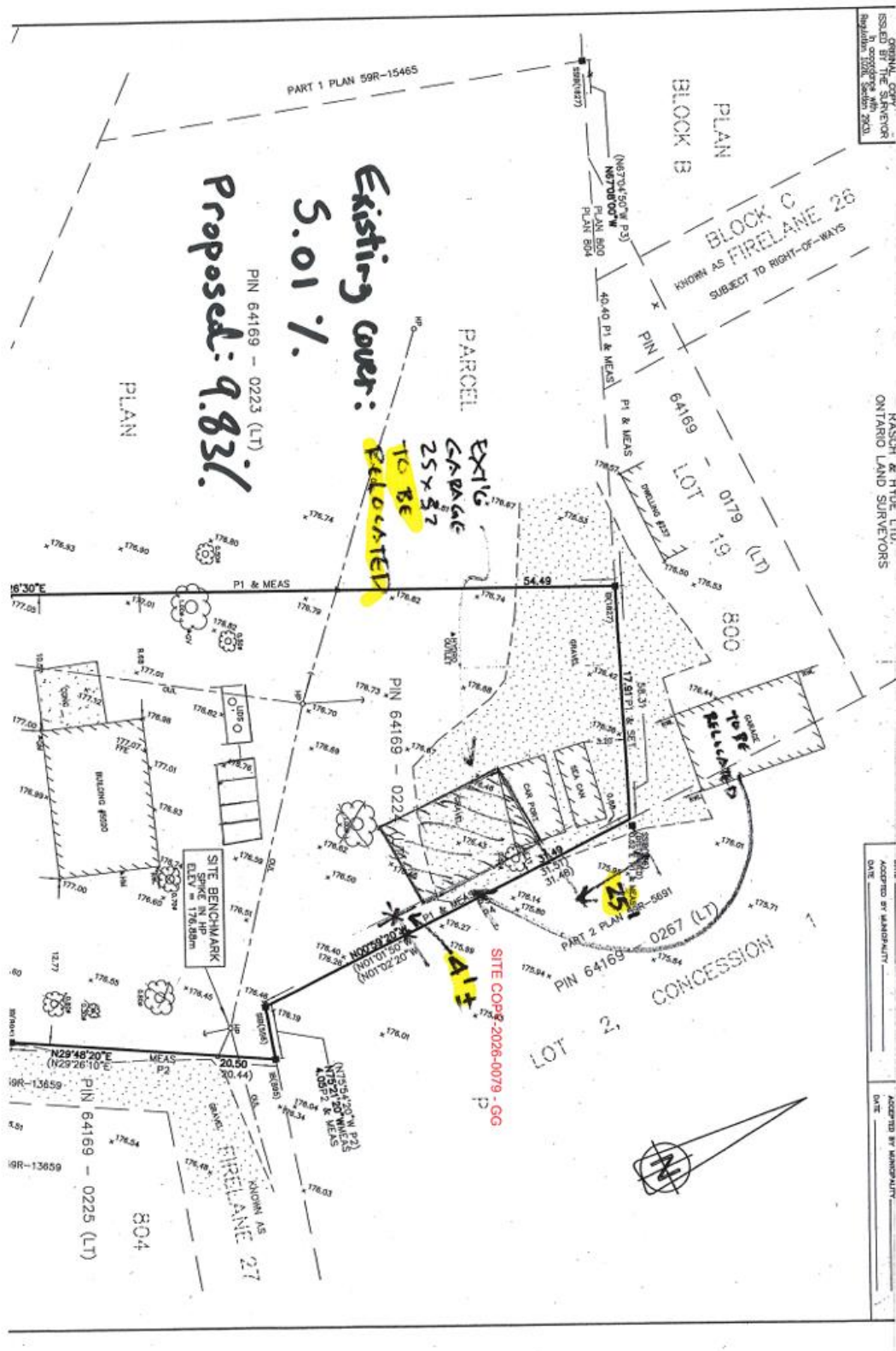


Figure 1 (above): Subject Lands



Surrounding Land Uses and Zoning

The Subject Lands are zoned Lakeshore Residential (LR) with an Environmental Conservation Area (ECA) overlay, and have a lot area of approximately 1497.34 square metres and a lot frontage of approximately 33.58 metres along the north side of Firelane 27. The parcels surrounding the Subject Lands are primarily zoned Lakeshore Residential (LR), with Rural (RU) and Rural Residential (RR) uses existing to the north of the Subject Lands. The figure below shows the zoning of the Subject Lands.

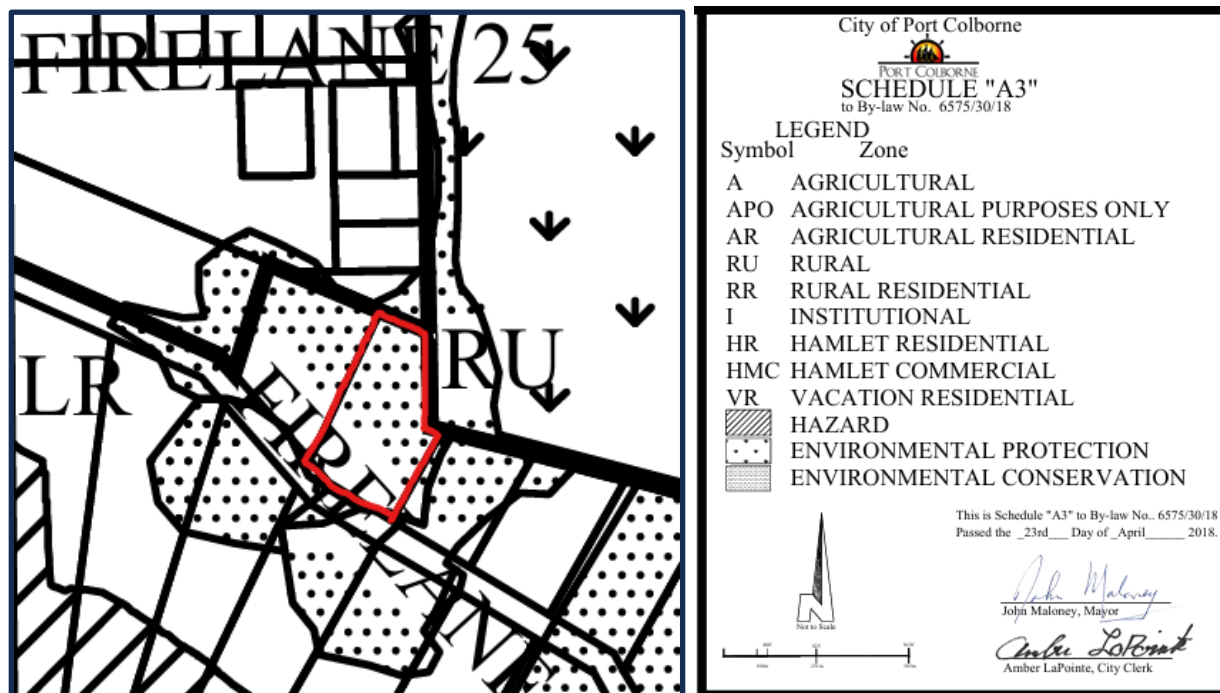


Figure 3 (above): Zoning of the subject and surrounding lands

Environmentally Sensitive Areas

The Subject Lands are impacted by the Niagara Region's Natural Environment System (NES), consisting of an Other Woodlands overlay and a slight Other Wetlands overlay in the northeast corner of the property. This application was circulated to the Niagara Region and the Niagara Peninsula Conservation Authority (NPCA) for formal comments. The respective comments from these agencies are included in the Agency Comments section of this report.

After conducting a site visit to the subject lands, discussion with the NPCA and considering the EIS Guidelines, staff are satisfied that the removal of the accessory building at 237 Firelane 26 and relocation to 5520 Firelane 27 does not warrant further environmental review.

Public Comments

Notice was circulated on July 28, 2026, to properties within 60 metres of the Subject Lands, in accordance with the *Planning Act*. As of the time of writing this report, no written comments from the public have been received, however, staff understands that a member of the public may attend and wish to speak to this application.

Agency Comments

Notice of the application was circulated on July 6, 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 objections	Noted
Fire Department	No objections	Noted
Engineering Technologist	No objections	Noted
Niagara Peninsula Conservation Authority	The proposed placement of the existing accessory building is within the buffer of a regulated wetland. However, the building already is within the buffer of a wetland, and the proposal is just to relocate the existing building. Due to scope, nature, and location the NPCA will not be objecting to the minor variance application. Please note that a permit amendment / permit will be required to move the structure. The NPCA will need Erosion Sediment Control measures (type and location) shown on the plan for permit / permit amendment. Additionally, any future development on these lands will require NPCA review and approval including possible work permits.	

Niagara Region	Comments have not been received from the Niagara Region as a septic inspection has not been scheduled at the time of writing this report.	Noted
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Discussion

The Committee of Adjustment previously approved Minor Variance A06-18-PC in 2018, which permitted the construction of an accessory building at the abutting property, 237 Firelane 26. Due to an error during construction, the accessory building was built over the lot line, encroaching on the property to the east. The applicant, who owns both 237 Firelane 26 where the accessory building is currently located, as well as the subject lands (5520 Firelane 27), determined there is more space to relocate the accessory building to the subject lands. Therefore, the previous exemption for height that was obtained in 2018 must be reconsidered for the subject lands.

- 237 Firelane 26 contains an existing residential dwelling and the accessory building which is proposed to be relocated.
- 5520 Firelane 27 contains an existing residential dwelling, and is mostly cleared, with sufficient space to accommodate the relocation of the accessory building.

The following variance is being requested: That a maximum accessory building height of 6.7 metres be permitted, whereas a maximum accessory building height of 6 metres is required.

For a minor variance application to be recommended for approval, 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 within the Rural designation in the Official Plan. Buildings accessory to residential uses are permitted in the Rural designation. This application maintains the general intent and purpose of the City of Port Colborne Official Plan (OP).

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

The intent of the maximum accessory building height requirement is to ensure that accessory structures remain accessory to the principal use of the property and to prevent

overdevelopment. The proposed variance maintains the general intent and purpose of the Zoning By-law as the requested height was previously reviewed and approved by the Committee of Adjustment through file A06-18-PC. The proposal does not increase the approved height of the structure, and does not result in any additional intensification of the site beyond the placement of the existing building. The accessory structure will continue to function as an accessory use to the principal dwelling and the lot is of sufficient size to accommodate the building. As such, the application maintains the general intent and purpose of the Zoning By-law.

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

The variance has been requested to facilitate the relocation of an accessory building onto lands zoned Lakeshore Residential (LR) with an Environmental Conservation (EC) overlay. The increased height allows the building to function as intended and maintains the design and structural characteristics of the existing building. The Subject Lands are regulated by the Niagara Peninsula Conservation Authority (NPCA). Although the proposed building is located within the regulated wetland buffer, the NPCA has reviewed the proposal and has advised that it has no objection to the application, as the building already exists within the wetland buffer area and the proposal consists only of relocating the structure. The requested variance will permit the continued use of the accessory building without requiring substantial modifications to a structure that has already received Committee and Planning approval. Accordingly, the requested variance is desirable for the appropriate development and use of the subject lands.

Is the variance minor in nature?

The requested variance is to permit the relocation of an existing accessory building that exceeds the maximum permitted height of 6 metres. The increased height was previously approved by the Committee of Adjustment in 2018 under Minor Variance file A06-18-PC. The proposal does not seek any additional height beyond what was previously approved, but rather permits the relocation of the existing structure to the neighbouring property at 5520 Firelane 27. The relocated accessory building will remain subordinate to the principal dwelling and is situated on a lot of sufficient size to accommodate the structure. In addition, the surrounding area contains a number of accessory structures of similar scale and character. Given that the variance relates to an existing approved building height and does not introduce any new impacts beyond those already evaluated through the previous approval, staff are of the opinion that the requested variance is minor in nature.

Recommendation

Given the information above, Planning staff recommend that application A12-26-PC be **granted**,

for the following reasons:

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

Respectfully submitted,

Owen McDonnell
Planning Student

Erik Acs
Chief Planner

BLOCK C
KNOWN AS FIRELANE 26
SUBJECT TO RIGHT-OF-WAYS

64169
LOT 0179
19 (LT)

0267 (LT)
*175.84
CONCESSION

LOT

175.8
SITE COPY-2026-0079 - GG

Existing covr: 5.01 %
PIN 64169 - 0223 (LT)
Proposed: 9.83 %

PIN 64169 - 0223 (LT)

PROJECT

EX11C
CAPACIT
25 x 37
10 BE
PULSATED

SITE BENCHMARK
SPIKE IN HP
ELEV = 176.88m

PLAN

(X)
 ()
 +2

PIN 64169 - 0225 (LT)

KNOWN AS
J. J. ANNE
27

~~Page 29 of 33~~



Committee of Adjustment -Meeting Minutes-

Wednesday, July 8, 2026

Members Present: Dan O'Hara, Chair
Angie Desmarais, Vice-Chair
Gary Bruno, Committee Member
Dave Elliott, Committee Member
Eric Beauregard, Committee Member

Staff Present: Taya Taraba, Secretary-Treasurer

1. Call Meeting to Order

The Chair called the meeting to order at approximately 6:00 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: A09-26-PC

Action: Minor Variance

Agent: Jamie McNay

Applicant: Joe and Janine Bellonte

Location: 3229 Firelane 10

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

The Chair had asked if the agent would like to speak to the application; the Agent did not have anything to add.

That the Committee of Adjustment have decided **A09-26-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: Angie Desmarais
Carried: 5-0

Seconded: Eric Beauregard

b. Application: A10-26-PC
Action: Minor Variance
Agent: Reid Ackland
Applicant: David Fijauz
Location: 1132 Chippawa Road

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

The Chair had asked if the agent would like to speak to the application; the Agent did not have anything to add.

That the Committee of Adjustment have decided **A10-26-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
Carried: 5-0

Seconded: Dave Elliott

b. Application: B14-26-PC; B15-26-PC
Action: Consent to Sever
Applicants: Leola and Gilles Brochu
Location: 62 Erie Street and a Vacant Lot on Minto Street

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

The Chair had asked if the applicant would like to speak to the application; the applicant did not have anything to add.

Member Bruno inquired about a condition regarding the servicing. The Secretary-Treasurer clarified that the condition is in regard to telephone services that run through the property as shown on the sketch. Member Beauregard added information regarding this.

Member Beauregard inquired about the ability to service the lot. The Secretary-Treasurer and the Chair clarified that there were services that ran along Minto Street.

The Chair brought in a member of the public, Natalie Bouwers of 86 Erie Street, to inquire about the application.

She had expressed her opposition to the application due to the insufficient sizing of the lots, stating that the lots are too narrow to accommodate the addition of two new homes. Furthermore, she mentions that this would greatly affect the aesthetic of the neighbourhood as the general noise would increase, along with the ability for rain to drain into other areas. She tells the Committee that there is a common issue with backyard flooding in the neighbourhood.

Member Bruno inquires to the Secretary-Treasurer regarding the lot frontage for the property; the Secretary-Treasurer follows up with the lot frontage being 15m, which will only allow for the development of a single detached dwelling. The property will provide sufficient enough frontage and a lot area that is able to readily accommodate the development of two homes. Member Beauregard furthers this point by saying that there is a condition on this consent regarding the drainage to ensure that flooding does not occur.

That the Committee of Adjustment have decided **B14-26-PC and B15-26-PC** be **granted** for the following reasons:

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, prior to depositing the reference plan, the following amendments are made to the satisfaction of City staff:
 - a. That the applicant shall remove all existing structures noted to be removed on the severance sketch to the satisfaction of the Chief Planner;
 - b. That the applicant shall provide City Development Engineering staff with a site servicing plan showing proposed and existing site servicing for the staff to review and approve;
4. That the applicant shall undertake an archaeological assessment and obtain archaeological clearance from the Ministry of Citizenship and Multiculturalism (MCM);

5. That the structures listed as “to be removed” in the proposed severance sketch are removed;
6. That any overhead wires, crossing Parts 2 and 3, servicing the existing home at 56 Erie Street be relocated to not interfere with Parts 2 and 3;
7. That the seller confirm to the City that no shared or cross lot services interfere with Parts 2 and 3;
8. That the applicable final certification fee (per application), payable to the City of Port Colborne, is submitted to the Secretary-Treasurer; and
9. That all conditions of consent be completed by July 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: Dave Elliott

Seconded: Eric Beauregard

Carried: 5-0

7. Other Business

Nil.

8. Approval of Minutes

That the minutes from the June 10th, 2026 meeting be approved.

Motion: Eric Beauregard

Seconded: Gary Bruno

Carried: 5-0

9. Adjournment

There being no further business, the meeting was adjourned at approximately 6:27 pm.

Dan O’Hara, Chair

Erik Acs, Acting Secretary-Treasurer