

**City of Port Colborne**  
**Public Meeting Minutes**

**Date:** Tuesday, May 17, 2022  
**Time:** 6:30 pm  
**Location:** Council Chambers, 3rd Floor, City Hall  
66 Charlotte Street, Port Colborne

**Members Present:** M. Bagu, Councillor  
E. Beauregard, Councillor  
R. Bodner, Councillor  
G. Bruno, Councillor  
F. Danch, Councillor  
A. Desmarais, Councillor  
D. Kalailieff, Councillor  
W. Steele, Mayor (presiding officer)  
H. Wells, Councillor

**Staff Present:** S. Luey, Chief Administrative Officer  
N. Rubli, Acting City Clerk  
D. Schulz, Senior Planner  
C. Roome, Planner

**1. Call to Order**

Mayor Steele called the meeting to order at 6:33 p.m.

**2. Adoption of Agenda**

Moved By Councillor D. Kalailieff  
Seconded By Councillor M. Bagu

That the agenda dated May 17, 2022 be confirmed, as amended.

Carried

**3. Disclosures of Interest**

**4. Statutory Public Meetings**

#### **4.1 Public Meeting Report for Proposed Zoning By-law Amendment on the Borden Avenue Road Allowance, File D14-04-22, 2022-110**

##### **Purpose Of Meeting**

The purpose of this meeting, pursuant to section 34 of the *Planning Act*, is to consider an application initiated by the City of Port Colborne for the lands known as Part of the Borden Avenue Road allowance lying between Knoll Street to the west and Steele Street to the east, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as a part of the Borden Avenue Road allowance.

The application for a Zoning By-law Amendment proposes to zone the lands as First Density Residential (R1). The parcel currently has no zoning as it is a former road allowance that was recently closed by By-law 6990/28/22. The zoning is proposed to permit one single detached dwelling on a standalone lot, while addressing a reduction in lot frontage. The Zoning By-law Amendment is being sought as part of the City's Real Estate Strategy to utilize surplus lands.

##### **Method Of Notice**

Notice of the Public Meeting was administered in accordance with Section 34 of the *Planning Act*, as amended, and Ontario Regulations 545/06. Notice of Public Meeting was circulated on April 28, 2022, to internal departments and agencies. Notice was also circulated via regular mail to property owners within 120m on April 27, 2022. Meeting details were provided along with the Council Agenda on the City's website and under "Current Applications".

##### **Presentation Of Application For Zoning By-Law Amendment**

Mr. Schulz presented the following:

The Zoning By-law Amendment proposes to add a special provision of the R1 zone that will permit a single-detached dwelling on a lot. The intention is to create one lot fronting on Steele Street and one lot fronting on Knoll Street. The special provision is being sought to allow for a reduction in lot frontage, depending on the outcomes of the real estate initiative.

##### **Questions Of Clarification To Planning Staff/Applicant**

Councillor Bruno asked if the rezoning of the property would allow for future severance for development.

Mr. Schulz responded that it would permit for future severance.

Councillor Wells asked why a special provision is required as the existing frontage meeting the zoning requirement.

Mr. Schulz explained the proposed application intends to rectify existing encroachment issues on city property through becoming private ownership. As a result, the frontage would not meet the required frontage in the R1 zone, thus requiring the special provision.

Councillor Kalailieff asked if the nearby property owners are purchasing this property and if the remaining lot would be large enough for development.

Mr. Schulz responded the intention is to work with the economic development department to determine the best solution for the encroachment. The remaining lot would not be large enough to meet the R1 zoning requirements which called for the special provision.

Councillor Bagu asked if the property was amended however neighbouring property owners do not purchase their sections of the encroached lot, would this lot have to be rezoned again for larger developments.

Mr. Schulz responded the zoning amendment would only allow for a single detached dwelling and would require a rezoning for a larger development.

Councillor Beauregard asked if nearby property owners purchased part of this lot, would their interior yard setback comply with the current zoning requirement.

Mr. Schulz responded yes, details would be worked out.

Moved By Councillor H. Wells

Seconded By Councillor G. Bruno

That Development and Legislative Services Report 2022-110 be received for information.

Carried

## **4.2 Public Meeting Report for Proposed Zoning By-law Amendment on Neff Street, File D14-02-22, 2022-111**

### **Purpose Of Meeting**

The purpose of this meeting, pursuant to section 34 of the *Planning Act*, is to consider an application initiated by Grandstone Living Inc. for the lands known as Part of Lot 2, on Plan 762, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as a vacant lot on the north side of Neff Street

The application for Zoning By-law Amendment proposes to change the zoning from Fourth Density Residential (R4) to a special provision of the Downtown Commercial zone that will remove the requirement for a landscape buffer between a parking area and an abutting residential property.

### **Method Of Notice**

Notice of the Public Meeting was administered in accordance with Section 34 of the *Planning Act*, as amended, and Ontario Regulation 545/06. The Notice of Public Meeting was circulated to required agencies, and property owners within 120 metres of the lands on April 21st, 2022. A public meeting sign was also posted on the property no later than April 27, 2022. Meeting details have been provided along with the Council Agenda on the City's website and under "Current Applications".

### **Presentation Of Application For Zoning By-Law Amendment**

Mr. Roome presented the following:

The subject parcel was recently zoned as Fourth Density Residential (R4) in 2021 for a proposed triplex dwelling. Due to site constraints identified during a reconfiguration of the proposal by the applicant, an additional Zoning- By-law Amendment is required to change the zoning to Downtown Commercial. The DC zone permits apartment uses.

### **Questions Of Clarification To Planning Staff/Applicant**

Councillor Wells asked if the proposed development meets any of the R4 zoning requirements.

Mr. Roome responded the initial proposal was for a triplex in the R4 zone however with the new plans, majority of the R4 zone requirements would not be met.

Councillor Beauregard asked to clarify on the special provision of the landscape buffer

Mr. Vaillancourt explained due to setback restrictions the parking lot had to be planned closer to the railway to meet the number of parking spaces requirement.

Councillor Kalailieff asked if the units had been reduced to fit the new proposal.

Mr. Vaillancourt responded the proposal is not finalized but it is being proposed for 6 one bedroom units at approximately seven to eight hundred squared foot per unit.

Moved By Councillor A. Desmarais  
Seconded By Councillor R. Bodner

That Planning and Development Services Report 2022-111 be received for information.

Carried

#### **4.3 Public Meeting Report for Proposed Zoning By-law Amendment at 360 Killaly Street East - File D14-01-22, 2022-108**

##### **Purpose Of Meeting**

The purpose of this meeting, pursuant to section 34 of the *Planning Act*, is to consider an application initiated by Joseph M. Tomaino for the lands known as Part of Lot 25 on Concession 2, on the north side of Killaly Street East, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 360 Killaly Street East.

The application for Zoning By-law Amendment proposes to change the zoning from Institutional (I) to a special provision of the Fourth Density Residential zone, that is proposed to permit a reduction in parking area landscape buffers, reduction in aisle width, and a reduction in parking requirements. The Zoning By-law Amendment is being sought to permit the construction of a 16-unit apartment building on the subject property.

##### **Method Of Notice**

Notice of the Public Meeting was administered in accordance with Section 34 of the *Planning Act*, as amended, and Ontario Regulations 545/06.

The Notice of Public Meeting was circulated via mail to the required agencies and property owners within 120 metres of the lands on April 27, 2022. Meeting details were provided along with the Council Agenda on the City's website and under "Current Applications".

### **Presentation Of Application For Zoning By-Law Amendment**

Mr. Schulz presented the following:

The Zoning By-law Amendment proposes to change the zoning of the property from Institutional (I) to a special provision of the Fourth Density Residential (R4) zone. The R4 zone permits detached, semi-detached, triplex, fourplex dwellings; block and street townhouse dwellings; apartment buildings; public apartment buildings; and uses, structures and buildings accessory thereto. The special provision is being sought to permit a reduction in parking area landscape buffers, reduction in aisle width and a reduction in parking space requirements.

### **Questions Of Clarification To Planning Staff/Applicant**

Councillor Wells asked to clarify the minimum rear yard setback and the unit sizes.

Mr. Tomaino stated the rear yard setback would be 4.1m and that the plans are conceptual to show they can meet the minimum requirements of the zoning by-law.

Councillor Wells asked if the minimum lot area per unit included coverage of balconies, elevators, lobbies, and foyers.

Mr. Schulz responded the minimum lot area per unit were calculated based on the number of units based on the lot area and did not include common areas, but balconies were considered part of the unit.

Councillor Desmarais asked if the number of parking could reach 1.5 as required in the zone, due to concerns of street parking and high traffic road. As well, what the process is for snow removal.

Mr. Tomaino responded he did not have a direct answer and would be considered during a detailed site plan stage.

Councillor Desmarais asked for more information for garbage removal.

Mr. Tomaino stated there is a proposal in place for garbage removal and the final details will be considered during the site plan process.

Councillor Desmarais has concerns if garbage collection units are located by the front curbside.

Councillor Beauregard asked about functional servicing in the area.

Mr. Schulz stated servicing typically are reviewed in the site plan process and would be the applicant's responsibility.

Mr. Tomaino responded they have not considered servicing at the moment and will be in the site plan process.

Councillor Bagu asked for the type of units that are being proposed.

Mr. Tomaino responded they will be two-bedroom units.

Moved By Councillor F. Danch

Seconded By Councillor E. Beauregard

That Development and Legislative Services Report 2022-108 be received for information.

Carried

**a. In-person Delegation from Roxanne St Louis, Resident**

Ms. St Louis opposed the development and raised concerns regarding privacy, noise, light pollution, obstructions of view and odour from recreational substance.

Councillor Bruno asked if the mentioned tree is situated on her property.

Ms. St Louis responded it is located on her property line and if a fence must be erected, she would like it to go around the tree.

**b. In-person Delegation from Steve Parker, Resident**

Mr. Parker highlighted the importance of the tree on Ms. St Louis' property as it helps to prevent flooding in the area. He raised concerns in regards to the potential impacts of development on his health.

Councillor Bruno questioned if the drainage from the neighbouring property would impact his property. Mr. Parker advised not that he is aware of but there would be runoff. Mr. Schulz stated that the

drainage and stormwater management would be dealt with at the site plan stage.

**c. Virtual Delegation from Lisa Doddridge, Resident**

Ms. Doddridge raised concerns with the neighbourhood aesthetics, impacts of increased traffic, privacy concerns, and the size of the development.

**d. Written Delegation material from Steve Czinege, Resident**

Mr. Czinege raised parking concerns, the logistics of snow removal and storage of snow on site during the winter months, and stated that the infrastructure would not have the capacity to support the development

**e. Written Delegation material from a Resident**

**f. Written Delegation Material from Lori Sturman and Stephen Ward, Residents**

Ms. Sturman and Mr. Ward raised concerns with the building not fitting in with the neighbourhood, the parking lot not adequate for the number of units, privacy concerns with balconies, and not having enough green space on the property.

**5. Procedural Motions**

**6. Information Items**

**7. Adjournment**

Mayor Steele adjourned the meeting at approximately 7:39 p.m.

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William C. Steele, Mayor

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Nicole Rubli, Acting City Clerk