

City of Port Colborne Public Meeting Agenda

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

Pages

1.	Call to Order	
2.	Adoption of Agenda	
3.	Disclosures of Interest	
4.	Statutory Public Meetings	
	Statutory public meetings are held to present planning applications in a public forum as required by the Planning Act. Requests to delegate, both written and appearing in-person or virtually, will be accepted until noon the day of the meeting by contacting deputyclerk@portcolborne.ca . Material accepted after this time will be circulated with the minutes and included as public record.	
4.1.	Public Meeting Report for Proposed Zoning By-law Amendment at 360 Killaly Street East - File D14-01-22, 2022-108	1
4.2.	Public Meeting Report for Proposed Zoning By-law Amendment on the Borden Avenue Road Allowance, File D14-04-22, 2022-110	28
4.3.	Public Meeting Report for Proposed Zoning By-law Amendment on Neff Street, File D14-02-22, 2022-111	33
5.	Procedural Motions	
6.	Information Items	
7.	Adjournment	



Subject: Public Meeting Report for Proposed Zoning By-law Amendment at 360 Killaly Street East - File D14-01-22

To: Council - Public Meeting

From: Development and Legislative Services Department

Report Number: 2022-108

Meeting Date: May 17, 2022

Recommendation:

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

Purpose:

The purpose of this report is to provide Council with information regarding a Zoning By-law Amendment application submitted by Joseph M. Tomaino on behalf of the owner 2466602 Ontario Inc. 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.

Background:

The application for Zoning By-law Amendment proposes to change the zoning of the property from Institutional (I) to R4-##, being a special provision of the Fourth Density Residential (R4) zone. The Zoning By-law Amendment is being sought to permit the construction of a 3.5 storey, 16-unit residential apartment building on the property.

Internal Consultations:

Notice of Public Meeting was circulated to internal departments and agencies and the following comments have been received as of the date this report was prepared:

Port Colborne Fire Department

“Port Colborne Fire has no objection to the application. Fire safety items will be dealt with at the site plan and building permit stage.”

Public Engagement:

Notice of Public Meeting was circulated via regular mail to property owners within 120m in accordance with the *Planning Act* and Ontario Regulation 545/06 on April 27, 2022, and also provided on the City’s website under “Current Applications”. No written correspondence has been received as of the date this report was prepared.

Discussion:

This application will be reviewed with consideration of applicable policies in the *Provincial Policy Statement (2020)*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, the *Regional Official Plan*, the *City of Port Colborne Official Plan* and the *City of Port Colborne Comprehensive Zoning By-law 6575/30/18*.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are within a “settlement area” according to the PPS. Settlement areas are to be the focus of growth and development and land use patterns shall be based on densities and a mix of land uses that should efficiently use land and resources.

The Growth Plan also directs development to settlement areas. The subject parcel is located within a settlement area where the Growth Plan states that growth should be focused in “Built up” areas.

The Regional Official Plan (ROP) designates the subject lands as within the “Urban Area Boundary” and “Built-up Area”. Intensification is generally encouraged throughout the Built-up Area and includes residential uses that make efficient use of existing services. The application will be reviewed against Chapter 4 of the ROP when a recommendation report is brought forward at a future Council meeting.

City of Port Colborne Official Plan

According to Schedule A: City Wide Land Use, the City of Port Colborne’s Official Plan (OP) designates the subject property as **Urban Residential**. Land uses in the Urban Residential designation include residential, neighbourhood commercial, community facilities and institutional uses.

Residential uses such as the proposed apartment building are permitted in the Urban Residential zone. The Official Plan designation is not proposed to be changed as a result of this application.

This application will be reviewed against Sections 2.4.3 and 3.2.1 of the OP when a recommendation report is brought forward at a future Council meeting.

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

The subject parcel is zoned **Institutional (I)**. The Institutional zone permits public apartment buildings; community garden; cultural facility; cemetery; day care; dwelling, accessory; food vehicle; long term care facility; place of assembly/banquet hall; place of worship; public uses; social service facility; and uses, structures and buildings accessory thereto.

The Zoning By-law Amendment proposes to change the zoning of the property from Institutional (I) to R4-##, being 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.

Adjacent Zoning and Land Use

Lands surrounding the subject property are comprised of residential uses to the east and west, an institutional use to the north, being St. Joseph Catholic Elementary School, and a mix of residential and commercial uses to the south.

A site sketch of the proposal has been provided in Appendix A. Additionally, a Planning Justification Report submitted by the applicant has been attached as Appendix B.

Financial Implications:

There are no financial implications.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
- People: Supporting and Investing in Human Capital
- Governance: Communications, Engagement, and Decision-Making

Conclusion:

Planning Staff are not providing a recommendation on the proposed Zoning By-law Amendment at this time to allow all agency, public and Councillor comments to be received and considered prior to a decision being made. The recommendation report will return to Council at a future meeting.

Appendices:

- a. Site Sketch
- b. Planning Justification Report

Prepared by,

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Submitted by,

Denise Landry, MCIP, RPP
Manager of Planning
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Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.



1 FRONT SOUTH ELEVATION
3/32" = 1'-0"

2 REAR NORTH ELEVATION
3/32" = 1'-0"



3 LEFT WEST ELEVATION
3/64" = 1'-0"



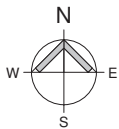
4 RIGHT EAST ELEVATION
3/64" = 1'-0"

EXISTING LOT COVERAGE

LOT AREA = 1839.48 m² = 100%
EXISTING BUILDING COVERAGE = 210.61 m² = 11.45 %
(TO BE REMOVED)
EXISTING DRIVEWAY COVERAGE = 1482.46 m² = 80.60 %
(TO BE ALTERED)
LANDSCAPE COVERAGE = 146.41 m² = 7.96 %
(TO BE ALTERED)

PROPOSED LOT COVERAGE

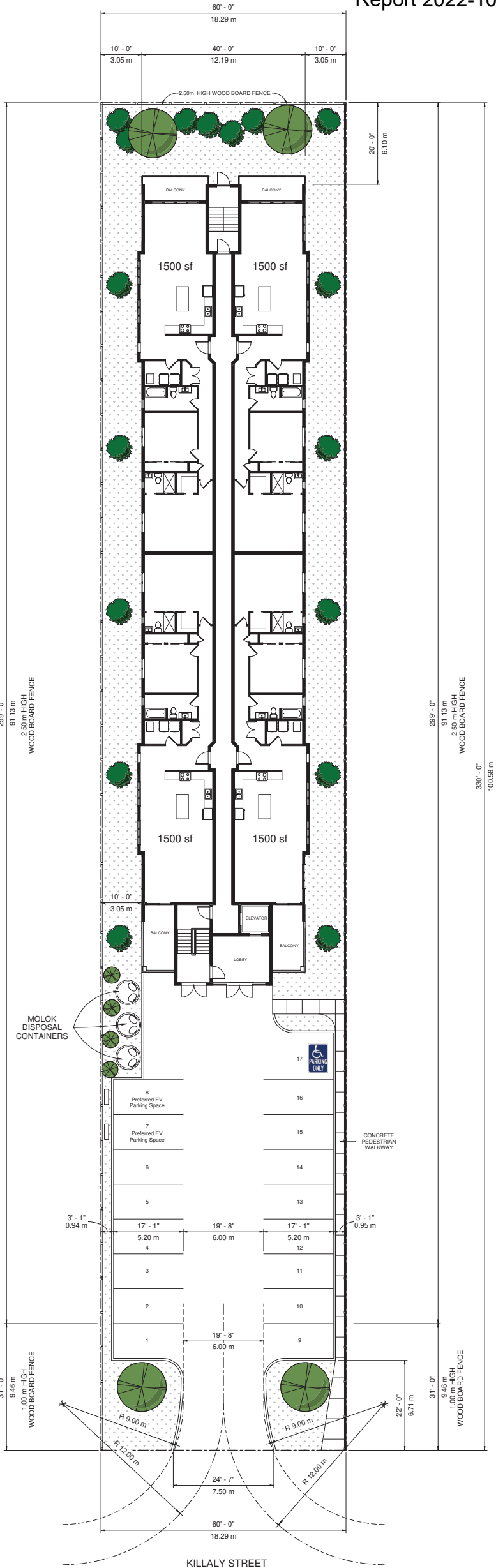
LOT AREA = 1839.48 m² = 100%
PROPOSED BUILDING COVERAGE = 713.95 m² = 38.81 %
PROPOSED DRIVEWAY COVERAGE = 495.46 m² = 26.93 %
PROPOSED LANDSCAPE COVERAGE = 979.12 m² = 53.23 %



GATEWAY MANOR

360 KILLALY STREET EAST
PORT COLBORNE
ONTARIO, L2K 1N9

3 1/2 STOREY
16 UNITS (4 PER FLOOR)



Planning Justification Report

For

360 Killaly Street East

Part of Lot 25, Concession 2

Township of Humberstone

City of Port Colborne

Regional Municipality of Niagara

Prepared by:

Joseph M. Tomaino, MCIP, RPP

127 Aqueduct Street

Welland, Ontario

L3C 1B9

Prepared for:

2466602 Ontario Inc.

April 1, 2022

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- 2. Pre-Consultation Agreement

1.0 THE PROPOSAL AND REQUIRED PLANNING APPROVALS

2466602 Ontario Inc. would like to proceed with the redevelopment of the subject property to accommodate a three and half storey 16 unit apartment building.

The City of Port Colborne's Zoning By-Law, zones the property Institutional.

Therefore, a zoning by-law amendment would be required to permit the proposed 16 unit residential apartment building (Appendix 1).

The report demonstrates that the proposal is keeping with Provincial and Municipal land use planning policies. The subject proposal would be compatible with the surrounding land uses and implements the vision for the City of Port Colborne.

2466602 Ontario Inc. retained Joseph M. Tomaino in October of 2021 to prepare a planning justification report for the subject development.

The Appendixes contain some additional information specifically the notes from the pre-consultation meeting held on July 22, 2021 (**Appendix 2**).

2.0 DESCRIPTION OF THE SUBJECT LANDS

The subject lands are known as 360 Killaly Street East. The site is a rectangular lot on the north side of Killaly Street East. The parcel is approximately 18.288 metres by 100.54 metres and approximately .184 hectares. The lands are legally described as Part of Lot 25, Concession 2, Geographic Township of Humberstone, City of Port Colborne, Regional Municipality of Niagara. Surveyor's Real Property Report is included with this submission.

A one storey former church building is situated on the south side of the property, set back approximately 12.5 m from the road. The building is currently vacant. Landscaping and cultivated lawns are present in front of the building entrance (south side). Asphalt driveways extend along the eastern and western side of the building to an asphalt parking lot located north of the building, covering approximately 80% of the lot area.

3.0 SURROUNDING LAND USES

The subject lands are located within the urban built-up area of the City of Port Colborne. The lands are surrounded by various urban land uses as follows:

North- Saint Joseph's Catholic Elementary School

East- Residential

South- Shea's Service Centre

West-Residential

The proposed development is compatible with the surrounding land uses.

4.0 REVIEW OF PLANNING POLICY FRAMEWORK

The subject lands are within a settlement area under the Provincial Policy Statement (2020) ("PPS") and the Built Up area under the 2019 Places to Grow, for the Greater Golden Horseshoe (Growth Plan). According to the Region of Niagara Official Plan, the lands are within the Urban Area and the Built-Up Area for the City of Port Colborne. A full range of residential, commercial, and industrial uses are permitted generally within the Urban Areas, subject to the availability of adequate municipal services and infrastructure.

The PPS provides broad policy direction on matters of provincial interest related to land use planning and development. The policies that directly apply to the proposed development of the subject lands include:

Part V: Policies

1.0 Building Strong Healthy Communities

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

"1.1.1 Healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential (including second unites, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) *promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*
- f) *improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;*
- g) *ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and*
- h) *promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate"*

The development of the subject lands for residential purposes will provide another form of housing to meet the long-term needs of future residents. In addition, the form and scale of development provides a cost-effective pattern of development minimizing land consumption and servicing costs as it takes advantage of existing services.

Section 1.1.3.1 of the PPS states:

"Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted"

The subject lands are located within the built up area of the City of Port Colborne. The proposed development contributes growth to the City of Port Colborne settlement area.

Section 1.1.3.2 of the PPS is also of particular relevance as it states:

"Land use patterns within settlement areas shall be based on:

- a) *densities and a mix of land uses which:*
 - 1. *efficiently use land and resources;*
 - 2. *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for the unjustified and/or uneconomical expansion;*
 - 3. *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
 - 4. *support active transportation;*
 - 5. *are transit-supportive, where transit is planned, exists or may be developed; and*
 - 6. *are freight-supportive; and*
- b) *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated."*

The proposed development for residential purposes utilizes the existing municipal and regional infrastructure currently in place to service the subject lands. The subject lands are an underutilized land

parcel of land within the settlement area. The proposed development provides intensification within the City of Port Colborne settlement area.

Section 1.1.3.3

Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.1.3.4

Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public safety.

1.4 Housing

Section 1.4.3

Planning authorities shall provide an appropriate range and mix of housing options and densities to meet project market-based and affordable housing needs of current and future residents of the regional market area by:

- b) permitting and facilitating:
 - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all types of residential intensification, including additional residential units , and redevelopment in accordance with policy 1.1.3.3:
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public services facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed:

The proposed developed provides another housing option.

Section 1.6.6.2 of the PPS outlines the preferred method of servicing for new development and states:

“Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within the settlement areas on exiting municipal sewage services and municipal water services should be promoted wherever feasible.”

The proposed development will be serviced by water and sanitary services that are currently available in close proximity to the subject lands.

Based on the above-mentioned policies, the proposed Official Plan and Zoning By-law Amendment Applications are consistent with the policies of the PPS (2020).

The subject land is located within the Built-Up Area under the 2019 Places to Grow, for the Greater Horseshoe (Growth Plan). The proposed development provides growth within the built-up area of the City of Port Colborne, through intensification of an underutilized parcel of land. The development will make efficient use of exiting municipal water and wastewater systems.

Provincial policy requires a minimum of 40% of all new residential development occurring annually to be located within the designated "Built-up Areas as part of each municipality's intensification target. The proposed development contributes to the City's intensification target by providing growth within the built up area of the City.

Based on the above-mentioned policies, the proposed Official Plan and Zoning By-law Amendment Applications conform to the objectives and policies in the Provincial Growth Plan.

The subject lands are within the Urban Area of the Niagara Regional Official Plan. A full range of residential, commercial, and industrial uses are permitted generally within the Urban Areas, subject to the availability of adequate municipal services and infrastructure. The Regional Official plan promotes higher density in Urban Areas and supports growth that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara. The subject lands are serviced by full municipal services.

Based on the above-mentioned policies, the proposed Official Plan and Zoning By-law Amendment Applications conform to the policies of the Regional Official Plan.

The City of Port Colborne Official Plan designates the subject Urban Residential which permits apartment buildings. This designation is intended to provide a mix of residential housing.

The City of Port Colborne Official provides direction on growth, land use and development on more of a localized scale. The policies that directly apply to the proposed development of the subject lands include:

Section 2: Our Vision: Port Colborne in 2031

2.1 Vision Statement

The Vision for the City of Port Colborne, which will be implemented through the Official Plan, shall:

- b) Provide the opportunity for a mix of residential accommodations in Port Colborne which can accommodate households with diverse social and economic characteristics, needs and issues and desires;*

2.2 Growth Management Strategy

The City of Port Colborne's Growth Management shall:

- c) Direct urban growth to lands that fall within the designated Urban Area Boundary, which is serviced by municipal water and sanitary services.*
- d) Support infill and intensification, subject to the applicable polices, in the following designations*
 - i) Urban Residential*

2.3 Strategic Directions

2.3.1 Enhancing Quality of Life

The City will promote a compact urban form, a balanced mix of housing types and land uses, efficient and cost effective infrastructure and transportation, and good urban design for neighbourhoods and business areas by:

- c) Promoting residential intensification in the urban area with a flexible approach that encourages a mix of housing types and densities appropriate to location*

The Official Plan for the City of Port Colborne also contains policies related to infill intensification within existing residential areas. Section 2.4.3 of the Official Plan encourages infill development throughout the City's Built Up Area. The proposal also addresses the criteria contained within this Section as follows:

2.4.3 Intensification and Infill

- a) The majority of the Municipality's intensification will be accommodated within the Urban Area where the development is compatible with the surrounding uses.*

2.4.3.1 Intensification Target

- a) The municipality will plan to achieve an intensification of 15%*
- b) Intensification will be measured on an annual basis and will include all new housing units created within the Built-up area*

The proposed development for residential purposes utilizes the existing municipal and regional infrastructure currently in place to service the subject lands. The subject lands are an underutilized land parcel of land within the settlement area. The proposed development provides intensification within the City of Port Colborne settlement area.

3.2.1 Urban Residential-General Policies

c) High Density Residential will:

- iv) Be oriented on the site to minimize shadows on adjacent low and medium density residential development*

The proposed apartment building is situated to the rear of the lands to minimize shadows on the adjacent residential properties.

It is my opinion that the proposed development supports the policy objectives of the City of Port Colborne's Official Plan.

5.0 CURRENT ZONING

The City of Port Colborne Zoning By-law 6575/2018, zones the property Institutional Zone. The proposed development does not comply with the existing zoning and therefore an application to amend the current zoning by-law is required.

6.0 ZONING BY-LAW AMENDMENT

To facilitate the proposed 16 unit apartment building a zoning by-law amendment is required to rezone the lands from I-Institutional to a Fourth Density Residential (R4)-site specific zoning.

A Zoning By-law amendment application is included as part of the submission materials. The following chart illustrates the site specific amendments being requested in addition to the R4 Zoning:

Zoning By Section	Zoning By Law Provision	Proposed
3.1.1 Parking Space Requirements	1.5 spaces per Unit	1 space
3.3 Accessible Parking	1 space required for up to 25 spaces	1
3.13.1 Required Bicycle Parking	7 spaces	7 spaces
8.7 a) Minimum Lot Frontage	18 m	18.3 m
8.7 b) Minimum Lot Area per Unit	125 sq. m per Unit	115 sq. m per Unit
8.7 c) Minimum Front Yard	9 m	9 m
8.7 d) Minimum Interior Side Yard	3 m	3.11 m
8.7 f) Minimum Rear Yard	6 m	41 m
8.7 g) Maximum Lot Coverage	40 %	38.80 %
8.7 h) Maximum Height	20 m	13.11 m
8.7 i) Minimum Landscaped Area	25%	53.23 %
8.7 j) Minimum Floor Area for a Unit	50 sq. m	50 sq. m to 100 sq. m

7.0 Site Plan Approval

Once the Official Plan and Zoning By-law amendments for the lands is approved, the development will be subject to site plan approval.

8.0 Additional Reports

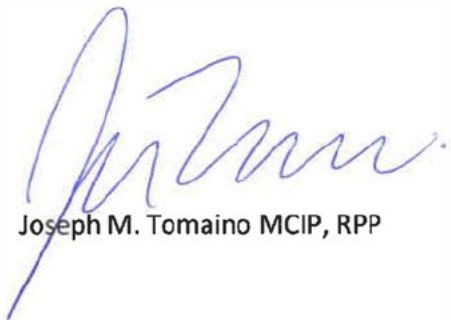
Phase 1 Environmental Site Assessment Report prepared by Oakhill Environmental is attached to this submission.

9.0 PLANNING ANALYSIS AND CONCLUSION

As discussed in the above sections, the proposed development is consistent with the objectives and intent of the Provincial Policy Statement (2020), 2019 Places to Grow, for the Greater Horseshoe (Growth Plan), Regional Official Plan and the City of Port Colborne Official Plan. The PPS, Growth Plan, ROP and City of Port Colborne Official Plan direct growth to existing settlement areas and encourage a mix of land uses and densities that are compatible, efficiently use land, resources, infrastructure and public service utilities, which are planned or available; and; support development of an underutilized property within the Urban Built Up Area, making more efficient uses of the existing infrastructure and services. This application aligns with Provincial and Regional growth management policies.

The proposed development is a form of residential intensification promoted by the Province and will aid the City of Port Colborne in achieving the 15% intensification target for the Built-Up Area. The proposed development provides infill development within the built-up area and takes advantage of the existing infrastructure while providing a density and compact built-form that is land efficient and contributes to the growth of the area.

Given the above, it is my opinion that the Zoning By-law amendment represents good planning.

A handwritten signature in blue ink, appearing to read 'Joe Tomaino', is written over the printed name.

Joseph M. Tomaino MCIP, RPP

APPENDIX 1.

APPENDIX 2



PORT COLBORNE

Pre-Consultation Agreement

City of Port Colborne Department of Planning and Development
Niagara Region Development Services
Niagara Peninsula Conservation Authority

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

- the nature of the application;
- development and planning issues;
- fees;
- the need for information and/or reports to be submitted with the application;
- the planning approval process;
- other matters, as determined.

Pre-Consultation Meeting Date: July 22, 2021

Local Municipal Contact: David Schulz

Phone: 905-835-2901 ext 202

Email: planner@portcolborne.ca

Site Address: 360 Killaly Street East

Roll Number: 2711 020 012 125 00

Land Area 19,000 sq. ft.

Owner Contact Information:

Owner Name: Heidi Murphy (2466602 Ontario Inc.)

Phone Number: [REDACTED]

Email: [REDACTED]

Agent Contact Information:

Agent Name: Joe Tomaino

Phone Number: [REDACTED]

Email: [REDACTED]

Principal Contact: ☐ Owner ☒ Agent

Application Type:

☐ Regional Official Plan Amendment

☐ Consent (Land Severance)

☒ Local Official Plan Amendment

☒ Zoning By-law Amendment

☐ Draft Plan of Subdivision

☒ Site Plan Control

☐ Draft Plan of Condominium

☐ Other

☐ Vacant Land & Common Element

☐ Conversion

☐ Other

1. Brief description of proposed development:

20 unit apartment building

2. Existing Regional Official Plan Designation: Built up area

Conformity with Regional Official Plan land use designations and policies?

☒ Yes ☐ No ☐ Unknown

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

3. Check All Applicable:

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

4. Development Charges:

☒ Regional By law 2017 98 ☒ Local By-law 6131/97/14

5. Existing Local Official Plan Designation: Urban Residential

Conformity with Official Plan land use designations and policies?

☐ Yes ☒ No ☐ Unknown

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

Site specific amendment required due to the density of the proposal

6. Existing Zoning: Institutional (I)

Conformity with existing zoning?

☐ Yes ☒ No ☐ Unknown

If 'No', what is the proposed zoning:

Site specific R4 zone required (reductions in parking, setbacks, landscaping required – increase in density)

7. Is property located in Intake Protection Zone?

☒ No ☐ IPZ 1 ☐ IPZ 2

8. Is property recognized under Ontario Heritage Act?

☒ No ☐ Registry ☐ Designated

9. Is Site Plan approval required?

☒ Yes ☐ No

10. Fees Required at time of Submission of the Application

Application	City of Port Colborne	Niagara Region	Niagara Peninsula Conservation Authority	Other Fees
Regional Official Plan Amendment				
Local Official Plan Amendment		\$535		
Zoning By-law Amendment		\$1,315		
Plan of Subdivision				
Plan of Condominium				
Consent				
Site Plan Agreement		\$535		
Other: Combined OPA/ZBA/SPA	\$10,082			
TOTAL	\$10,082 TBD based on the applications required	\$2,385		

Notes on Fees:

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

11. Additional Agencies to be contacted:

☒ Hydro

☐ Enbridge/Pipelines

☐ Ministry of Environment

☐ CN/Trillium Rail

☐ Seaway

☐ Ministry of Transportation

☐ Niagara Peninsula Conservation Authority

☐ Other

12. Required Information and Studies to be submitted with the Application(s). Application will not be deemed complete until all requested information and studies are submitted. Studies identified with an asterisk will likely require a peer review at the cost of the developer.

Local	Region	NPCA	Reports, Studies, Plans (See Notes for additional details)	No. of Copies		Notes
				Electronic Digital	Paper	
			Agricultural Impact Assessment			
/			Air Quality/Noise & Vibration Study*			Noise if one completed – not required
			Archaeology Assessment			
X			Conceptual Site Plan	1	6	w/ OPA/ZBA and SPA
			Cultural Heritage Impact Assessment*			
			Environmental Impact Study			
			Environmental Planning Study/ Sub-Watershed Study			
X	X		Environmental Site Assessment: Phase 1	1	3	w/ OPA/ZBA
			Farm Business Plan*			
			Farm Operation and Ownership			
			Financial Impact Assessment*			
			Floodplain and Hazard Lands Boundary Plan			
			Gas Well Study/Gas Migration Study			
/			Geotechnical			If one completed – not required
			Hydrogeological Study and Private Servicing Plans*			
			Land Use/Market Needs*			
X			Landscape Plan by OALA	1	3	w/ SPA
			Mineral Aggregate Resources			
			Minimum Distance Separation I & II			
X			Municipal Servicing Study/Engineering Report	1	3	w/ SPA
			Phasing Plan			
X			Planning Justification Report	1	3	w/ OPA/ZBA
X	X		Record of Site Condition	1	3	**confirmed (see region's letter)** Required through the process. Could be pushed to BP stage
			Sensitive Land Use Report			
			Shadow Analysis			
			Shoreline Study/Dynamic Beach			
			Slope Stability Report			
			Soil report			

X		Stormwater Management Plan	1	3	w/ SPA
X		Sub surface soil investigation	1	3	w/ SPA
		Tree Inventory Preservation Plan			
		Urban Design			
		Wind Study*			
X		Other: Building Elevations	1	3	w/ OPA/ZBA and SPA

13. Additional Comments:

- Current proposal triggers an OPA as the density set out in the high-density policies are exceeded
- If unit count is reduced under 100 uph, no OPA will be required.
- Parking, setbacks, density, and other zoning deficiencies could be requested through the ZBA application – needs to be justified through a PJR
- Site plan control application will be required – conceptual site plan, landscape plan and building elevations required to be submitted with the application.

Region (see full comments attached)

- Region to review the opinion letter to provide a response
- Regional force main on Killaly
- Waste collection will need to be privately collection

Engineering

• An Engineering Report will be required to address pre-/post-development servicing characteristics including:

- o description of proposed development
- o existing services and what's being done with them (reuse/abandon/remove)
- o proposed services and where they'll be connected
- o impact of proposed services compared to existing
- o confirmation that sewers and watermain have capacity for proposed development
- o stormwater management (5-year minor [sewers], 100-year major [overland])

☐ Site, servicing, grading, and storm drainage area plans are required

☐ A Municipal Consent Permit will be required for any work performed within the City Road Allowance (site servicing, construction of entrances, operation of equipment, etc.)

2

- Copy of geotechnical study (if available, not a requirement)
- Copy of noise study (if available, not a requirement)

Please find attached record drawing for this location.

Fire

- Fire alarming
- Site plan – hydrant locations, sprinklering
- Building code matrix on the plans

CNP

- Contact Jeff.Hoover@cnpower.com for hydro servicing. Lengthy lead times for transformers so ensure contact is made well in advance.

Bell

- Contact tyler.collins@bell.ca for Bell servicing.
-

14. **Site Visit:**

15. **Incentive Programs:**

Notes:

1. The purpose of this document is to identify the information required to commence processing and evaluating an application as set out in the Planning Act. This pre-consultation process is designed to proceed based on the mutual agreement of the parties as shown by the signatures below.
2. Pre-consultation does not imply or suggest any decision whatsoever on behalf of staff or the municipality to either support or refuse the application.
3. The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should an application not be submitted in the near future, and should other policies, by-laws or procedures be approved by the Province, Municipality, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application. If an application is not submitted within one year, it is advisable that the applicant confirm with the municipality the directives of the original preconsultation meeting.
4. Any application submitted without the information identified in this Pre-consultation Document will be deemed incomplete and not processed. Alternately, staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
5. The applicant acknowledges that the Section 1.0.1 of *The Planning Act* states "Information and material that is required to be provided to a municipality or approval authority under this Act shall be made available to the public." With the filing of an application, the applicant confirms that the Municipality and Region may release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.
6. It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
7. If the Municipality or Region does not have sufficient expertise to review and determine that a study is acceptable, the Municipality may require a peer review. The cost of the peer review

shall be paid for by the applicant. The Terms of Reference for a peer review is determined by the Municipality or Region.

8. Some studies may require NPCA review and clearance/approval. In this instance, the NPCA review fee shall be paid by the applicant.

9. All plans and statistics must be submitted in metric.

Signatures:

David Schulz		July 22, 2021
Planning Staff	(signature)	Date
Rick Brady		
Planning Staff	(signature)	Date
Tony Aiello		
Building Staff	(signature)	Date
Nick Olschansky		
Engineering Staff	(signature)	Date
Brian Kostuk		
Engineering Staff	(signature)	Date
Siobhan Kelly + Amy Shanks		
Regional Staff	(signature)	Date
NPCA Staff	(signature)	Date
CNP Staff	(signature)	Date
Charles Turpin		
Fire Staff	(signature)	Date
Joe Tomaino		
Owner/Agent	(signature)	Date
Owner/Agent	(signature)	Date
Owner/Agent	(signature)	Date
Owner/Agent	(signature)	Date
Owner/Agent	(signature)	Date

Owner/Agent

(signature)

Date

**Subject: Public Meeting Report for Proposed Zoning By-law
Amendment on the Borden Avenue Road Allowance, File
D14-04-22**

To: Council - Public Meeting

From: Development and Legislative Services Department

Report Number: 2022-110

Meeting Date: May 17, 2022

Recommendation:

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

Purpose:

The purpose of this report is to provide Council with information regarding a Zoning By-law Amendment 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.

Background:

The application for Zoning By-law Amendment proposes to zone the lands 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.

Internal Consultations:

Notice of Public Meeting was circulated on April 28th, 2022, to internal departments and agencies and the following comments have been received as of the time this report was prepared.

Port Colborne Fire Department:

No objection to the proposed application.

Drainage Superintendent:

No objection to the proposed application.

Niagara Peninsula Conservation Authority:

No objection to the proposed application.

Public Engagement:

Notice of Public Meeting was circulated via regular mail to property owners within 120m in accordance with the *Planning Act* and Ontario Regulation 545/06 on April 27, 2022 and also provided on the City's website under "Current Applications". No written correspondence has been received as of the date this report was prepared.

Discussion:

This application will be reviewed with consideration of applicable policies in the *Provincial Policy Statement (2020)*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, the *Regional Official Plan*, the *City of Port Colborne Official Plan* and the *City of Port Colborne Comprehensive Zoning By-law 6575/30/18*.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are within a "settlement area" according to the PPS. Settlement areas are to be the focus of growth and development and land use patterns shall be based on densities and a mix of land uses that should efficiently use land and resources.

The Growth Plan also directs development to settlement areas. The subject parcel is located within a settlement area where the Growth Plan states that growth should be focused in "Built up" areas.

The Regional Official Plan (ROP) designates the subject lands as within the "Urban Area Boundary" and "Built-up Area". Intensification is generally encouraged throughout

the Built-up Area and includes residential uses that make efficient use of existing services.

City of Port Colborne Official Plan

According to Schedule A: City Wide Land Use, the City of Port Colborne's Official Plan designates the subject property as **Urban Residential**. Land uses in the Urban Residential designation include residential, neighbourhood commercial, community facilities and institutional uses.

Residential uses such as a single-detached dwelling is permitted in the Urban Residential designation. The Official Plan designation is not proposed to be changed as a result of this application.

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

The subject lands do not currently have a specific zone assigned, as this site is a former open road allowance.

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.

Adjacent Zoning and Land Use

The area surrounding the subject lands are predominantly low-density residential uses. An aerial image of the subject lands has been provided in Appendix A.

Financial Implications:

There are no financial implications.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
- Value: Financial Management to Achieve Financial Sustainability
- Governance: Communications, Engagement, and Decision-Making

Conclusion:

Planning Staff are not providing a recommendation on the proposed Zoning By-law Amendment at this time to allow all agency, public and Councillor comments to be received and considered prior to a decision being made. Additionally, this will allow details to be worked out with future lot frontages and intricacies with the abutting landowners. The recommendation report will return to Council at a future meeting.

Appendices:

- a. Aerial Image of Subject Lands

Prepared by,

David Schulz, BURPI, MCIP, RPP
Senior Planner
(905) 835-2900 x202
david.schulz@portcolborne.ca

Respectfully submitted by,

Denise Landry, MCIP, RPP
Manager of Planning
(905) 835-2900 x203
denise.landry@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.



Legend

- Streets Labels
- Provincial
- Regional
- Municipal/Private Roads
- - Unimproved Roads
- == Future/Planned Roads
- Parcel Fabric

50.8 0 25.40 50.8 Meters

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Notes



**Subject: Public Meeting Report for Proposed Zoning By-law
Amendment on Neff Street, File D14-02-22**

To: Council

From: Development and Legislative Services Department

Report Number: 2022-111

Meeting Date: May 17, 2022

Recommendation:

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

Purpose:

The purpose of this report is to provide Council with information regarding a Zoning By-law Amendment application initiated by the owner Grandstone Living Inc. for the property legally known as Part of Lot 4 in Block A and Part of Lot 2 on the South Side of Main Street West on Plan 762, in the City of Port Colborne, Regional Municipality of Niagara, the north side of Neff Street.

Background:

The application for the Zoning By-law Amendment proposes to change the zoning of the subject parcel from Fourth Density Residential (R4) to Downtown Commercial (DC). The Zoning By-law Amendment is being sought to permit the construction of a proposed six unit residential building on the subject parcel. Due to the irregular shape of the lot, special provisions are being sought for the parking lot landscape buffer abutting a residential property to not apply. A site plan of the proposed apartment has been attached as Appendix A.

Internal Consultations:

Notice of the Public Meeting was circulated on April 28, 2022 to internal departments and agencies and the following comments have been received as of the time this report was prepared.

Port Colborne Fire Department:

No objection to the proposed application.

Drainage Superintendent:

No objection to the proposed application.

Niagara Peninsula Conservation Authority:

No objection to the proposed application.

Public Engagement:

The Notice of Public Meeting is required to be sent to properties within a 120m radius of the subject property, as per Section 34 (13) of the Planning Act. Notice was circulated on April 21, 2022 and no comments from the public have been received as of the date of preparing this report.

Discussion:

This application will be reviewed with consideration of applicable policies in the *Provincial Policy Statement (2020)*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, *the Regional Official Plan*, *the City of Port Colborne Official Plan* and the *City of Port Colborne Comprehensive Zoning By-law 6575/30/18*.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are within a “settlement area” according to the PPS. According to the PPS, settlement areas are to be the focus of growth and development and land use patterns shall be based on densities and a mix of land uses that should efficiently use land and resources.

The Growth Plan also directs development to settlement areas. The subject parcel is located within a settlement area where the Growth Plan states that growth should be focused in “Built-up” areas.

The Regional Official Plan (ROP), designates the subject lands as within the “Urban Area Boundary” and “Built-up Area”. Policies within the ROP generally encourage

intensification throughout the Built-up Area. Section 4.A.1 will be used to assess the application when a recommendation report is brought forward at a future date.

City of Port Colborne Official Plan

According to Schedule A: City Wide Land Use, the City of Port Colborne's Official Plan (OP) designates the subject property as **Downtown Commercial**. Land uses in the Downtown Commercial designation include commercial uses such as retail shops, offices and restaurants, residential uses, institutional uses, public and community uses and parks.

Residential land uses, including apartment buildings, are a permitted land use in the Downtown Commercial designation. The land use designation is not proposed to be changed as a result of this application.

Sections 2.4.3 and 3.6 of the OP will be used to assess the application when a recommendation report is brought forward at a future date. These sections provide policies on intensification and infill, as well as the general policies of the Downtown Commercial designation.

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

The subject parcel is currently zoned R4, which permits apartment buildings. The applicant is proposing to change the zoning to DC, which also permits apartment buildings. Given the unique layout of this property, the zoning requirements of the DC zone better align with the proposed development than the R4 Zone. If granted, the apartment will meet all of the requirements of the DC zone. In addition, the applicant is requesting that the parking lot landscape buffer not apply to the subject lands.

Adjacent Zoning and Land Use

The parcels surrounding the subject lands are zoned DC to the north and west, and R2 to the south. The land to the east is currently not zoned. The surrounding uses consist of commercial uses to the north, an apartment to the west, detached dwellings to the south and a rail line and canal to the east.

Financial Implications:

There are no financial implications as no decisions are being made on the application.

Conclusion:

Planning Staff are not providing a recommendation on the proposed Zoning By-law Amendment at this time to allow all agency, public and Councillor comments to be received and considered prior to a decision being made. The recommendation report will return to Council at a future meeting.

Appendices:

- a. Site Plan

Prepared by,

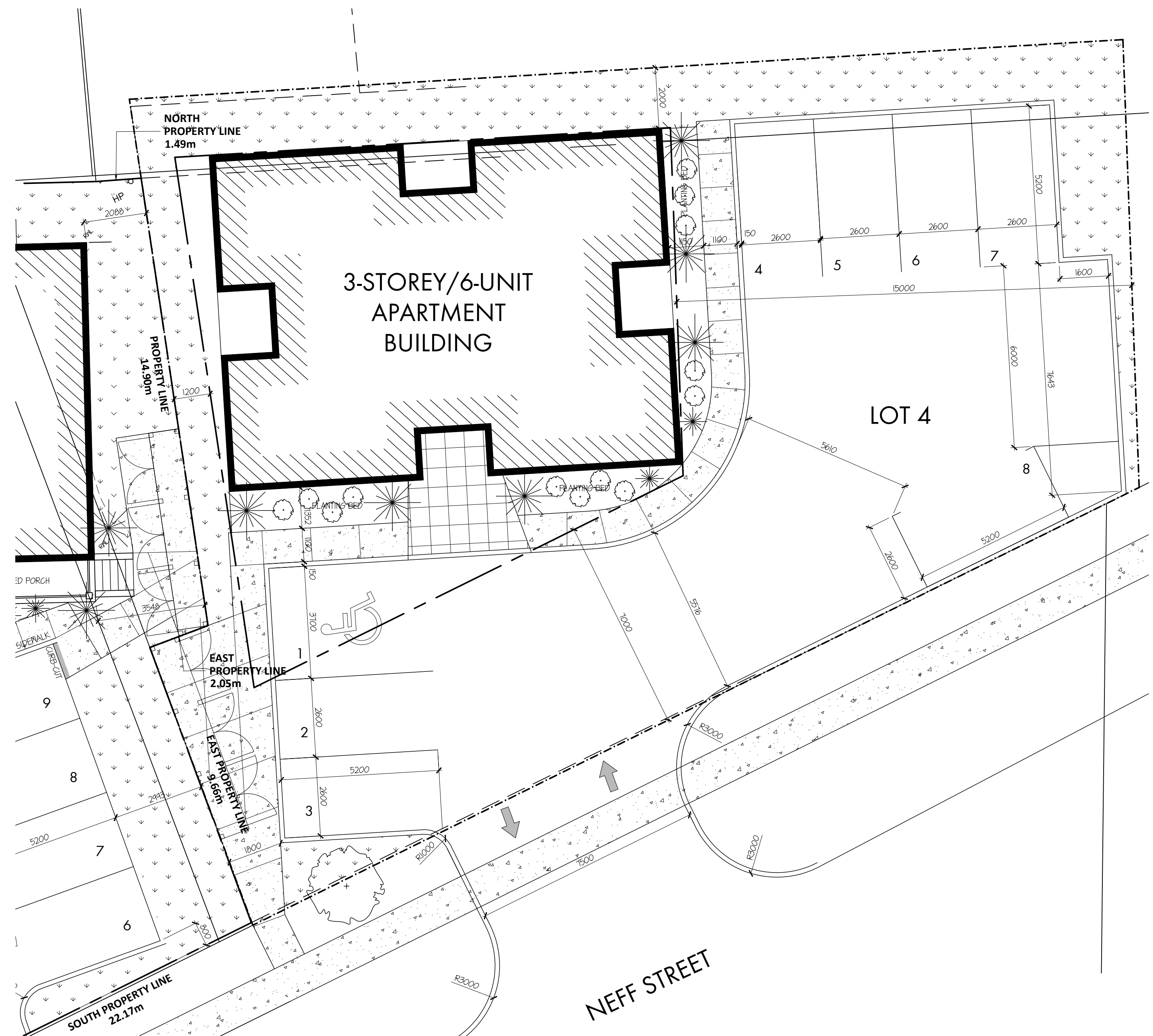
Chris Roome, BURPI
Planner
905-835-2900 ext. 205
Chris.Roome@portcolborne.ca

Respectfully submitted,

Denise Landry, BURPI, MCIP, RPP
Manager of Planning Services
905-835-2900 ext. 203
Denise.Landry@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.



SITE PLAN
SCALE: 1:100



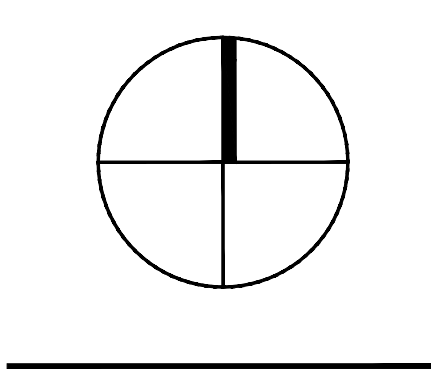
LOCATION PLAN
SCALE: N.T.S.

THESE DRAWINGS ARE NOT TO BE SCALED

ALL DRAWINGS, THE DESIGN, AND THE DETAILS THEREON REMAIN THE PROPERTY OF THE ARCHITECT AND ARE NOT TO BE ALTERED, RE-USED OR REPRODUCED WITHOUT THE ARCHITECT'S EXPRESS WRITTEN CONSENT.

THE CONTRACTOR MUST FIELD VERIFY ALL DIMENSIONS AND MUST CONFIRM & CORRELATE ALL DETAILS WITHIN THE FULL DRAWING PACKAGE BEING RESPONSIBLE FOR SAME THROUGHOUT CONSTRUCTION, REPORTING ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO COMMENCING THE RELEVANT WORK.

ALL DRAWINGS, DETAILS & SPECIFICATIONS REPRESENTED IN THE DRAWINGS ARE TO BE USED FOR CONSTRUCTION ONLY WHEN ISSUED BY THE ARCHITECT AND NOTED ACCORDINGLY IN THE 'ISSUE/REVISIONS' BOX HEREON.



PROJECT:

**Proposed
6-Plex
Apartment
Building**

at
1 Neff Street,
Port Colborne, ON

SEAL:



83 ONTARIO STREET
ST. CATHARINES
ONTARIO L2R 5J5
905-688-6087
www.whitelinearchitects.com

DRAWING TITLE:

Site Plan

SCALE:

As Noted

DRAWN:

C. ELWELL

DATE:

December 2021

PROJECT #:

2126

DRAWING #:

A1-1

PLOTTED 2/28/2022 4:52 PM