

City of Port Colborne
Public Meeting Minutes

Date: Tuesday, September 5, 2023
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Aquilina, Councillor
M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Member(s) Absent: F. Danch, Councillor

Staff Present: S. Tufail, Acting City Clerk (minutes)
D. Schulz, Senior Planner
G. Long, Manager of Strategic Initiatives

1. Call to Order

Mayor Steele called the meeting to order at 6:59 p.m.

2. Adoption of Agenda

Moved By Councillor R. Bodner
Seconded By Councillor T. Hoyle

That the agenda dated September 5, 2023, be confirmed, as amended.

Carried

3. Disclosures of Interest

Nil.

4. Statutory Public Meetings

4.1 Public Meeting Report for Proposed Zoning By-law Amendment at 395 Elm Street – File No. D14-05-23, 2023-172

PURPOSE OF MEETING

The purpose of this meeting, pursuant to section 34 of the Planning Act, is to consider an application submitted by Antech Design and Engineering on behalf of the owner 13489116 Canada Inc. for the lands known as Lot 29 on Plan 24, Parts 4 & 6 on Plan 59R-9034, and Concession 1, Part of Lot 29, being Part of Lot 2 on Plan 59R-2366, on the east side of Elm Street, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 395 Elm Street and the vacant hydro corridor to the south.

The application proposes to amend the Zoning By-law to permit an apartment building development containing 82 units.

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 or before August 16, 2023. Meeting details have been provided along with the Council Agenda on the City's website and under "Current Applications".

As of the date of this meeting, written correspondence has been received from Morgan MacLean who had some questions regarding the development. Ms. MacLean raised concerns with respect to the height of the building, parking, snow storage, the apartment building tenure, and the suitability of the hydro corridor for development. These comments/questions will be provided and responded to in the future recommendation report.

Additionally, correspondence has been received from the City's Fire Department, the Niagara Region, the Ministry of Transportation and Enbridge, all of which have noted that they have no concerns with the proposal at this time.

QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT

Councillor Bruno raised concerns about the exit and entrance from the parking lot onto Catharine Street.

The applicant explained that one exit/entrance onto Elm Street would cause traffic concerns for residents in the building as well as services such as garbage and Elm Street, noting their belief that most traffic would travel on Elm Street for this development.

Councillor Bruno asked whether multiple entrances/exits from the development were a requirement or a desire.

The Senior Planner clarified that multiple entrances/exits are not a requirement but are often desired, suggesting that he can ask the Fire Department whether multiple entrances/exits would be required for this site.

Councillor Elliot raised concerns about reduction of parking request and parking on Catharine Street, asking if the developer could create a plan that included a space for every unit to account for multiple vehicle units and visitors.

The applicant responded by stating their belief that there is a low likelihood of every unit having a vehicle, noting the inconvenience of parking on Catharine Street, then stated that they do not believe many multi-unit buildings meet the 1.25 space requirement.

Councillor Elliot raised concerns with the limited transportation infrastructure in the City and reiterated concerns with parking on Catharine Street.

The applicant discussed features of NRT On-Demand and how they may combat transportation issues with vehicles.

Councillor Elliot reiterated concerns about parking on-site with the number of units, visitors, and vehicles.

Councillor Aquilina sought clarification regarding why the desire is to rezone to Downtown Commercial and whether the Official Plan would need to be altered accordingly.

The Senior Planner clarified that the property was found to be located in the Downtown Commercial Official Plan designation during pre-consultation and therefore an Official Plan Amendment is not necessary.

Councillor Beauregard asked how many proposed units would be considered as affordable housing.

The applicant clarified 10-20% of the proposed units would be affordable housing.

Councillor Beauregard sought clarification on whether those units would be considered affordable as per the municipal definition.

The applicant agreed to investigate which definition of affordable the proposed units would fall under and provide a response at a later date.

Councillor Beauregard raised concerns about parking and snow removal.

The applicant clarified that the site plan specified snow would be moved off-site at the expense of the owner to resolve issues.

Councillor Bruno raised concerns regarding the reduction of parking spaces, then asked if the municipality could enforce parking restrictions within the surrounding area of the proposal to ensure the existing residents and infrastructure are not impacted.

The Senior Planner clarified that once the zoning by-law amendment is approved, the site would be considered compliant with parking, however Council could impose a no-parking area on the streets surrounding the development to address this concern.

Councillor Bruno raised concerns about the policing of parking spots and controlling the division of parking spots internally.

The applicant elaborated that the owner has indicated that parking spaces are to be assigned internally so each unit has an assigned space and clarified that they intend to advertise which units have access to parking to avoid parking issues.

Councillor Bagu raised concerns with visitor parking, noting that many buildings in the City have visitor spots to avoid on-street parking and disruptions to existing residents, then sought clarification regarding whether waste collection will be handled publicly or privately.

The applicant clarified that waste collection is required to be privately arranged.

Councillor Bagu sought clarification on their proposed timeline for the development.

The applicant clarified that they intend to start in the Spring 2024 but they may be delayed due to site plan requirements.

Councillor Bagu restated concerns regarding the enforcement of visitor and overnight parking.

Councillor Beauregard sought clarification regarding servicing and disruptions to Catharine Street as well as depth of servicing in comparison to bedrock.

The Senior Planner clarified servicing would likely come from Elm Street, noting that the development may encounter bedrock.

Councillor Beauregard sought clarification whether a shadow analysis would be required for this development.

The Senior Planner clarified that a shadow analysis is not required but could be completed, and that additional development criteria is currently being investigated and implemented within the City.

Moved By Councillor M. Aquilina
Seconded By Councillor M. Bagu

That Development and Legislative Services Department – Planning Division Report 2023-172 be received for information.

Carried

- a. **Delegation from Candice Micucci, Antech Design and Engineering Group, Applicant**
- b. **Virtual Delegation from Azim Kassam, Property Owner**
- c. **Delegation from Rick Pelletier, resident**

Raised concerns about the height of the building, the potential for shadows to be produced, the reduction in parking spaces requested, and the overflow parking onto Catharine Street, asking if a reduction in units could be possible so an amendment to the parking spaces would not be necessary, then requested a timeline of project and clarification regarding the building depth and how the bedrock within the area would be dealt with to preserve existing structures.

- 5. **Procedural Motions**
- 6. **Information Items**
- 7. **Adjournment**

Mayor Steele adjourned the meeting at approximately 8:32 p.m.

William C. Steele, Mayor

Saima Tufail, Acting City Clerk