



Subject: Recommendation for Zoning By-law Amendment at 179 Mellanby Avenue and 56-56 ½ Main Street West – File No. D14-08-23

To: Council

From: Development and Legislative Services Department

Report Number: 2024-53

Meeting Date: March 12, 2024

Recommendation:

That Development and Legislative Services Department – Planning Division Report 2024-53 be received; and

That the Zoning By-law Amendment attached as in Appendix A of Report 2024-53 be approved; and

That Council require no further public notice in accordance with Section 34(17) of the *Planning Act*; and

That the City Clerk be directed to issue the Notice of Passing in accordance with the *Planning Act*.

Purpose:

The purpose of this report is to provide Council with a recommendation regarding an application for a Zoning By-law Amendment submitted by Rachelle Larocque of the Biglieri Group on behalf of the owner 1000367026 Ontario Inc. for the lands legally known as Lots 27 and 45, and Part of William Street, Plan 784 on the southeast corner of Mellanby Avenue and Main Street West, municipally known as 179 Mellanby Avenue and 56-56 ½ Main Street West.

Background:

An application for a Zoning By-law Amendment was submitted on December 8, 2023, and deemed complete on December 19, 2023. The site is proposed to be developed as

a 101-unit mixed-use apartment building with 131.58 square metres (1,416.32 square feet) of ground floor commercial space. The following reports and studies have been submitted to inform the application and proposed development of the lands: Conceptual Site Plan, Planning Rationale Report, Building Elevations and Floor Plans, Functional Servicing Report, Noise Report, Traffic Impact Study, Phase One and Two Environmental Site Assessments, Stormwater Management Design Brief, Cultural Heritage Evaluation Report, and a Shadow Analysis. These documents can be found on the City's website under the "Current Applications" webpage.

The application for Zoning By-law Amendment proposes to change the zoning to a site-specific Downtown Commercial zone to permit an eight-storey, 101 residential unit mixed use apartment building, with 131.58 square metres (1,416.32 square feet) of ground floor commercial space. The site-specific amendment also seeks to reduce the minimum landscaped area, increase the maximum gross floor area, reduce the number of parking spaces to 0.5 spaces per unit, and establish a maximum building height of 25.9 metres (84.97 feet).

A Public Meeting was held on January 9, 2024, during which Council heard comments and questions from members of the public.

Discussion:

Planning Legislation

Planning staff reviewed these applications with consideration of several legislated planning documents including the *Planning Act, R.S.O., 1990*, as amended, the Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Niagara Official Plan, the City of Port Colborne Official Plan, and the City of Port Colborne Comprehensive Zoning By-law 6575/30/18. For any application to be supported by Staff, it must conform to or be consistent with the aforementioned plans and legislation.

Planning Act

Section 2 of the *Planning Act* outlines matters of provincial interest.

Section 3 of the Act requires that, in exercising any authority that affects a planning matter, planning authorities "shall be consistent with the policy statements" issued under the Act and "shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be".

Section 34 of the Act allows for the consideration of a Zoning By-law Amendment.

Planning staff have reviewed the application in light of the provincial interests identified in Section 2 of the *Planning Act*, as well as the aforementioned planning documents, which are examined in greater detail below.

As part of this report's recommendation, staff have included a clause with respect to Section 34(17) of the *Planning Act*. Section 34(17) states:

(17) Where a change is made in a proposed by-law after the holding of the public meeting mentioned in subclause (12) (a) (ii), the council shall determine whether any further notice is to be given in respect of the proposed by-law and the determination of the council as to the giving of further notice is final and not subject to review in any court irrespective of the extent of the change made in the proposed by-law.

Based on the excerpt above and the changes to the recommended Zoning By-law Amendment representing minor deviations from the original request, Planning staff find it reasonable for Council to not require any further public notice with respect to this application.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS directs growth to Settlement Areas and encourages development and land use patterns to be based on densities and a mix of land uses to efficiently use land and resources. The application proposes to develop in a settlement area in which municipal services are currently available. The proposed apartment building will help contribute to an appropriate range and mix of housing types and densities within the City and immediate neighbourhood. The proposed Zoning By-law Amendment requests additional site-specific amendments that will provide an efficient and compact development within the Downtown Commercial area, which is an area in which the City supports intensification and aligns with the PPS.

Planning staff are of the opinion that the application is consistent with the policies of the PPS.

Growth Plan for the Greater Golden Horseshoe (2020)

Like the PPS, the Growth Plan also directs and encourages development in settlement areas. The subject lands are located in the "Delineated Built-up Area" where intensification is generally encouraged. The Growth Plan policies support the achievement of complete communities that are designed to support healthy and active living and meeting people's needs for daily living throughout their lifetime. The Growth Plan encourages communities that provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.

Staff are satisfied that the proposed Zoning By-law Amendment application conforms to the Growth Plan. The proposed application supports the priorities of the Growth Plan through intensification and providing a mix of housing types within the City and neighbourhood.

Niagara Official Plan (2022)

The subject property is located within the Delineated Built-Up Area according to the Niagara Official Plan (NOP). The main objectives of this section are as follows:

- Manage growth within urban areas;
- Accommodate growth through strategic intensification and higher densities;
- Promote transit-supportive development to increase transit usage, decrease greenhouse gas emissions, and support the overall health of the community;

These objectives are supported by specific policies within Section 2 of the NOP. The proposed development will provide a higher density housing option and will provide intensification within the City's Built-Up Area. The proposal helps the City achieve its 30% intensification target. Overall, based on the policies of the NOP, the proposed development is generally encouraged. Staff are satisfied that the proposed Zoning By-law Amendment application conforms to the NOP. Additionally, the Niagara Region has provided comments on the proposed application and have confirmed that in their opinion, the application conforms to the NOP.

City of Port Colborne Official Plan (2017)

The subject property is located within the Built-up Area and Downtown Commercial designation according to the City's Official Plan (OP). The OP supports intensification that is accommodated within the Urban Area and where development is compatible with surrounding uses. Section 2.4.3 of the City's OP provides direction for residential development proposals as follows:

2.4.3 Intensification and Infill

As identified on Schedule A1, intensification will be encouraged specifically within local intensification areas which include the Downtown and Main Street West Development throughout the entire Built-up area, which will count towards the municipality's 15% intensification target, shall occur in accordance with the applicable policies of this Plan.

- a) *The majority of the Municipality's intensification will be accommodated within the Urban Area where the development is compatible with the surrounding uses.*
- c) *The objectives of the intensification policies of this Plan are to:*
 - i) *Revitalize and support the Downtown by promoting intensification in the Downtown areas;*
 - ii) *Encourage mixed use development in the Downtown areas which is in proximity to public transit and active transportation routes;*

iii) Provide land use policy directions for the accommodating additional growth on lands designated Urban Residential and Downtown Commercial;

Sections B and C, iv and v are not relevant to this application.



Figure 1: Schedule A1 of the OP – intensification area identified in the hatched bubble (subject property identified as the star).

2.4.3.1 Design Guidelines

- a) Infill and intensification sites should match the pre-established building character of adjacent buildings.*
- b) Where no existing or consistent character is established, infill and intensification development should be consistent with the applicable Design Guideline Policies of this Plan.*
- c) Where appropriate, the design of the development should provide linkages and connections to existing and proposed pedestrian and bicycle networks.*
- d) The design of infill and intensification development should be consistent with all other applicable policies of this Plan.*

The above guidelines are achieved through the proposed redevelopment as intensification is encouraged within the built boundary of the City and specifically in the

Urban area. The proposed residential use of the property is compatible with the surrounding residential and commercial uses.

Section 3.6 of the OP sets out the policies for developments within the Downtown Commercial designation. Residential uses such as apartment buildings are permitted in the Downtown Commercial designation, subject to the following policies (policies b, c, d, f, j, and k have been omitted as they are not relevant to this application):

- a) Any new or expanding development in the Downtown Commercial area is subject to Site Plan Control except for low density residential uses as described in Policy 3.2.1 (a), including new and expanding commercial uses.*

The proposed development will be subject to Site Plan Control prior to being permitted to begin construction.

- e) New apartment buildings shall be developed so that they are appropriately integrated into the downtown area.*

In staff's opinion, the apartment building is proposed to be developed appropriately in the downtown area. There currently exists a mix of uses in the immediate area in which the apartment building will contribute to.

- g) Adequate off-street parking facilities, including consideration for bicycles shall be required in well-organized, landscaped and well illuminated parking areas or structures.*

Concerns with respect to parking were raised at the public meeting. The proposed development will contain 51 parking spaces on-site, with additional parking proposed to be leased from the adjacent St. Lawrence Seaway lands to achieve the required 1.25 spaces per unit. Staff recognize the concerns with respect to the requested 0.5 parking spaces per unit, however it should be noted that the request is only reflective of the on-site spaces, and it does not take into account the additional proposed leased spaces.

- g) A minimum number of driveways to the site will be allowed and driveway entrances will be configured for maximum safety.*

Driveways and access to the development will be specifically reviewed through the future Site Plan Control process to ensure maximum safety and efficiency.

- h) New and expanding Commercial uses may be required to submit a Traffic Impact Assessment, prepared by a qualified professional which identifies the potential traffic generated by the development, methods of mitigating any potential impacts and any improvements that may be required to the existing road network in order to accommodate the proposed development;*

A Transportation Impact Study (TIS) was submitted as part of the complete application. The TIS investigates existing and proposed traffic conditions and concludes with the following recommendations:

- The existing Main Street Lock 8 driveway be closed to regular traffic, and the driveway function as an emergency connection to the park.
- The existing crosswalk over the Lock 8 Park driveway to Mellanby Avenue should be redesigned with a crossing treatment consistent with the OTM Book 18 – Cycling Facilities.

Staff note that both Main Street West and Mellanby Avenue are Regional roads. Based on comments received from the Niagara Region (Appendix D), some clarifications and revisions to the TIS are requested. Additionally, specific comments with respect to the TIS were received as part of the public meeting that noted the influx in traffic in the area during scenarios when the canal bridges are raised or closed for maintenance. Based on the site's context and this information, staff find it reasonable to request that the TIS be revised accordingly. A Holding Symbol (H) has been recommended to address the above information.

l) Where more detailed guidelines, policies or secondary plans have been developed by the City in accordance with the Official Plan policies, then the specific direction provided in these shall be implemented accordingly.

The Design Guidelines to follow have been reviewed through the application process.

Section 3.6.3 of the OP provides the Design Guidelines for developments within the Downtown Commercial designation. Relevant guidelines have been provided below:

- *Development will be consistent with the placement and character of the surrounding built form.*
- *The maximum height of buildings shall be six (6) storeys.*
- *Buildings should generally maintain the established building line for the front yard setback.*
- *All buildings shall front on and be oriented to the street.*
- *Corner buildings are visually prominent and the side elevations should be given equal design treatment as the main street facade, and the building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements.*

Staff find that the proposed placement of the building is consistent with the surrounding built form. Generally, buildings within the Downtown Commercial area have minimal setbacks, in order to frame the street. This proposal will be a prominent corner property within one of the City's two intensification areas, as identified in the OP. It should also be noted that the OP places a greater emphasis on intensification and infill in Downtown Commercial than it does on overall building height. Section 3.6.3.1 b) states that the maximum building height should be six storeys. However, Section 3.6.3.1 establishes the overall design guidelines for the Downtown Commercial area, these are not considered to be hard policies. The City's Zoning By-law establishes a maximum building height within the Downtown Commercial zone of 26m. In this instance, staff are

of the opinion that the Zoning By-law holds a higher standard of enforcement and law than that of a design guideline. As the Zoning By-law was implemented and approved after the OP, the Zoning By-law is deemed to conform to the OP. Based on the above, staff find that the proposal meets the intent of the intensification and infill policies of the OP and are generally consistent with the Downtown Commercial design guidelines.

Additional relevant guidelines under section 3.6.3.2 Parking, Access and Loading Areas have also been reviewed as follows:

- *Where vehicular access is required from the front to the rear of the property, reduced standards for driveway widths shall be encouraged.*
- *Service and loading areas should be oriented to the rear of the building.*
- *All parking areas shall be placed at the rear of buildings and accessed from side streets as to maintain a continuous building edge and a pedestrian-friendly street environment.*
- *Where parking areas are adjacent to side streets, a landscape buffer such as hedge or tree planting should be placed between the sidewalk and parking area.*
- *Larger parking areas are encouraged to incorporate landscape edge treatments along public streets and landscaping medians to break up larger areas of asphalt and should be designed as follows:*
 - *Screening should be provided between parking areas and adjacent residential properties.*
 - *Buffers should be located at the perimeter of the property line adjacent to parking areas and laneways to accommodate landscaping and tree planting.*
 - *Landscape islands shall be placed at the ends of all parking aisles iv) Parking aisles with a length of more than 15 stalls should be broken up with landscape islands.*
 - *All parking islands shall be planted with hardy, strongly branched and salt tolerant trees.*
 - *Large parking areas shall be broken up with linear 'pedestrian only' sidewalks planted with a consistent row of trees.*
 - *Parking for bicycles shall be included, which shall be consistent with professionally recognized guidelines.*

The above-noted guidelines have been considered through the design of the proposed site plan. The proposed site plan features reduced driveway standards which will contribute to traffic calming measures. Service and loading areas will be located to the rear of the building, and away from the street. Sufficient landscaping and details surrounding the parking lot layout will be further reviewed through the future site plan control process to follow.

In summary, the proposed development of the site meets the above policies with respect to intensification and the applicable design guidelines as the proposed

development will contribute to a variation in building typology and density. Staff find the proposal conforms with the City’s OP.

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

The City of Port Colborne Zoning By-law 6575/30/18 currently zones the subject lands in two zones, the 179 Mellanby Avenue parcel being Fourth Density Residential (R4) and the 56-56 ½ Main Street West parcel being Downtown Commercial (DC). The Zoning By-law Amendment proposes to change the zoning of both parcels to a site-specific special provision of the Downtown Commercial (DC) zone to permit a 101-unit mixed-use apartment building with 131.58 square metres (1,416.32 square feet) of ground floor commercial space. The following site-specific amendments to the DC zone are requested:

Table 1: Site-specific Downtown Commercial (DC) zone			
Apartment Building Provisions			
Regulation Type	Existing R4 Zone Regulation	Existing DC Zone Regulation	Proposed DC-XX Zone Regulation
Minimum Landscaped Area	25%	25%	10.8%
Maximum Building Height	20 metres	26 metres	25.9 metres
Maximum Gross Floor Area	N/A	200% for residential uses, 100% for non-residential	216%
Minimum Parking Spaces	1.25 spaces per unit	1.25 spaces per unit (1 space per accessory dwelling)	0.5 spaces per unit

Based on staff’s review of the proposed site plan and the application, the following table includes staff’s recommended site-specific amendments. The below site-specific amendments are suggested to allow for some additional minor flexibility with the parking layout on-site as well as provide a response to some of the comments/concerns heard at the Public Meeting.

Table 2: Recommended site-specific Downtown Commercial (DC) zone
Apartment Building Provisions

Regulation Type	Existing R4 Zone Regulation	Existing DC Zone Regulation	Proposed DC-XX Zone Regulation
Minimum Landscaped Area	25%	25%	10.8%
Maximum Building Height	20 metres	26 metres	25.9 metres
Maximum Gross Floor Area	N/A	200% for residential uses, 100% for non-residential	216%
Minimum Parking Spaces	1.25 spaces per unit	1.25 spaces per unit (1 space per accessory dwelling)	1 space per unit
Minimum Landscape Buffer for Parking Areas	3 metres for lot lines not abutting a public road	3 metres for lot lines not abutting a public road	0 metres for lot lines not abutting a public road (Note: Parking abutting Main Street West and Mellanby Avenue will be setback at least 3 metres).
Minimum Driveway Width for Two-way Traffic	7.5 metres	7.5 metres	6 metres

The above site-specific amendments, as revised, will contribute to the intensification of the Downtown Commercial area in accordance with the City's OP policies. Due to the site's context in close proximity to Lock 8 Park, staff are supportive in recommending a reduced landscaped area and buffers on the subject site. Landscaping will still be provided through the landscaping buffers abutting the public roads, and the building proposes to contain a second-floor terrace with additional landscaping.

As referenced in the OP section of this report, staff is of the opinion that the height of the building fits within the Downtown Commercial area. It should be noted that the entirety of the building will not be built to the full height of 25.9 metres, and that based on the ongoing discussions with the St. Lawrence Seaway respecting the parking arrangement, the applicant may need to revisit the overall unit count/building height.

The request to increase the maximum gross floor area for residential uses of 216% represents a minor increase from the already permitted 200%. Staff are comfortable with this slight increase.

As referenced above, the applicant is looking to reach an agreement with the St. Lawrence Seaway to lease some parking spaces from the adjacent Lock 8 Park. Should the Seaway not be in favour of such an agreement, the applicant will be required to revisit their plans and contain their parking on-site. In that scenario, staff would not be supportive of only having 0.5 parking spaces per unit located on the property and find that 1 parking space per unit is more reasonable for this area. Additionally, staff note that the City's Zoning By-law does permit required parking to be located off-site, provided the parking is used solely by individuals using the property that requires the parking lot, and is located within 46 metres of the subject property. For greater clarity, if the parking rate is set to 1 space per unit, the applicant would still be able to achieve this parking rate if they are able to reach an agreement with the Seaway, as the spaces are located close enough to the property and will be leased solely for the proposed apartment units.

Finally, staff find that reducing the minimum driveway width from 7.5 metres to 6 metres will allow for some additional flexibility on-site. Also, the OP design guidelines referenced previously support reduced driveway widths where vehicular access is provided from the front to the rear of the property.

Overall, Staff find that the proposed Zoning By-law Amendment is consistent with and conforms to the above-referenced Planning legislation. Staff recommend that the Zoning By-law Amendment, attached as Appendix A, be approved.

Adjacent Zoning and Land Use

The lands surrounding the proposed development are zoned Downtown Commercial (DC) and Public and Park (P). An excerpt from the Zoning schedule and key map has been provided below.

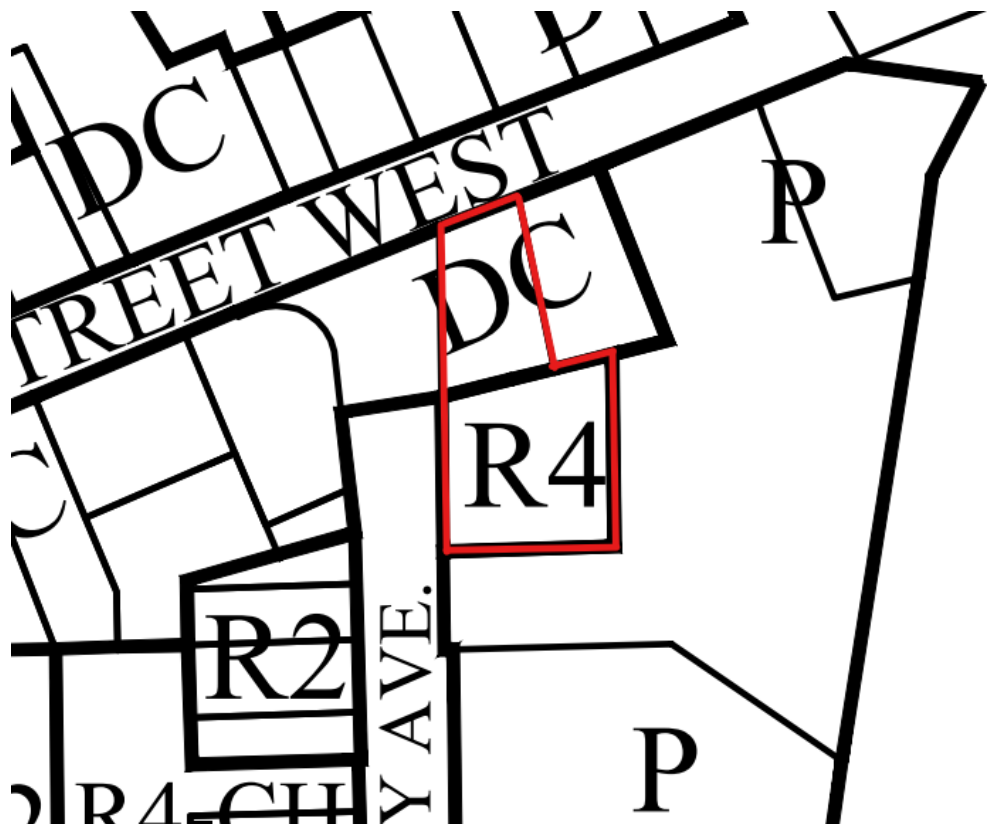


Figure 2: Excerpt from Zoning Schedule A6 (subject lands in red)

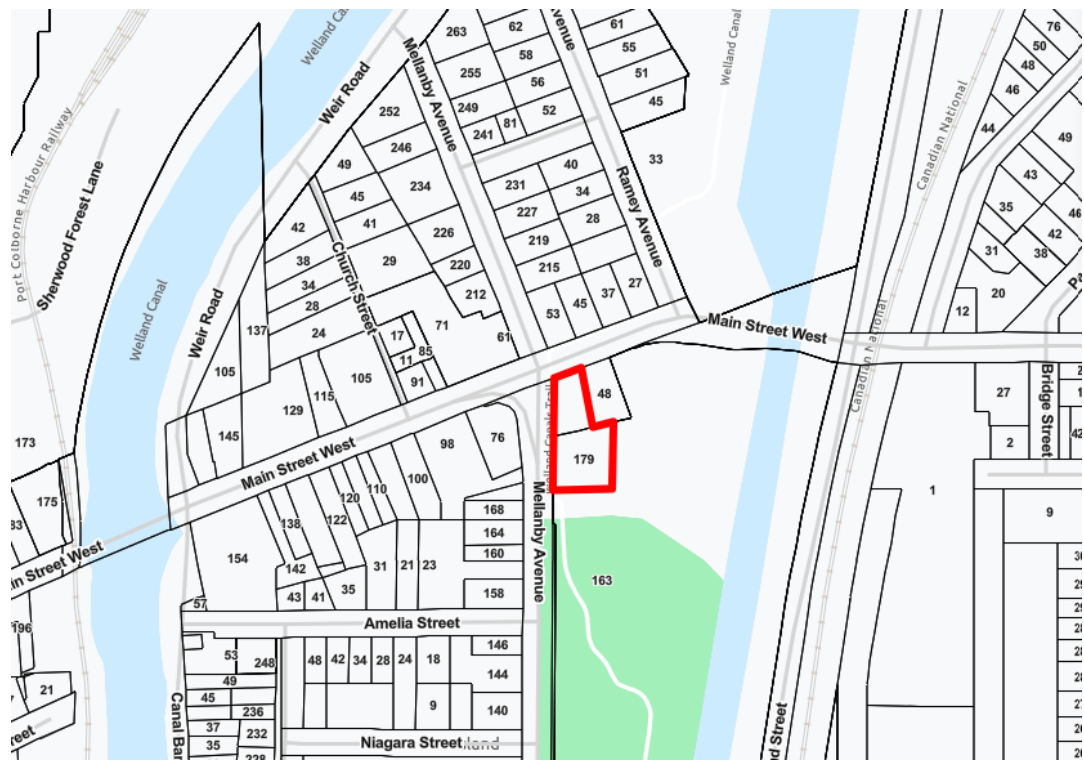


Figure 3: Location map of subject lands (shown in red)

Internal Consultations:

The application was circulated internally to applicable departments and agencies on December 18, 2023, and the following comments have been received as of the date of preparing this report:

Canadian Niagara Power (CNPI)

CNPI has no concerns with this application.

Port Colborne Fire Department

No concerns with this application.

Enbridge

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

Bell

Would like to be notified by the applicant prior to construction as there are two pedestals and buried cables in the area. Notice will help prevent any unwanted damage.

Niagara Region

(full comments attached as Appendix D)

Growth Strategy and Economic Development staff do not object to the proposed Zoning By-law Amendment application in principle; however, recommend the inclusion of holding provision (H) on the amending by-law in order to allow time for a Phase Two ESA, remediation work, and filing of an RSC to be completed. If City staff concurs with this approach, the RSC must be filed and acknowledged by the MECP before the holding provision can be removed.

Staff Response

As referenced previously, the Region has also requested some clarifications/changes to the Traffic Impact Study that was submitted. For this reason, along with additional concerns raised at the public meeting, staff will be recommending a Holding (H) provision be put in place through the amending by-law. The H provision will require an updated TIS reflecting the Region's comments, as well as include complete traffic counts for times where the canal bridges are in use or undergoing maintenance. Additionally, staff concur with the Region with respect to the inclusion of a Phase Two

Environmental Site Assessment as part of the Holding provision, however staff do not recommend including the Record of Site Condition (RSC) as part of this provision. There are sufficient safeguards in place through the future Site Plan Control process and Ontario Building Code that will prevent the project from proceeding until the RSC is filed. Staff find it redundant and inefficient to add an extra layer through the Holding provision.

Financial Implications:

The proposed intensification on the property will result in an increase in the assessment base in the City and new water and wastewater users over time.

Public Engagement:

Notice of the Public Meeting was circulated in accordance with Section 34 of the *Planning Act*. Notice was mailed to property owners within a 120-metre (393.7-foot) radius of the subject property as of December 20, 2023. As of the date of preparing this report, the following comments from the public have been received:

Trish McCoy – 18 Amelia Street

(full comment attached within Appendix E)

- The height of the building would impede on the privacy of the current residents.
- The height would dwarf all existing buildings, creating an eyesore and blocking views.
- The height will negatively impact our heritage buildings.
- The 101 units proposed should have parking accommodations for 101 units.
- Traffic is chaotic on the Island when the bridges are up and this proposal will add to the mess.

Staff Response

- Staff understand the concern with the height of the building, however the permitted height currently in the Downtown Commercial zone is 26 metres. As the 179 Mellanby Avenue parcel is also located within the Downtown Commercial Official Plan designation, staff find that it is a reasonable request given the context of the site.
- A Cultural Heritage Evaluation Report was submitted as part of the application. The report reviews the potential impact of the proposed development to the surrounding area. The report concludes with recommendations such as including exterior finishes that are complementary and in keeping with the design of surrounding buildings. It is also recommended that a vibration assessment be

undertaken prior to construction. Staff find that the above measures will assist in providing a seamless transition in the Downtown core.

- Staff note the concerns with parking and traffic and have made appropriate recommendations in response. An increased parking rate of 1 space per unit is recommended, along with a Holding provision to require an update to the Traffic Impact Study.

Melissa Bigford and Christopher Lofquist – 173 Chippawa Road

(full comment attached within Appendix E)

- Concerns with there being no parking for the retail stores/office space that will be located on the first floor.
- Concerns with potential changes to the park to accommodate parking and does not feel that this aligns with the Official Plan.
- The Downtown Commercial zone allows a height of 26 metres but not the R4 zone which only allows 20 metres.
- Who would be liable and responsible for the maintenance of the leased parking?
- Who would be responsible for snow removal of these parking spaces?
- Concerns with the entrance to the property from the park and not the street.
- Concerns with community events happening at the park and the spaces begin eliminated.
- Concerns with the Traffic Impact Study and it not accounting for bridge closures.
- Concerns with contamination and migration of dust and soil. Also, who will ensure the proper disposal of contaminated soil?
- Concerns with the Notice procedure for the Public Meeting.

Staff Response

- Parking for retail or commercial uses is not required in the Downtown Commercial zone. The applicant has indicated that they would be including a few parking spaces for their commercial operators.
- As referenced previously in this report, discussions with the Seaway are ongoing. The overall parking layout and design is subject to change through this process. Staff note that the recommendation of one parking space per unit will allow these discussions to continue while limiting the impact on the existing parking at the park. This application is to review the merits of rezoning the subject lands, ultimately the decision to permit a lease agreement will come down to the St. Lawrence Seaway and the City. In the event that a lease is not permitted, the applicant would be required to revisit the development proposal and accommodate all parking on-site.
- Staff understand the concern with the height of the building. The permitted height currently in the Downtown Commercial zone is 26 metres. While the 179 Mellanby Avenue parcel is zoned R4 (permitting a height of 20 metres), it is also

located within the Downtown Commercial Official Plan designation, staff find that it is a reasonable request given the context of the site.

- Who would be responsible for maintenance, snow removal etc.? – The holder of the lease would be responsible for this.
- The entrance to the park from Main Street will be part of the discussions with the Seaway, ultimately, it is the Seaway and City's decision to allow the entrance to remain. Again, in the event the applicant is not able to reach an agreement, the site will need to be reconfigured.
- Staff note the concerns with parking and traffic and have made appropriate recommendations in response. An increased parking rate of 1 space per unit is recommended, along with a Holding provision to require an update to the Traffic Impact Study.
- With respect to contaminated soil, the Phase Two Environmental Site Assessment along with the Record of Site Condition will have full mitigation measure in place in accordance with Provincial legislation.
- Notice for the Public Meeting was circulated in accordance with the *Planning Act*. Staff endeavor to notify through other channels such as social media, however acknowledge that this does not always happen.

Strategic Plan Alignment:

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

- Welcoming, Livable, Healthy Community
- Increased Housing Options
- Sustainable and Resilient Infrastructure

Conclusion:

Based on the review of the application and applicable Provincial, Regional, and City planning policies, Planning staff is of the opinion that the proposal is consistent with the Provincial Policy Statement and conforms with the Growth Plan, Niagara Official Plan, and City Official Plan, and represents good planning.

Staff recommend that the Zoning By-law Amendment By-law include an increased parking rate of one space per unit, and a Holding provision requiring the resubmission of an updated Traffic Impact Study and a Phase Two Environmental Site Assessment. The recommended by-law has been attached as Appendix A.

Appendices:

- a. Zoning By-law Amendment
- b. Conceptual Site Plan/Elevations/Floor Plans
- c. Planning Rationale Report
- d. Niagara Region Comment
- e. Public Comments

Prepared by,

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

Respectfully submitted,

Denise Landry, MCIP, RPP
Chief Planner
(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.