



**PORT COLBORNE**

**Subject: Public Meeting Report for Proposed Official Plan and Zoning By-law Amendment – 242-246 West Side Road – Files D09-03-24 and D14-04-24 - 2024-201**

**To: Council - Public Meeting**

**From: Development and Legislative Services Department**

Report Number: 2024-201

Meeting Date: November 5, 2024

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## **Recommendation**

That Development and Legislative Services Department Report 2024-201 be received for information.

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## **Purpose**

The purpose of this report is to provide Council with information regarding applications to amend the Official Plan and Zoning By-law to facilitate the development of an eight (8) storey apartment building which is proposed to contain 112 dwelling units.

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## **Background**

### **Location**

The subject lands are located at the southwest corner of the intersection of West Side Road and the future Franklin Avenue. The lands are legally known as Lots 36 to 40 on Plan 826, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 242-246 West Side Road. The lands measure approximately 44.5 metres in frontage along West Side Road and 0.57 hectares in area.

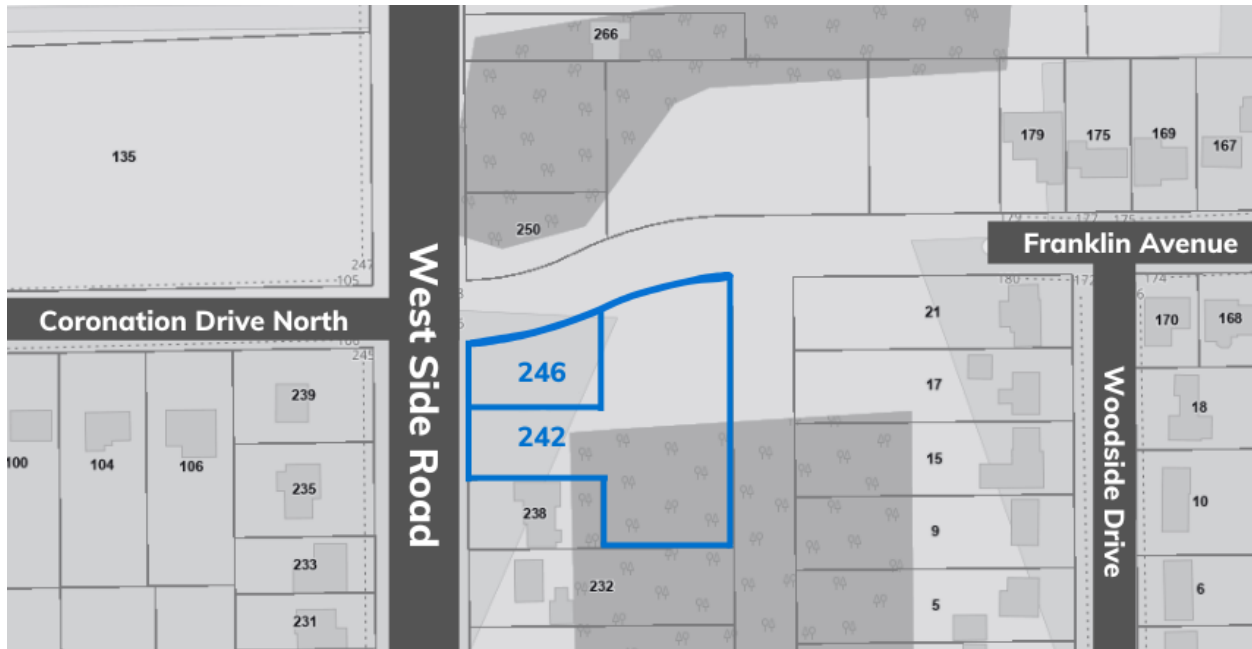


Figure 1: Location of Subject Lands (shown in blue).

## Proposal

Applications for an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) were submitted by Quartek Group Inc. on May 2, 2024, to facilitate the development of a 112-unit apartment building.

The OPA proposes to permit a density of not more than 198 units per hectare, with parking on the main floor.

The ZBA proposes to change the zoning of the subject lands from the First Density Residential (R1) zone and Third Density Residential (R3) zone to a site-specific Fourth Density Residential (R4-XX) zone.

The applications were deemed complete on October 15, 2024. The following plans, studies, and reports have been submitted to help facilitate the development of the lands:

- Architectural Drawings
- Conceptual Site Servicing
- Functional Servicing Report
- Planning Justification Report
- Stage 1 and 2 Archaeological Assessments
- Transportation Impact Study
- Survey

All the plans, studies, and reports noted above are available on the City's [Current Applications webpage](#).

The architectural drawings are included as Appendix A to this report.

## **Internal Consultations**

The applications were circulated to appropriate internal departments and to external agencies on October 16, 2024, and the following comments have been received as of the date of preparing this report:

### **Mississaugas of the Credit First Nation**

- No objections to the proposed applications.

### **Enbridge**

- No objections to the proposed applications.
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## **Public Engagement**

Public Notice of the proposal was provided in accordance with sections 22 and 34 of the *Planning Act*. As of the date of preparing this report, no comments from the public have been received.

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## **Discussion**

These applications will be reviewed with consideration of applicable policies in the Provincial Planning Statement (2024), the Niagara Official Plan (2022), the City of Port Colborne Official Plan (2013), and the City of Port Colborne Comprehensive Zoning By-law 6575/30/18. A further policy review will follow when the recommendation report for these applications returns to Council for their decision.

### **Provincial Planning Statement, 2024**

The Provincial Planning 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.

Section 2.2.1 of the PPS states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating all types of residential intensification, including the development and introduction of new housing options within previously developed areas.

Section 2.3.1.1 provides that settlement areas shall be the focus of growth and development. Section 2.3.1.2 adds that land use patterns within settlement areas should

be based on densities and a mix of land uses which efficiently use land and resources and optimize existing and planned infrastructure.

Section 2.3.1.3 provides that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

### **Niagara Official Plan, 2022**

The Niagara Official Plan (NOP) designates the subject lands as within the Built-Up Area. A full range of residential uses are permitted within the Built-Up Area. The proposal will contribute to the City's intensification target of 30% as set out within Table 2-2 of the NOP.

Section 2.2 of the NOP provides policies with the objective of accommodating growth through strategic intensification and higher densities. Section 2.2.1.1 of the NOP encourages opportunities for the integration of gentle density, and a mixed range of housing options that considers the character of established residential neighborhoods as part of managing growth.

Section 2.3.1.1 of the NOP encourages the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.

Section 2.3.1.4 of the NOP encourages residential intensification that is planned to mitigate and adapt to the impacts of climate change by incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.

### **City of Port Colborne Official Plan, 2013**

The subject lands are designated Urban Residential in the City of Port Colborne Official Plan (OP). Land uses in the Urban Residential designation permit residential uses, neighbourhood commercial uses, cemeteries, parks, schools, community facilities, and institutional uses normally located in residential areas.

Section 2.2 of the OP details the City's growth management strategy. Section 2.2 (e) states that intensification and infill is supported in the Urban Residential, Hamlet, and Downtown Commercial designations. Section 2.4.3 provides detailed policies regarding intensification and infilling. Section 2.4.3.1 identifies an intensification target of 15%, while section 2.4.3.2 provides general design guidelines.

Section 2.3.1 provides that 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 directing growth within the Urban Area Boundary to the north and west at this time, and

promoting residential intensification by encouraging a mix of housing types and densities in the urban area.

Section 3.2.1 of the OP provides policy direction for redevelopment within the Urban Residential designation. including:

*a) Low Density Residential will:*

*i) Be developed as single-detached or semi-detached dwellings ranging from 12 to 20 units per net hectare;*

*ii) Be encouraged to be developed in an orderly manner through Plan of Subdivision; and*

*iii) May be subject to Site Plan Control.*

*b) Medium Density Residential will:*

*i) Be developed at a density ranging from 35 to 70 units per hectare as: Townhouses; Stacked townhouses; triplexes; and/or fourplexes.*

*ii) Be encouraged adjacent to arterial or collector roads; and*

*iii) Be subject to Site Plan Control.*

*c) High Density Residential will:*

*i) Be developed as apartment buildings ranging in density from 70 to 100 units per net hectare;*

*ii) Have frontage on an arterial or collector road;*

*iii) Have commercial or ground-oriented residential uses on the main floor;*

*iv) Be oriented on the site to minimize shadows on adjacent low and medium*

*density residential development;*

*v) Be encouraged to be developed in proximity to public transit and active transportation routes; and*

*vi) Be subject to Site Plan Control; and*

*d) Neighbourhood Commercial*

*i) New residential development proposals shall consider the provisions of neighbourhood commercial within a lot, block or building having frontage on a collector or arterial road, and provide a neighbourhood commercial use within a five-minute walk of residential uses;*

*ii) New residential development proposals shall provide 150 square metres of neighbourhood commercial for every 100 housing units of residential development; and*

*iii) Neighbourhood commercial development is subject to Site Plan Control.*

Section 3.2.3.1 of the OP provides design guidelines for the development of new residential communities, to which section 3.2.3.3 (b) adds:

*b) Townhouses and multiple-unit housing should:*

*i) Be aligned parallel to the street from which the principal entrance should be visible and accessible;*

*ii) Consider overall form, massing and proportions and the rhythm of major repetitive building elements and roof designs to create a street façade that is composed of a consistent and attractive variety of building elements; and*

*iii) Be consistent with the placement and character of the surrounding built form where an infill development.*

The proposed OPA is requesting the following site-specific policies:

1. Notwithstanding section 3.2.1(c)(i) of the OP, the subject lands may be developed for apartment dwellings at a density of not more than 198 units per hectare.
2. Notwithstanding section 3.2.1(c)(iii) of the OP, the subject lands may be developed for apartment dwellings with parking on the main floor.

The full proposed OPA can be found attached as Appendix B to this report.

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

The subject lands currently have two different zones established. The back portion of 242 West Side Road is zoned Third Density Residential (R3), while 246 West Side Road and the front portion of 242 West Side Road are zoned First Density Residential (R1). The ZBA application proposes to rezone the subject lands to a new site-specific Fourth Density Residential (R4-XX) zone to permit the proposed apartment building. The requested site-specific zoning provisions are as follows:

| <b>Zone Provision</b>                                   | <b>Requested</b>                       | <b>Required</b>                        |
|---|--|--|
| Minimum lot area per unit                               | 50.6 square metres                     | 125 square metres                      |
| Minimum corner side yard                                | 4.11 metres                            | 7.5 metres                             |
| Minimum rear yard                                       | 3.85 metres                            | 6 metres                               |
| Maximum height  | 30.5 metres                            | 20 metres                              |
| Minimum required parking spaces                         | 116 (1.04 spaces per residential unit) | 140 (1.25 spaces per residential unit) |
| Minimum unobstructed driveway width for two-way traffic | 6.3 metres                             | 7.5 metres                             |

|   |            |            |
|---|------------|------------|
| Minimum parking space width for standard spaces obstructed on two sides   | 3.1 metres | 3.5 metres |
| Minimum parking space width for standard spaces obstructed on one side  | 2.6 metres | 3 metres   |
| Minimum parking space width for side-by-side accessible parking spaces  | 2.5 metres | 2.6 metres |
| Minimum common space between accessible parking spaces  | 2.5 metres | 2.6 metres |
| Minimum landscape buffer from a parking area with 100 or greater parking spaces to a lot line abutting a public road      | 3.8 metres | 6 metres   |
| Minimum landscape buffer from a parking area with 100 or greater parking spaces to a lot line abutting a residential zone | 3 metres   | 4 metres   |

The full proposed ZBA can be found attached as Appendix C to this report.

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## Financial Implications

There are no direct financial implications associated with this report.

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## 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
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## Conclusion

Planning staff are not providing a recommendation on the proposed Official Plan Amendment or 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. Planning staff will prepare and present a recommendation report at a future Council meeting.

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## Appendices

- a. Architectural Drawings

- b. Draft Official Plan Amendment
- c. Draft Zoning By-law Amendment

Prepared by,

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Respectfully submitted,

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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.