



**PORT COLBORNE**

**Subject: Public Meeting Report for Proposed Zoning By-law Amendment - Vacant Lot Elizabeth Street**

**To: Council - Public Meeting**

**From: Development and Government Relations Department**

Report Number: 2024-203

Meeting Date: November 5, 2024

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### **Recommendation:**

That Development and Government Relations Department – Planning Division Report 2024-203 be received for information.

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### **Purpose:**

The purpose of this report is to provide Council with information regarding an application initiated by the City of Port Colborne for the lands legally known as Concession 1, Part of Lots 23 and 24, being Part 1 on Plan 59R-10294 in the City of Port Colborne, Regional Municipality of Niagara, municipally known as vacant City-owned lands on Elizabeth Street north of the Friendship Trail.

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### **Background:**

The application for Zoning By-law Amendment proposes to change the zoning on a portion of the lands from Residential Development (RD) to Environmental Protection (EP) to recognize the flood hazard.

This application has been initiated by the City of Port Colborne in response to previous comments received from the Niagara Peninsula Conservation Authority (NPCA) with respect to these City-owned lands, and the lands directly north, which are subject to an approved Draft Plan of Subdivision and previous Zoning By-law Amendment.

As part of the previous applications, the NPCA identified areas within the City-owned lands which are subject to their flood hazard policies. NPCA policies require that lands within flood hazards be restricted from development and be placed in a suitable Environmental Protection zone.

## **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 and the City of Port Colborne Comprehensive Zoning By-law 6575/30/18.

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. 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 Niagara Official Plan (NOP) designates the subject lands as within the “Urban Area Boundary” and “Built-Up Area”. Policies within the NOP generally encourage development within the Urban Area and Built-up Area.

### **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 predominantly include residential uses, neighbourhood commercial uses, cemeteries, parks, schools, community facilities, and institutional uses normally located in residential areas. Additionally, the land is located within the Built Area, based on Schedule A1.

The Official Plan is not proposed to be changed through this application as the flood storage area has been identified as a result of the adjacent residential development in the area. The City-owned lands will continue to be used for existing stormwater management purposes, serving the residential subdivisions in the neighbourhood.

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

The subject lands are currently zoned Residential Development (RD). The majority of the lands will remain in the RD zone, with the exception of the area subject to the flood hazard.

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## **Internal Consultations:**

The applications were circulated internally to applicable departments and external agencies on October 16, 2024, and no comments have been received as of the date of preparing this report.

### **Financial Implications:**

There are no financial implications at this time.

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### **Public Engagement:**

Notice of the Public Meeting was circulated 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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### **Strategic Plan Alignment:**

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

- Environment and Climate Change
  - Welcoming, Livable, Healthy Community
  - Sustainable and Resilient Infrastructure
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### **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.

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### **Appendices:**

- a. Draft Zoning By-law Amendment

Prepared and submitted by,

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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.