



**Subject: Recommendation for Official Plan and Zoning By-law Amendment for 242-246 Highway 58 / West Side Road**

**To: Council**

**From: Development and Government Relations Department**

Report Number: 2025-133

Meeting Date: June 24, 2025

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### **Recommendation:**

That Development and Government Relations Department Report 2025-133 be received; and

That the Official Plan Amendment attached as Appendix B of Report 2025-133 be approved; and

That the Zoning By-law Amendment attached as Appendix C of Report 2025-133 be approved; and

That matters related to servicing, stormwater, landscaping, lighting, fencing, waste management as well as the list of functional design revisions and considerations including amenity areas, access and connectivity, as provided within Appendix D, be addressed to the satisfaction of the City through the site plan approval process; and

That the City Clerk be directed to issue the Notices of Decisions regarding the By-laws in accordance with the *Planning Act*.

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### **Purpose:**

The purpose of this report is to provide Council with a recommendation regarding an Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”) Applications submitted by Quartek Group Inc. on behalf of the Owner, Luigi LoFaso & Tirdad Gharachorloo, for the redevelopment of the lands known as Lots 36 to 40, Plan 826, known municipally as 242-246 Highway 58/West Side Road (the “Subject Lands”) with an 8-storey residential apartment (the “proposed development”).

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**Background:**

A Pre-Consultation Meeting was held on July 27, 2023, to discuss and provide feedback on the initial proposed development for the Subject Lands which provided for a 7-storey apartment with 95 units. Applications for an OPA (File Number: D09-03-24) and ZBA (File Number: D13-04-29) were later submitted to the City on April 30, 2024, inclusive of required materials in support of the applications including, an Archaeological Assessment, Site Plan & Floor Plans, Functional Servicing Report, Planning Justification Brief, Shadow Analysis, and Transportation Impact Study.

A revised submission was made to the City on June 25, 2024. The revised submission was for an 8-storey apartment with 112 units and addressed the extension of Franklin Avenue, a City owned unopened road allowance, to the north of the Subject Lands. The revised OPA proposed to allow for a residential density of up to 198 units per net hectare. The revised ZBA proposed to rezone the Subject Lands from R1 and R3 to R4 with site-specific exceptions for setbacks, height, and parking.

The applications were deemed complete on October 15, 2024. A public meeting was held for the applications on November 5, 2024. At the public meeting staff presented a summary of the applications in Staff Report 2024-201. Several residents attended the public meeting and provided delegations. Key concerns raised at the meeting include traffic, parking, shadow impacts, the existing woodlot area, the construction of the Franklin Avenue extension and intersection improvements, as well as stormwater, servicing capacity, and compatibility with the neighbouring properties.

A supplementary submission was made to the City on January 20, 2025, which included an updated Planning Justification Report and a Noise Impact Study.

**Proposal:**

The current application provides for the development of a residential apartment building, 8 storeys (31 metres) in height. The building includes 112 apartment units in a range of sizes with one and two-bedroom units. There are 116 parking spaces provided including 8 accessible spaces. A total of 16 bicycle parking spaces are proposed. All parking is to be provided at grade in a surface parking lot located at the rear of the building and within the ground floor of the building. Three pedestrian accesses are provided to the building including, a main front entrance facing Franklin Avenue, an additional entrance at the northwest corner of the building, and a rear entrance at the south end of the building.

There are two vehicular entrances to the site from the future Franklin Avenue extension. Additional landscaping and a new sidewalk are identified along Franklin Avenue.

The current application being reviewed in support of the proposed development includes the following supporting materials:

- Supplementary Planning Policy Justification Report and Impact Analysis prepared by Quartek Group, dated January 20, 2025
- Noise Impact Study, prepared by GHD, dated January 13, 2025
- Site Plan, prepared by Quartek, dated September 4, 2024
- Conceptual Site Servicing Drawing, prepared by Quartek, dated May 2, 2024
- Draft R-Plan, prepared by Richard Larocque Ltd., dated January 11, 2024
- Functional Servicing Report, prepared by Quartek, dated February, 2024
- Shadow Study, prepared by Quartek, dated March, 2024
- Stage 1 & 2 Archaeological Assessments, prepared by Detritus Consulting Ltd., dated April 16, 2024
- Transportation Impact Study, prepared by Paradigm Limited, dated June, 2024

These materials are available on the City's Current Applications webpage: [Current Applications - City of Port Colborne.](#)

### Site and Surrounding Area Description:

The Subject Lands are located at the southeast corner of West Side Road/Highway 58 and the future road allowance of Franklin Avenue, municipally addressed as 242–246 West Side Road/Highway 58 in the City of Port Colborne. The lands are legally described as Lots 36 to 40, Plan 826, Humberstone, being Part 1 on Draft Reference Plan 59R-18083.

The Subject Lands consist of an L-shaped lot with an approximate area of 5,682.08 m<sup>2</sup>, and approximately 44.4 metres of frontage along West Side Road and 86 metres along the future extension of Franklin Avenue. The lands are currently accessible via two existing driveways from West Side Road. The Subject Lands contains two single-detached residential dwellings and scattered vegetation, including a number of trees located along the eastern property boundary.

The Subject Lands are serviced by the Region's on-demand Microtransit service as well as the Port Colborne Line transit service.

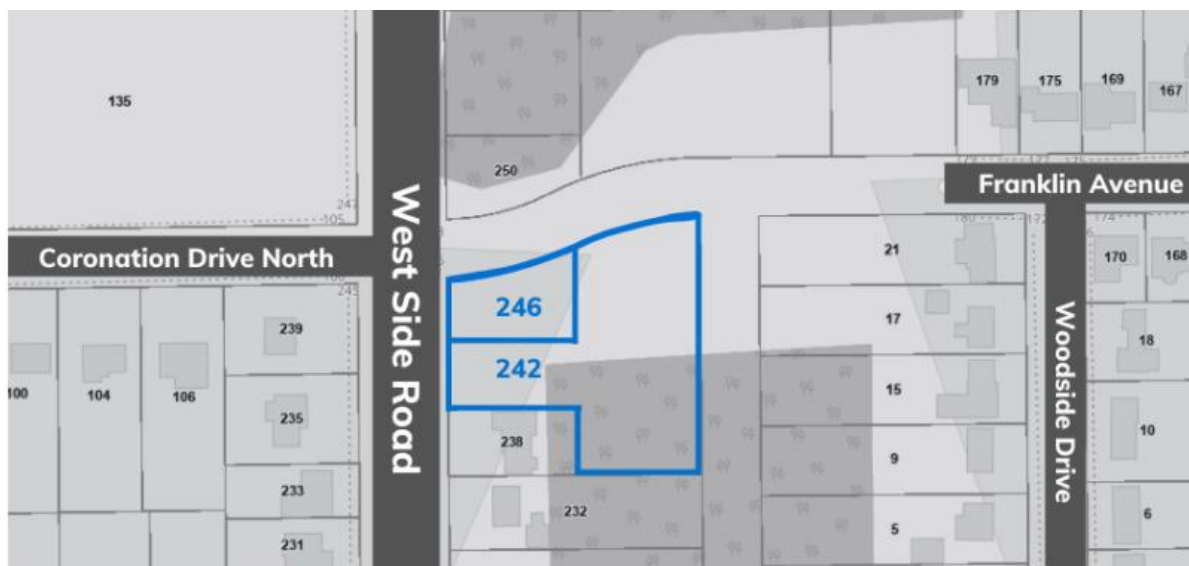


Figure 1: Location of Subject Lands (shown in blue).

## Surrounding Land Uses and Zoning:

A description of the uses and zoning surrounding the Subject Lands is as follows:

Direction	Use	Zoning as per City of Port Colborne Zoning By-law
North	Franklin Avenue future extension, followed by future condominium development (5 storey, 75 unit building), single detached dwellings and scattered trees. Northwest of the Subject Lands lies a commercial plaza	First Density Residential (R1) and Fourth Density Residential (R4)
East	Road Allowance (Parkwood Street). Single detached dwellings followed by Reservoir Park, and industrial uses	Third Density Residential (R3), and First Density Residential (R1)
South	Single detached dwellings followed by Harry Dayboll Oakwood Park and Oakwood Public School	First Density Residential (R1), Third Density Residential (R3), Park (P), and Institutional (I)
West	Proposal for stacked townhome proposal. Single detached dwellings and future residential lands currently used for agriculture	Fourth Density Residential (R4), First Density Residential (R1), and Residential Development (RD)

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## Discussion:

Due to the size of the Discussion section, the analysis of the proposed Official Plan and Zoning By-law Amendments is located in Appendix A to this report.

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## Internal Consultations:

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

Fire: No objections to the proposed applications.

Drainage: No objections to the proposed applications.

## External Consultations:

Mississaugas of the Credit First Nation: No objections to the proposed applications.

Enbridge: No objections to the proposed applications.

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### **Financial Implications:**

There are no financial implications directly related to the City.

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### **Public Engagement:**

A public meeting was held on November 5, 2024. Several issues were raised at the public meeting that have been addressed within this report including several technical matters to be addressed through the site plan approval process.

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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:**

Based on the review of the application and applicable Provincial, Regional, and City planning policies, staff is of the opinion that the proposal is consistent with the Provincial Planning Statement, conforms with the Niagara Official Plan and the City of Port Colborne Official Plan, and represents good planning and is in the public interest. Staff recommend that the OPA and ZBA attached as Appendix B and C, respectively, be approved, and that the functional design elements outlined in Appendix D be addressed through the site plan approval process.

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### **Appendices:**

- a. Discussion and Analysis
- b. Official Plan Amendment
- c. Zoning By-law Amendment
- d. Site Plan Approval Considerations

Respectfully Prepared 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.