



**Subject: Recommendation Report for Zoning By-law Amendment on Stanley Street (Lot 71), File D14-14-21**

**To: Council**

**From: Planning and Development Department**

Report Number: 2021-306

Meeting Date: November 22, 2021

---

### **Recommendation:**

That Planning and Development Department Report 2021-306 be received;

That the Zoning By-law Amendment attached as Appendix A to Planning and Development Department Report 2021-306 be approved, rezoning the property from First Density Residential (R1) to Second Density Residential (R2); and

That Planning staff be directed to circulate to the Notice of Passing in accordance with the *Planning Act*.

---

### **Purpose:**

The purpose of this report is to provide Council with a recommendation regarding a Zoning By-law Amendment application initiated by the City of Port Colborne for the property legally known as Lot 71 on Plan 59M-428, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as a vacant lot on the north side of Stanley Street. The subject property is currently owned by Bridge & Quarry Limited.

---

### **Background:**

The application for Zoning By-law Amendment proposes to change the zoning of the property from First Density Residential (R1) to Second Density Residential (R2) to reflect the zoning previously approved under By-law 5667/98/11. The Zoning By-law Amendment is being sought to permit the construction of a semi-detached dwelling on the property.

A Public Meeting for this application was held on November 15, 2021, where Planning staff presented the application to City Council and interested members of the public.

---

### **Internal Consultations:**

Notice of Public Meeting was circulated on October 26, 2021 to internal departments and agencies and the following comments have been received as of the date this report was prepared:

#### **Port Colborne Fire Department**

“Port Colborne Fire has no objection to the application.”

#### **Drainage Superintendent**

“No concerns regarding this matter.”

#### **Township of Wainfleet**

“The Township has no comments or concerns regarding the proposed amendment. The Township is also satisfied that appropriate notice has been provided to Township landowners in accordance with Section 34 of the Planning Act...”

---

### **Public Engagement:**

Notice of Public Meeting was circulated via regular mail on October 26, 2021 and also provided on the City’s website under “Current Applications”. No written correspondence has been received as of the date this report was prepared.

---

### **Discussion:**

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

According to Schedule A: City Wide Land Use, the City of Port Colborne’s Official Plan designates the subject property as a Secondary Plan Area. The Secondary Plan area refers to the Westwood Park Secondary Plan found on Schedule G of the Official Plan. According to Schedule G, the property is designated as Low-Density Residential. The Low-Density Residential land use supports detached, semi-detached, and duplex dwellings.

The Official Plan designation is not proposed to be changed as a result of this application.

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

The subject property is currently zoned First Density Residential (R1). The R1 zone permits one detached dwelling on one lot, uses, buildings and structures accessory to the foregoing permitted use.

The Zoning By-law Amendment proposes to change the zoning of the property from First Density Residential (R1) to Second Density Residential (R2). The R2 zone permits detached, semi-detached and duplex dwellings and uses, structures and buildings accessory thereto.

Staff note that through the passing of Zoning By-law Amendment 6575/30/18, the zoning previously approved under By-law 5667/98/11 was not carried through. Staff believe this was an oversight on the updated zoning schedules. Current Planning staff are not aware of any reason why this may have been changed. Densities for new subdivisions are carefully analyzed to ensure development proposals meet Provincial, Regional, and City density targets. While it is unlikely that the change from a semi-detached to a single-detached use would have impacted the density calculation for the subdivision, it should be noted that this downgrade in density *could* have impacted this development negatively. Staff suggest that the zoning be reverted back to the density that was approved at the time of the registration of the subdivision.

The Zoning By-law Amendment has been included in Appendix A to this report.

### Adjacent Zoning and Land Use

<b>Northwest</b> Vacant residential land Zoned: R3	<b>North</b> Vacant residential land Zoned: R3	<b>Northeast</b> Residential property Zoned: R1
<b>West</b> Vacant residential land Zoned: R3	<b>Subject property</b>	<b>East</b> Single-detached residential Zoned: R1
<b>Southwest</b> Single-detached residential Zoned: R1	<b>South</b> Single-detached residential Zoned: R1	<b>Southeast</b> Single-detached residential Zoned: R1

A site sketch of the proposed semi-detached dwelling has been provided in Appendix B.

---

### Financial Implications:

There are no financial implications.

---

**Strategic Plan Alignment:**

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

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
  - People: Supporting and Investing in Human Capital
  - Governance: Communications, Engagement, and Decision-Making
- 

**Conclusion:**

Based on the review of the application, Planning staff recommend approval of the Zoning By-law Amendment. The application conforms with the Provincial Policy Statement, Regional Official Plan, City Official Plan and the proposed use(s) will comply with Zoning By-law 6575/30/18.

---

**Appendices:**

- a. Zoning By-law Amendment
- b. Sketch of subject property and proposal

Respectfully submitted,

David Schulz, BURPI  
Planner  
(905) 835-2901 ext. 202  
David.Schulz@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.