



Subject: Public Meeting Report for Proposed Zoning By-law Amendment at 360 Killaly Street East - File D14-01-22

To: Council - Public Meeting

From: Development and Legislative Services Department

Report Number: 2022-108

Meeting Date: May 17, 2022

Recommendation:

That Development and Legislative Services Report 2022-108 be received for information.

Purpose:

The purpose of this report is to provide Council with information regarding a Zoning By-law Amendment application submitted by Joseph M. Tomaino on behalf of the owner 2466602 Ontario Inc. for the lands known as Part of Lot 25 on Concession 2, on the north side of Killaly Street East, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 360 Killaly Street East.

Background:

The application for Zoning By-law Amendment proposes to change the zoning of the property from Institutional (I) to R4-##, being a special provision of the Fourth Density Residential (R4) zone. The Zoning By-law Amendment is being sought to permit the construction of a 3.5 storey, 16-unit residential apartment building on the property.

Internal Consultations:

Notice of Public Meeting was circulated 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. Fire safety items will be dealt with at the site plan and building permit stage.”

Public Engagement:

Notice of Public Meeting was circulated via regular mail to property owners within 120m in accordance with the *Planning Act* and Ontario Regulation 545/06 on April 27, 2022, 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:

This application will be reviewed with consideration of applicable policies in the *Provincial Policy Statement (2020)*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, the *Regional Official Plan*, the *City of Port Colborne Official Plan* and the *City of Port Colborne Comprehensive Zoning By-law 6575/30/18*.

The Provincial Policy 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 Growth Plan also directs development to settlement areas. The subject parcel is located within a settlement area where the Growth Plan states that growth should be focused in “Built up” areas.

The Regional Official Plan (ROP) designates the subject lands as within the “Urban Area Boundary” and “Built-up Area”. Intensification is generally encouraged throughout the Built-up Area and includes residential uses that make efficient use of existing services. The application will be reviewed against Chapter 4 of the ROP when a recommendation report is brought forward at a future Council meeting.

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 include residential, neighbourhood commercial, community facilities and institutional uses.

Residential uses such as the proposed apartment building are permitted in the Urban Residential zone. The Official Plan designation is not proposed to be changed as a result of this application.

This application will be reviewed against Sections 2.4.3 and 3.2.1 of the OP when a recommendation report is brought forward at a future Council meeting.

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

The subject parcel is zoned **Institutional (I)**. The Institutional zone permits public apartment buildings; community garden; cultural facility; cemetery; day care; dwelling, accessory; food vehicle; long term care facility; place of assembly/banquet hall; place of worship; public uses; social service facility; and uses, structures and buildings accessory thereto.

The Zoning By-law Amendment proposes to change the zoning of the property from Institutional (I) to R4-##, being a special provision of the Fourth Density Residential (R4) zone. The R4 zone permits detached, semi-detached, triplex, fourplex dwellings; block and street townhouse dwellings; apartment buildings; public apartment buildings; and uses, structures and buildings accessory thereto. The special provision is being sought to permit a reduction in parking area landscape buffers, reduction in aisle width and a reduction in parking space requirements.

Adjacent Zoning and Land Use

Lands surrounding the subject property are comprised of residential uses to the east and west, an institutional use to the north, being St. Joseph Catholic Elementary School, and a mix of residential and commercial uses to the south.

A site sketch of the proposal has been provided in Appendix A. Additionally, a Planning Justification Report submitted by the applicant has been attached as 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:

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.

Appendices:

- a. Site Sketch
- b. Planning Justification Report

Prepared by,

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

Submitted by,

Denise Landry, MCIP, RPP
Manager of Planning
(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.