



**Subject: Public Meeting Report for Proposed Zoning By-law
Amendment on Neff Street, File D14-02-22**

To: Council

From: Development and Legislative Services Department

Report Number: 2022-111

Meeting Date: May 17, 2022

Recommendation:

That Planning and Development Services Report 2022-111 be received for information.

Purpose:

The purpose of this report is to provide Council with information regarding a Zoning By-law Amendment application initiated by the owner Grandstone Living Inc. for the property legally known as Part of Lot 4 in Block A and Part of Lot 2 on the South Side of Main Street West on Plan 762, in the City of Port Colborne, Regional Municipality of Niagara, the north side of Neff Street.

Background:

The application for the Zoning By-law Amendment proposes to change the zoning of the subject parcel from Fourth Density Residential (R4) to Downtown Commercial (DC). The Zoning By-law Amendment is being sought to permit the construction of a proposed six unit residential building on the subject parcel. Due to the irregular shape of the lot, special provisions are being sought for the parking lot landscape buffer abutting a residential property to not apply. A site plan of the proposed apartment has been attached as Appendix A.

Internal Consultations:

Notice of the Public Meeting was circulated on April 28, 2022 to internal departments and agencies and the following comments have been received as of the time this report was prepared.

Port Colborne Fire Department:

No objection to the proposed application.

Drainage Superintendent:

No objection to the proposed application.

Niagara Peninsula Conservation Authority:

No objection to the proposed application.

Public Engagement:

The Notice of Public Meeting is required to be sent to properties within a 120m radius of the subject property, as per Section 34 (13) of the Planning Act. Notice was circulated on April 21, 2022 and no comments from the public have been received as of the date of preparing this report.

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. 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”. Policies within the ROP generally encourage

intensification throughout the Built-up Area. Section 4.A.1 will be used to assess the application when a recommendation report is brought forward at a future date.

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 **Downtown Commercial**. Land uses in the Downtown Commercial designation include commercial uses such as retail shops, offices and restaurants, residential uses, institutional uses, public and community uses and parks.

Residential land uses, including apartment buildings, are a permitted land use in the Downtown Commercial designation. The land use designation is not proposed to be changed as a result of this application.

Sections 2.4.3 and 3.6 of the OP will be used to assess the application when a recommendation report is brought forward at a future date. These sections provide policies on intensification and infill, as well as the general policies of the Downtown Commercial designation.

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

The subject parcel is currently zoned R4, which permits apartment buildings. The applicant is proposing to change the zoning to DC, which also permits apartment buildings. Given the unique layout of this property, the zoning requirements of the DC zone better align with the proposed development than the R4 Zone. If granted, the apartment will meet all of the requirements of the DC zone. In addition, the applicant is requesting that the parking lot landscape buffer not apply to the subject lands.

Adjacent Zoning and Land Use

The parcels surrounding the subject lands are zoned DC to the north and west, and R2 to the south. The land to the east is currently not zoned. The surrounding uses consist of commercial uses to the north, an apartment to the west, detached dwellings to the south and a rail line and canal to the east.

Financial Implications:

There are no financial implications as no decisions are being made on the application.

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 Plan

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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.