



**Subject: Public Meeting Report for Proposed Zoning By-law
Amendment at 409 Davis Street, D14-05-22**

To: Council

From: Development and Legislative Services Department

Report Number: 2022-162

Meeting Date: July 19, 2022

Recommendation:

That Planning and Development Report – Planning Division 2022-162 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 applicant Steven Rivers, on behalf of the owner Jonathan Beam, for the property legally known as Part of Lot 9 on Plan 849, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 409 Davis Street.

Background:

The application for Zoning By-law Amendment proposes to change the zoning from Second Density Residential (R2) to Fourth Density Residential (R4). The Zoning By-law Amendment is being requested to permit the internal renovation of an existing building into a fourplex dwelling on the subject property. Due to the nature of the existing building, special provisions are being sought to reduce the front yard setback from 9m to 2.26m, the interior side yard setback from 1.2m to 0.69m and the corner side yard setback from 3m to 2.04m. A site plan of the proposed apartment has been attached as Appendix A.

Internal Consultations:

Notice of the Public Meeting was circulated on June 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.

Public Engagement:

The Notice of Public Meeting is required to be sent to property owners within a 120m radius of the subject property, as per Section 34 (13) of the Planning Act. Notice was circulated on June 28, 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 as well as a delineated built-up 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 **Urban Residential**. Land uses in the Urban Residential designation include, residential uses, neighbourhood commercial uses, cemeteries, parks, schools, community facilities, and institutional uses normally located in residential areas.

Residential land uses, including fourplexes are a permitted land use in the Urban Residential 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 Urban Residential designation.

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

The subject property is currently zoned Second Density Residential (R2). The applicant is proposing to change the zoning to Fourth Density Residential (R4) which will permit fourplex dwellings. Given the structure is currently existing, the applicant is requesting special provisions to reduce the front yard setback from 9m to 2.26m, the interior side yard setback from 1.2m to 0.69m and the corner side yard setback from 3m to 2.04m.

Fourplex dwellings are required to provide 4 parking spaces per unit, which have been proposed at the rear of the building and can be seen on Appendix A.

Adjacent Zoning and Land Use

The parcels surrounding the subject lands are zoned R2 to the north, east and south, and R2 and Neighbourhood Commercial (NC) to the west. The surrounding uses consist of detached and duplex dwellings to the north, detached dwellings to the east and south and a neighbourhood commercial use and duplexes to the west.

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 in order 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

Prepared by,

Chris Roome, BURPI
Planner
905-835-2900 ext. 205
Chris.Roome@portcolborne.ca

Respectfully submitted,

Denise Landry, BURPI, MCIP, RPP
Manager of Planning Services
905-835-2900 ext. 203
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.