

**City of Port Colborne**  
**Public Meeting Minutes**

**Date:** Monday, April 19, 2021  
**Time:** 6:30 pm  
**Location:** Council Chambers, 3rd Floor, City Hall  
66 Charlotte Street, Port Colborne

**Members Present:** M. Bagu, Councillor  
E. Beauregard, Councillor  
R. Bodner, Councillor  
G. Bruno, Councillor  
A. Desmarais, Councillor  
D. Kalailieff, Councillor  
W. Steele, Mayor (presiding officer)  
H. Wells, Councillor

**Member(s) Absent:** F. Danch, Councillor

**Staff Present:** A. LaPointe, Acting Director of Planning and Development/City Clerk  
S. Luey, Chief Administrative Officer  
C. Madden, Deputy Clerk (minutes)  
D. Schulz, Planner

**1. Call to Order**

Mayor Steele called the meeting to order.

**2. Adoption of Agenda**

Moved By Councillor H. Wells  
Seconded By Councillor G. Bruno

That the agenda dated April 19, 2021 be confirmed, as circulated.

Carried

### **3. Disclosures of Interest**

### **4. Statutory Public Meetings**

#### **4.1 Public Meeting Report for Proposed Zoning By-law Amendment on Neff Street, File D14-08-21, 2021-119**

##### **Purpose of Meeting**

The purpose of this meeting, pursuant to Section 34 of the *Planning Act*, is to consider an application submitted by the applicant Grandstone Living Inc. for the lands legally known as Lots 3 and 4 on Plan 30R15706, in the City of Port Colborne, regional Municipality of Niagara, and located in the Downtown Commercial Zone (DC), municipally known as VL Neff St.

##### **Method of Notice**

Notice of the Public Meeting was administered in accordance with Section 34 of the *Planning Act*, as amended, and Section 5 of Ontario Regulation 545/06. The Notice of Public Meeting was circulated to required agencies, and property owners within 120m of the property on March 29, 2021. A Public notice sign was also posted on the property by March 30, 2021. Meeting details have been provided along with the Council Agenda on the City's website.

As of the date of this meeting, staff have received the following comments:

##### **Niagara Region**

- Based on the Phase One Environmental Site Assessment (ESA) submitted with application, the Region is requesting the submission of a Phase Two ESA in accordance with the *Environmental Protection Act*.
- This request can be dealt with through a Holding provision being put on the property or by delaying the Council decision until the materials are submitted to the satisfaction of the Region.

##### **Explanation of Procedure to be Followed**

The procedure to be followed this evening will be to present Planning and Development Department Report 2021-119, hear any comments from the applicant, receive questions of clarification from Council to the applicant or Planning staff, open the meeting to the public for comments and questions and announce the requirements under the *Planning Act* for written notice of passage of the proposed zoning by-law amendment.

## **Presentation of Application for Zoning By-law Amendment**

Mr. Schulz presented the following:

The application for a Zoning By-law Amendment proposes to add the Fourth Density Residential (R4) zoning to a property currently not zoned. Due to the irregular shape of the lot, special provisions are being sought to reduce the front yard setback from 9m to 7m and reduce the rear yard setback from 6m to 3m. The Zoning By-law Amendment is being sought to permit the construction of a multi-unit residential building on the subject property.

## **Comments of Applicant**

The applicant did not provide additional comments.

## **Questions of Clarification to Applicant/Planning Staff**

Councillor Wells asked if there will be any parking on the road. Mr. Schulz responded that parking will be contained on site.

Councillor Kalailieff asked if there were any required parking setbacks from the railway. Mr. Schulz responded no, but there are landscape requirements.

## **Oral Presentations and/or Questions from the Public**

Nil.

## **Announcement Respecting Written Notice of Passage of Zoning By-law Amendment**

Mr. Schulz stated, "if you wish to be notified of the approval of the zoning by-law amendment you must make a written request to the Clerk. Only those persons and public bodies that give the Clerk a written request for the notice of the adoption and passing of a zoning by-law amendment will be given notice."

## **Explanation of Future Meetings**

The proposed Zoning by-law Amendment and recommendation will return to Council at a later date.

## **Adjournment**

Mayor Steele adjourned this Public Hearing at approximately 6:50 p.m.

Moved By Councillor R. Bodner  
Seconded By Councillor M. Bagu

That Planning and Development Department Report 2021-119 be received for information.

Carried

a. **Delegation from Marc Vaillancourt, applicant**

b. **Delegation material from the Niagara Region**

**4.2 Public Meeting Report for Official Plan and Zoning By-law Amendments at Killaly Street East and Welland Street, File D14-05-21, 2021-120**

**Purpose of Meeting**

The purpose of this meeting, pursuant to Section 34 of the *Planning Act*, is to provide Council with information regarding proposed Official Plan and Zoning By-law Amendments initiated by the City of Port Colborne for the lands known as Part of Lot 27 on Concession 2, and Part 1 on Plan 59R-1871, on the northeast corner of Welland Street and Killaly Street East, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 72 Killaly Street East, vacant land on the northside of Killaly Street East and City-owned land on Welland Street.

**Method of Notice**

The Notice of Public Meeting was circulated to required agencies, and property owners within 120m of the lands on March 29, 2021. Meeting details have been provided along with the Council Agenda on the City's website.

As of the date of this meeting, staff have received comments from the following members of the public and commenting agencies:

- Garry Tate – supportive of the proposal
- Melissa Bigford – objects to proposal and will be speaking when the floor is opened to the public
- Letter from neighbours - object to the proposal

### Drainage Superintendent

No concerns with respect to municipal drains. Future ditch maintenance may require the use of the parcel along the city-owned strip on the east side of the lands.

### Niagara Region

In principle, the Region is supportive of the amendments, however Regional staff recommend the City utilize site specific provisions within the LI zone to minimize and mitigate and potential impacts on the adjacent residential area including:

- Limit the permitted uses to Class I industry, to ensure the 20m minimum separation distance can be achieved. Based on our review of the LI zone provisions, Regional staff recommend removing permission for a contractor's yard and motor vehicle repair garage, both of which would generate offsite noise and/or dust impacts;
- Increase the minimum interior side yard abutting a Residential zone provision to 20m, in line with the minimum separation distance recommended by the D6 Guideline;
- Prohibit outdoor storage within the minimum interior side yard abutting a Residential zone to ensure this setback is maintained for all aspects of the use, not just the buildings; and,
- Require that a parking area in the interior side yard abutting a Residential zone also be paved with concrete or asphalt to minimize dust impacts.

### **Explanation of Procedure to be Followed**

The procedure to be followed this evening will be to present Planning and Development Department Report 2021-120, hear any comments from the applicant, receive questions of clarification from Council to the applicant or Planning Staff, open the meeting to the public for comments and questions and announce the requirements under the *Planning Act* for written notice of passage of the proposed zoning by-law amendment.

### **Presentation of Application for Official Plan and Zoning By-law Amendments**

The application for Official Plan Amendment proposes to change the Official Plan designation for these properties from Urban Residential to Industrial/Employment Area. The application for Zoning By-law

Amendment proposes to change the zoning from Residential Development (RD) to Light Industrial (LI).

### **Comments of Applicant**

Mr. Fontaine added that this expansion would allow for a 50,000sqft warehousing building and would see the addition of five more trucks. Working hours would remain the same and the building would be 41ft high.

### **Questions of Clarification to Applicant/Planning Staff**

Councillor Bruno asked if the back of the proposed building would be similar to the Vale Centre. Mr. Fontaine responded yes.

Councillor Bruno asked if the new building would block the old one. Mr. Fontaine responded yes.

Councillor Bruno asked if the applicant would be opposed to planting trees to obstruct the view for neighbors. Mr. Fontaine responded no and added that he intended to plant trees.

### **Oral Presentations and/or Questions from the Public**

Melissa Bigford commented that she was not in favour of the proposal. She added that a residential use would be better suited for this land and questioned if the property could be severed and sold down the road. She also added that there is currently work happening on the City owned parcel of land and that the site plan process should go to Council for public input.

Councillor Kalailieff asked if paving the parking surface would address some of her concerns. Ms. Bigford responded that her concerns are still with the northern parcel of land.

Councillor Bruno asked if anything would need to be done with the City owned parcel. Mr. Schulz responded no; it is part of the Zoning by-law Amendment.

Councillor Desmarais asked if the City would need to clean the property before sale. The CAO responded that a Record of Site Condition is typically required but technically the land could be sold as is.

### **Announcement Respecting Written Notice of Passage of Zoning By-law Amendment**

Mr. Schulz stated, “if you wish to be notified of the approval of the zoning by-law amendment you must make a written request to the Clerk. Only those persons and public bodies that give the Clerk a written request for the notice of the adoption and passing of a zoning by-law amendment will be given notice.”

### **Explanation of Future Meetings**

The proposed Zoning by-law Amendment and recommendation will return to Council at a later date.

### **Adjournment**

Mayor Steele adjourned this Public Hearing at approximately 7:51 p.m.

Moved By Councillor A. Desmarais  
Seconded By Councillor E. Beauregard

That Planning and Development Department Report 2021-120 be received for information.

Carried

- a. **Delegation from Larry and Barb Fontaine, property owners**
- b. **Delegation from Melissa and Mary Bigford, residents**
- c. **Delegation material from Garry Tate, resident**
- d. **Delegation material from the Niagara Region**
- e. **Delegation material from multiple residents**

### **5. Procedural Motions**

### **6. Information Items**

### **7. Adjournment**

Mayor Steele adjourned the meeting at approximately 7:55 p.m.

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William C. Steele, Mayor

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Amber LaPointe, City Clerk