

Melissa Bigford on behalf of Mary Bigford
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April 26, 2021

To: Mayor and Members of Council,

We are writing this letter to inform you that there are still some concerns that have not been addressed in the recommendation Report File No: D09-01-21 & D14-05-21.

The applicant stated that the property is contaminated. Will an Environmental Planning Study be requested? Will the development of the property create contaminated dust and soil run-off into the neighbouring properties?

Environmental Site Assessments are only required when a changing a use to a more sensitive use. Parking areas and stormwater management will be dealt with through the site plan control process. Based on the review of the City owned parcel, it is very possible that migration of contaminants in the ground have migrated.

Is there a demarcation line for contaminants from the City (former Exit Chemical) property to the Residential Property. Will the dust from the trucks be contaminated?

I believe the city has been undergoing testing of this site. The findings of the tests will determine what will be done with the site (fencing, leave as is etc.) Excessive dust is not permitted in the Light Industrial zone. Planning staff can include clauses in the site plan agreement regarding dust mitigation.

Will the trucks now be moved to the Northern end of the property and be abutting these neighbours?

This is more of a question for the developer. However, through the site plan control process, planning staff can ensure that the parking areas are as far south as possible. Further, Council has the ability to restrict the re-zoning/re-designation only to the southern portion to limit the expansion.

Will council consider limiting the extent of the zoning parcel boundaries to the Southern area expansion? There is nothing in place to protect the Northern homeowners on Janet St. from seeing parked transport trucks, the dust and noise they create as the current Southern neighbours have had to endure?

Same as above. Council has the power to make these changes.

The City of Port Colborne Official Plan also states that in Industrial/Employment land buffering is required between industrial/employment area uses and sensitive land uses, such as residential, including but not limited to, increased setbacks, berming, and a high degree of landscaping, screening and fencing.

Will be dealt with through site plan control. Mr. Fontaine is prepared to include the features above as part of his development.

Why is the city parcel of land being considered as part of the required 20m setback?

The D6 guidelines measure from the industrial use to the residential property line. With the zoning and 9m strip of land, there is a 24m separation between the land uses. Including this land as part of the buffer will limit the sprawling of the building further north, and will keep it as far south as possible.

The applicant also stated that the building would be approximately 12.49m (41ft) in height but according to the Zoning By-Law Section 26: Light Industrial Zone the maximum building height abutting a residential neighbourhood is 8 metres (26ft).

This was not originally raised as a change until the day of the Council meeting on April 26th. Mr. Fontaine has indicated that the height is required in order to ensure the building remains on the south portion of the property rather than sprawling further north. If not included as an amendment, the warehouse will need to be longer rather than wider. Note: Height limits in the industrial zones were increased in late 2020, however the abutting a residential zone height was not included as part of that amendment.

In conclusion, I hope council addresses the outstanding issues and concerns stated above before approving the recommendation report and that council direct staff to involve the neighbourhood in preliminary site plan and site plan control.

Sincerely,

Melissa & Mary Bigford