

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

**Date:** Tuesday, November 1, 2022  
**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  
W. Steele, Mayor (presiding officer)  
H. Wells, Councillor

**Member(s) Absent:** F. Danch, Councillor  
A. Desmarais, Councillor  
D. Kalailieff, Councillor

**Staff Present:** S. Tufail, Acting Deputy Clerk (minutes)  
N. Rubli, Acting City Clerk

**1. Call to Order**

Mayor Steele called the meeting to order at approximately 6:35pm.

**2. Adoption of Agenda**

Moved By Councillor H. Wells  
Seconded By Councillor R. Bodner

That the agenda dated November 1, 2022 be confirmed as amended.

Carried

**3. Disclosures of Interest**

Nil.

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

##### **4.1 Public Meeting Report for Proposed Expansion to the Main Street CIP Area - 1 Neff Street, 2022-233**

###### **PURPOSE OF MEETING**

The purpose of this meeting, pursuant to section 28 of the Planning Act, is to consider an application initiated by the City of Port Colborne for the lands known Part of Lot 2 on Plan 762, on the north side of Neff Street, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 1 Neff Street.

The Community Improvement Plan area is proposed to be expanded to include the property at 1 Neff Street, owned by Grandstone Living Inc. The owner requests that the subject property be included in the CIP area in order to be eligible to apply for grants and incentives outlined within the plan.

###### **METHOD OF NOTICE**

Notice of the Public Meeting was administered in accordance with Sections 28 of the Planning Act, as amended, and Ontario Regulations 543/06.

The Notice of Public Meeting was circulated to required agencies and placed in the Niagara This Week newspaper on October 6, 2022. Meeting details have been provided along with the Council Agenda on the City's website.

As of the date of this meeting, no comments from any members of the public or required agencies have been received.

###### **QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT**

Councillor Bruno asked if there is a CIP fee associated with this application and process.

Mr. Schulz answered there are no fees.

Councillor Bruno asked about the boundaries of the CIP area and used the northern parcels as example.

Mr. Schulz explained the lands to the north are Federal owned land and are not included in the CIP area. In the past, 1 Neff Street was part of the rail line and the Federal government before the parcel was deemed a

surplus and was sold. Now the property is in private ownership which is eligible for the CIP area. There are more areas that are under review to be included in the CIP area as the plan progress.

Moved By Councillor M. Bagu

Seconded By Councillor G. Bruno

That Development and Legislative Services Department – Planning Division Report 2022-233 be received for information.

Carried

#### **4.2 Public Meeting Report for Proposed Official Plan and Zoning By-law Amendment at 9 Chestnut Street, Files D09-01-22 & D14-04-21, 2022-234**

##### **PURPOSE OF MEETING**

The purpose of this meeting, pursuant to sections 22 and 34 of the Planning Act, is to consider an application initiated by the City of Port Colborne for the lands known as Lots 504 to 511, on Plan 8, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 9 Chestnut Street (or Chestnut Park).

The Official Plan Amendment proposes to amend the Official Plan to facilitate the proposed development of a public apartment building on the subject lands at an increased density and on a local road notwithstanding Policies 3.2.1 c) i) and ii). The amendment is required to alter the Official Plan policy to permit a density of 148 units per hectare and to permit the building to be located on a local road.

The Zoning By-law Amendment proposes to change the zoning from Public and Park (P) to a special provision of the Fourth Density Residential (R4) zone. The Zoning By-law Amendment is being sought to permit the construction of a residential public apartment building on the subject lands. The proposed special R4 zone will allow a reduction in lot area per unit, a reduction in minimum front yard setback, a reduction in minimum corner side yard setback, an increase to the minimum rear yard setback for separation distance purposes, and a reduction of landscape buffer abutting a residential or Public and Park zone.

##### **METHOD OF NOTICE**

Notice of the Public Meeting was administered in accordance with Sections 22 and 34 of the Planning Act, as amended, and Ontario Regulations 543/06 and 545/06.

The Notice of Public Meeting was circulated to required agencies, and property owners within 120 metres of the lands on October 12, 2022. Meeting details have been provided along with the Council Agenda on the City's website and under "Current Applications".

Staff received a number of comments from members of the public through the January 2021 circulation of the Zoning By-law Amendment. These public comments have been included in the staff report and will be considered through staff's recommendation report.

Updated comments from the Niagara Region have been received in response to the provided Noise Impact Study and Planning Justification Report.

#### Niagara Region Comments

Regional Planning and Development Services staff is satisfied that the proposed Official Plan Amendment and Zoning By-law Amendment applications are consistent with the Provincial Policy Statement and conform to the Growth Plan and Regional Official Plan, subject to the above comments. The proposal will facilitate the construction of an affordable housing project, which the Region strongly supports.

#### **QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT**

Councillor Bodner asked if the listed requests are in relation to this application.

Mr. Schulz explained some of the minor variance requests proposed to be worked under the amendment brought to Council. This is to better facilitate the development process.

Councillor Beauregard asked if the site plan could be provided in a separate document for closer review.

Mr. Schulz agreed to include the site plan in a separate appendix in the recommendation report.

Councillor Bruno explained the City hired a consultant to provide an affordable housing strategy report. He asked if this application was made before this report.

Mr. Schulz answered yes.

Councillor Bruno has concerns with all the effort the applicant has put in, the Region may oppose despite the local municipal's approval. As a result, could this be appealed?

Mr. Schulz explained the Region is a commenting agent on the City's proposal. If the Region opposes to the Council's decision, it is possible to be appealed.

Councillor Wells mentioned there are other suitable properties to be included in the CIP area. Has these properties been identified to be reviewed?

Mr. Long explained City Staff are working on properties to be declared a surplus in the new year, however no properties at this moment.

Councillor Bagu suggested alteration of processes to reduce time and financial resources spent on studies.

Moved By Councillor E. Beauregard

Seconded By Councillor R. Bodner

That Development and Legislative Services – Planning Division Report 2022-234 be received for information.

Carried

**a. Delegation from Melissa Bigford, resident**

Melissa Bigford is resident of 173 Chippawa Road. Ms. Bigford opposes to the proposal and expresses their concerns.

- Disagrees in converting public and park spaces to residential.
- The land is not large enough to support the proposal as the land has returned to Council for further amendments.
- Has concerns the proposal are not conforming to the D6 guidelines.
- Has concerns of the noise and vibration report provided by the Region. A terminal operator is located on Barber Drive which has increased traffic in the area causing ongoing issues in the surrounding neighbourhood.

- Questioned if phase one and two environmental assessments, geotechnical investigation, and a memorandum of understanding between the City and Port Cares have been completed and to provide the documents for public view.
- Has concerns regarding the landscape design and buffers.
- Has concerns that public notices were not shared on all platforms to inform the public.

**b. Delegation material from Barb deGuerre, resident**

**c. Delegation from Lee Matheson, resident**

Resident of 307 Clark Street in Port Colborne.

- Has concerns on the adverse affects of affordable housing units in their neighbourhood.
- Concerns regarding neighbourhood housing values after development.

**5. Procedural Motions**

**6. Information Items**

**7. Adjournment**

Mayor Steele adjourned the meeting at approximately 7:10pm.

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William C. Steele, Mayor

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Nicole Rubli, Acting City Clerk