



Memorandum

To: Mayor Steele and Members of Council
From: David Schulz, Planner
Date: May 10, 2021
Re: Revised Recommendation for Report 2021-136, OPA and ZBA for Killaly Street East and Welland Street, File No.: D09-01-21 & D14-05-21

At its meeting on Monday, April 26, 2021, City Council deferred Planning and Development Report 2021-136 regarding an application for Official Plan and Zoning By-law Amendment 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.

Prior to the meeting on April 26, 2021, staff received a request from Larry Fontaine for Council's consideration to increase the height permitted in the zoning of the property from 8m to 14.5m when a property is abutting a residential zone. Staff has reviewed the request and would like to note the following to City Council:

- An increase in height will limit the sprawling of the building footprint. Permitting an increase in height will ensure the building remains in southern area, as proposed, rather than stretching further north on the property.
- The setback from the building to the residential property lines on Janet Street will be 24m (78 feet)

Staff has reviewed the request from Mr. Fontaine and are supportive of the height increase. Further, staff has discussed with the Niagara Region regarding the removal of a "Transportation Depot" as a permitted use. Regional Planning staff are supportive of this removal. The By-law included in the Council agenda has been revised to reflect the updated staff recommendation.

I am requesting that Council consider the updated recommendation below:

That Planning and Development Department Report 2021-136 be received; and

That the Official Plan Amendment attached as Appendix A to Planning and Development Report 2021-136 be approved; and

That the Zoning By-law Amendment attached as Appendix B to Planning and Development Report 2021-136 be approved, as amended, further removing a Transportation Depot as a permitted use and increasing the permitted height from 8m to 14.5m; and

That Planning staff be directed to circulate the Notice of Adoption and Passing in accordance with the Planning Act.

Thank you for your consideration,

David Schulz

Planner

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