

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

**Date:** Tuesday, April 11, 2023  
**Time:** 6:30 pm  
**Location:** Council Chambers, 3rd Floor, City Hall  
66 Charlotte Street, Port Colborne

**Members Present:** M. Aquilina, Councillor  
M. Bagu, Councillor  
E. Beauregard, Councillor  
R. Bodner, Councillor  
G. Bruno, Councillor  
F. Danch, Councillor  
D. Elliott, Councillor  
T. Hoyle, Councillor  
W. Steele, Mayor (presiding officer)

**Staff Present:** C. Madden, Acting City Clerk  
S. Luey, Chief Administrative Officer  
S. Tufail, Acting Deputy Clerk (minutes)

**1. Call to Order**

Mayor Steele called the meeting to order at 6:31 p.m.

**2. Adoption of Agenda**

Moved By Councillor R. Bodner  
Seconded By Councillor T. Hoyle

That the agenda dated April 11, 2023, be confirmed as amended.

Carried

**3. Disclosures of Interest**

There were no disclosures of interest at this time.

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

##### **4.1 Public Meeting Report for Proposed Zoning By-law Amendment D14-01-23, 2023-71**

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

The purpose of this meeting, pursuant to section 34 of the Planning Act, is to consider a Zoning By-law Amendment application submitted by the applicant Susan Smyth of The Quartek Group on behalf of the Talia Dosa, Tisiana Recine, Salvatore (Bruno) Carrera for the lands known as Concession 2 Part of Lot 25, on the south side of Chippawa Road, formerly in the Township of Humberstone, now in the City of Port Colborne, within the Regional Municipality of Niagara.

The Zoning By-law Amendment proposes to change the zoning of the subject lands from Residential Development (RD) to a site-specific Third Density Residential zone (R3-XX).

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

Notice of the Public Meeting was administered in accordance with Section 34 of the Planning Act, as amended, and Ontario Regulation 545/06.

Notice of Public Meeting was circulated on March 22, 2023, to internal departments and agencies. Notice was also circulated via regular mail to property owners within 120m. Meeting details have been provided along with the Council Agenda on the City's website and under "Current Applications".

As of the date of this meeting, staff has received comments from the following commenting departments/agencies:

The Drainage Superintendent had objection to the proposed application at this time.

Canadian Niagara Power had no objection to the proposed application but mentioned that hydro poles are located along Highway 140 and Chippawa Road.

Enbridge had no objection to the proposed application; however, Enbridge reserves the right to amend or remove development conditions.

Formalized fulsome comments from the Niagara Region, and Engineering staff are forthcoming and will be included in the future recommendation report.

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

Councillor Bagu asked whether the main access from Chippawa Road would be the only access to the property.

The applicant confirmed that the Chippawa Road access would be the sole access to the property, adding that they had explored adding an emergency access via Berkley Avenue, but they determined that the secondary access was not necessary due to the sprinklers and fire hydrants located on the property.

Councillor Bruno asked whether the condominium corporation would be responsible for maintaining the private roads and servicing in the proposed development.

The applicant confirmed that the condominium corporation would be responsible for long-term maintenance of the private roads and servicing of the development.

Councillor Beauregard noted that bedrock is presently close to the top layer of soil, which often poses challenges with respect to grading and servicing, then asked if there are any preliminary designs which address these challenges.

The applicant stated that their conceptual designs can be found in the Functional Servicing Report which were submitted as part of their application, then confirms that their geotechnical study found that sump pumps and weeping tiles were sufficient to address concerns regarding the depth of the bedrock.

Councillor Hoyle asked whether the applicant has considered adding any additional green space.

The applicant confirmed that there will be green space with seating available, depicted in the proposed site plan as the white spaces between dwellings. Though these will not likely include parkettes, options such as a walking trail near the stormwater management pond will be explored during the site plan phase.

Councillor Elliott asked what the current required lot frontage is for the proposed lots, and whether there is a request to reduce this lot frontage requirement.

The applicant confirmed the lot frontage requirements and that there is no request to reduce the lot frontages.

Councillor Bruno asked whether the queueing of traffic towards Highway 140 and the potential blockage of the exit was considered.

The applicant stated that their transportation and traffic consultant will need to be consulted to confirm whether queueing traffic and blocking of the exit were considered.

Councillor Beauregard noted residents' concerns regarding Pit 1 of the quarry, asking whether the Ministry had been circulated on the potential development.

Mr. Roome stated that no formal comments have been received from the Ministry at this time, however those comments will be included in the recommendation report.

Councillor Beauregard asked whether a landscape berm or a more aesthetically pleasing buffer could be used to help with noise impact, instead of the proposed fence.

The applicant confirms that acoustic fencing and additional landscaping could be considered to provide a more aesthetically pleasing way to reduce noise impact, noting that the 14m separation from Highway 140 required by the Ministry of Transportation would need to be accounted for in these discussions.

Moved By Councillor E. Beauregard  
Seconded By Councillor T. Hoyle

That Development and Legislative Services Department Report 2023-71 be received for information.

Carried

**a. Delegation from Harry Wells, resident**

Expressed concern regarding the land use compatibility and proximity of the quarry and the proposed development, the use of a fence as a buffer between the quarry and proposed development, and the lack of rehabilitation at Pit 1 within the quarry, then noted his belief that the proposed development conflicts with the Strategic Plan, and that Pit 1 of the quarry should be rehabilitated before approving the development.

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

Expressed concern regarding the reduced setback from Highway 140, and the road allowance width, traffic, speeding, car accidents, proposed left-hand turning lanes, ingress/egress of emergency vehicles, and pedestrian safety near/on Chippawa Road, noting that more recent traffic reports indicate that local traffic has increased from the time of the traffic study that was submitted as part of the application and that the submitted traffic study did not account for the increase in traffic from summer tourism. Further concerns were expressed regarding not installing monitoring wells if basements are proposed to be constructed, adding that the development would be at risk of hitting bedrock and thus require blasting, which would cause noise and vibration for neighbouring properties—and, should fill be required, the fill may not be clean and may lead to grading issues. Concern was also expressed regarding whether existing water and wastewater networks would be able to handle the proposed development, and whether the stormwater management pond would sufficiently service the development.

**c. Delegation from Donna Norman, resident**

Expressed concern regarding traffic and pedestrian safety due to speeding on Chippawa Road and the lack of parkland in the proposed development, adding that most green space in the proposed development would be private yards, which she believes would not qualify the development as a sufficient area to raise a family in.

**d. Delegation from Roseann Shields, resident**

Expressed concern regarding the traffic report being based on a simulation without measuring actual traffic on Chippawa Road, dangerous driving along Chippawa Road, the increased traffic, the queuing of traffic at the stop sign on Chippawa Road, the proximity of bedrock to the surface as indicated in the geotechnical report, the construction process potentially causing poorer drainage and property damage, and the impact of blasting bedrock on neighbouring residents.

**e. Delegation from Chris McLain, resident**

Expressed concern regarding the lack of monitoring wells installed, the lack of rock pouring done, potential flooding and water issues in

the area, a raised water table leading to flooding and drainage issues for surrounding properties, the stormwater management plan, and the increased traffic which may result from the proposed development.

- f. **Written Delegation material from Thijs Dekker, resident**
- g. **Written Delegation material from a resident**
- h. **Written Delegation material from Chris MacLean**

**5. Procedural Motions**

Nil.

**6. Information Items**

Nil.

**7. Adjournment**

Mayor Steele adjourned the meeting at approximately 7:42 p.m.

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William C. Steele, Mayor

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Charlotte Madden, Acting City Clerk