

City of Port Colborne Public Meeting Minutes

Date: Tuesday, February 16, 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
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

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

1. Call to Order

2. Adoption of Agenda

Moved By Councillor E. Beauregard
Seconded By Councillor M. Bagu

That the agenda dated February 16, 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 at 3288 Second Concession, File D14-02-21, 2021-44

Purpose of Meeting

The purpose of this meeting, pursuant to section 34 of the Planning Act, is to consider an application submitted by agent Julian Renaud on behalf of the owners Andy and Dorothy Veenstra for the lands legally known as Part of Lots 11 and 12, Concession 3, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 3288 Second Concession.

The application for Zoning By-law Amendment proposes to change the zoning from Agricultural to Agricultural Purposes Only and Agricultural Residential. The Zoning By-law Amendment is being sought to satisfy a condition of a farm consolidation severance under consent application B01-21-PC.

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 120 metres of the property on January 26, 2021. Public notice signs were also posted on the property by January 27, 2021. Meeting details have been provided along with the Council Agenda on the City's website.

As of the date of this meeting, staff has not received any written comments from members of the public.

Niagara Region

In accordance with Section 3.3.4 of the Memorandum of Understanding between the Region and the local municipalities, Zoning By-law Amendment applications for Agricultural Purposes Only, required as a condition of consent, are exempt from Regional review. The application was required as a condition of consent application B01-21-PC therefore, this file is exempt from our review.

Explanation of Procedure to be Followed

Mr. Schulz advised that the procedure to be followed this evening would be to present Department of Planning and Development Report 2021-44

and read any correspondence received from circulated agencies and the public.

Presentation of Application for Zoning By-law Amendment

Mr. Schulz presented the following:

The application for Zoning By-law Amendment proposes to change the zoning to Agricultural Purposes Only and Agricultural Residential. Agricultural Purposes Only permits agricultural uses, conservation uses, and uses, structures and buildings accessory thereto including greenhouses. The Agricultural Residential zone, permits dwelling, detached and uses, structures and buildings accessory thereto.

Comments of Applicant

Mr. Renaud confirmed that the amendment was being sought as a condition of consent application B01-21-PC.

Questions of Clarification to Applicant/Planning Staff

None.

Oral Presentations and/or Questions from the Public

None.

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 report will return to Council at a later date.

Adjournment

Mayor Steele adjourned this Public Hearing at approximately 6:45 p.m.

Moved By Councillor R. Bodner

Seconded By Councillor A. Desmarais

That Planning and Development Department Report 2021-44 be received for information.

Carried

a. Delegation from Julian Renaud and Brian Lambie, applicants

4.2 Public Meeting Report for Proposed Zoning By-law Amendment at 836 Lorraine Road, File D14-01-21, 2021-43

Purpose of Meeting

The application for Zoning By-law Amendment proposes change the zoning on a portion of the property from Agricultural (A) to A-59, a special provision of the A zone that will permit a Landscaping Establishment on the property as a secondary use to the main agricultural use.

Method of Notice

The Notice of Public Meeting was circulated to required agencies, and property owners within 120 metres of the property on January 27, 2021. A Public notice sign was also posted on the property by January 27, 2021. Meeting details have been provided along with the Council Agenda on the City's website.

Explanation of Procedure to be Followed

Mr. Schulz advised that the procedure to be followed this evening would be to present Department of Planning and Development Report 2021-43 and read any correspondence received from circulated agencies and the public.

Presentation of Application for Zoning By-law Amendment

Mr. Schulz presented the following:

The application for Zoning By-law Amendment proposes change the zoning on a portion of the property from Agricultural (A) to A-59, a special provision of the A zone that will permit a Landscaping Establishment on the property as a secondary use to the main agricultural use.

Comments of Applicant

The applicant agent was not in attendance at this time.

Questions of Clarification to Applicant/Planning Staff

Councillor Wells asked for an explanation of the secondary uses.

Mr. Schulz responded that provincial policies permit on farm diversified uses and they are considered secondary in this case.

Oral Presentations and/or Questions from the Public

The applicant's agent joined at this time.

Sandy McIsaac stated that he believes there are other businesses being run on the property. He also had concerns over reduced lack of privacy, noise, property values and garbage.

Councillor Bagu asked if the berm ran the entire length of the property.

Mr. McIsaac responded no.

Councillor Bruno asked if this property could be subject to Site Plan Control.

Mr. Schulz responded that it could be implemented in the future.

Steven Rivers added that Site Plan Control could be used. He also added that there are no proposed changes to the property and that it meets the application meets the intent of the Growth Plan, Regional Official Plan and City Official Plan. Land values are not a planning issue.

Councillor Bagu asked if the aerial images were up to date.

Mr. Rivers replied that Mr. McIsaac's house is new and does not show up on current image databases.

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 report will return to Council at a later date.

Adjournment

Mayor Steele adjourned this Public Hearing at approximately 7:15 p.m.

Moved By Councillor H. Wells

Seconded By Councillor F. Danch

That Planning and Development Department Report 2021-43 be received for information.

Carried

- a. Delegation from Steven Rivers and Chad Peterson, applicants**
- b. Delegation from Josh McDougall**
- c. Delegation from Sandy McIsaac, resident**
- d. Correspondence from Neighbouring Properties - Submitted by the Applicant**

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

Luke and Monica Nieuwland – 806 and 501 Lorraine Road

Fully support the proposal and do not have any issues with the property.

Lou and Maribeth Nieuwland – 501 Lorraine Road/ 631 Lorraine Road

No objections to the proposal.

Bill and Liana Grist and Family – 861 Lorraine Road

Support the proposal and the use of the property.

Allert VanKralingen - 773 Lorraine Road

Supports the proposal.

Chris Pace – 950 Lorraine Road

No concerns with the proposal.

Dave Bankert (Lakeeffect Farms) – 650 Lorraine Road/856 Weaver Road

Farms the agricultural lands on the property. No issues with the proposal.

Jason Bodner and Kaitlyn Richardson – 916 Lakeshore Road East

No problems with the proposal.

4.3 Public Meeting Report for Proposed Zoning By-law Amendment for Lot 226, Plan 789, on Colborne Street, File D14-03-21, 2021-45

Purpose of Meeting

The application for Zoning By-law Amendment proposes to change the zoning from Second Density Residential (R2) to R3-58, a special provision of the Third Density Residential zone that will request an increase in parking area width, a reduction in minimum lot area per unit and recognize the existing lot frontage. The Zoning By-law Amendment is being sought to permit the construction of a fourplex on the subject property.

Method of Notice

The Notice of Public Meeting was circulated to required agencies, and property owners within 120 metres of the property on January 25, 2021. A Public notice sign was also posted on the property by January 27, 2021. Meeting details have been provided along with the Council Agenda on the City's website.

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

Ashlee Reece – 90 Colborne Street

Does not support a fourplex on the street. The build will not fit in with the neighbourhood. Concerns about property values in the area, should this amendment be approved.

Cathy Tweedy (no address provided)

Concerns with the parking at the proposed fourplex. Not in support of the fourplex.

Explanation of Procedure to be Followed

Mr. Schulz advised that the procedure to be followed this evening would be to present Department of Planning and Development Report 2021-45 and read any correspondence received from circulated agencies and the public.

Presentation of Application for Zoning By-law Amendment

Mr. Schulz presented the following:

The subject property is zoned Second Density Residential (R2). The R2 zone permits detached, semi-detached and duplex dwellings and uses, structures and buildings accessory thereto. The application for Zoning By-law Amendment proposes to change the zoning of the property from R2 to R3-58, a special provision of the Third Density Residential (R3) zone. The R3 zone permits detached, semi-detached, duplex, triplex, and fourplex dwellings; block and street townhouses; and uses structures and buildings accessory thereto. The special provision has been requested to permit a fourplex on the property as well as a reduction in lot frontage, minimum lot area per unit and an increase in maximum parking area width.

Comments of Applicant

Ali Vaidya added that the building will match the look of the neighbourhood.

Questions of Clarification to Applicant/Planning Staff

Councillor Beauregard asked how the design will match the rest of the neighbourhood.

Mr. Vaidya responded that the entire neighbourhood would be surveyed.

Councillor Danch questioned how a fourplex would fit on the lot.

Councillor Bruno asked if there was a model of the proposed building and they will be seeking any relief from the by-law.

Mr. Vaidya responded that they have a model and that they would try to stay within the provisions of the by-law.

Mayor Steele asked if a duplex would be permitted on the property.

Mr. Schulz responded that it would.

Councillor Beauregard asked how the property would be maintained.

Mr. Vaidya responded that they would hire a private contractor.

Councillor Desmarais asked if any conversations had been had with the neighbours.

Mr. Vaidya responded that they were informed of the design of the building.

Councillor Bagu asked when construction would be completed.

My Vaidya responded that they wish to complete the build ASAP.

Councillor Bagu asked if they would be able to apply for a variance for another unit if they settled for a three-plex.

Mr. Schulz responded that the ZBA could be worded to not allow for that.

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 report will return to Council at a later date.

Adjournment

Mayor Steele adjourned this Public Hearing at approximately 7:50 p.m.

Moved By Councillor D. Kalailieff

Seconded By Councillor G. Bruno

That Planning and Development Department Report 2021-45 be received for information.

Carried

a. Delegation from Ali Vaidya, applicant

b. Delegation from Ashlee Reece, resident

Ms. Reece stated that most of her concerns had been covered but was never informed from Mr. Vaidya that the building would be a four-plex. She also had concerns regarding privacy.

Councillor Bruno asked what the height restrictions are.

Mr. Schulz responded that they are 11m for buildings with 4 or less units.

c. Delegation material from Cathy Tweedy, resident

4.4 Public Meeting Report for Proposed Zoning By-law Amendment for 9 Chestnut Street (Chestnut Park), File D14-04-21, 2021-46

Purpose of Meeting

The purpose of this meeting, pursuant to 34 of the Planning Act, is to consider an application initiated by the City of Port Colborne for the lands legally 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.

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 120 metres of the property on January 26, 2021. A Public notice sign was also posted on the property by January 27, 2021. Meeting details have been provided along with the Council Agenda on the City's website.

As of the date of this meeting, staff has received comments from the following members of the public:

Scott and Lee Mathieson: Not in support of the proposed amendment. They have concerns with the proposed new location of the park and the impact on property values.

Barbara deGuerre: Does not support the proposed amendment. Ms. DeGeurre has concerns over the lack of services that would be available to the new tenants and the lack of accessibility.

Irene L: Does not support the proposed amendment. Irene has concerns over noise, traffic and the overall appeal of the neighbourhood.

M. Berry: Has concerns over the property values of surrounding houses and does not want the park to be relocated.

RB McGinnis: Does not want the park to be relocated. Has concerns over the parking in the area.

David and Jenny Beck: Do not support the proposed amendment and do not want the park to be relocated.

Ryan Dyck: Has concerns over the success of the proposed housing project, new park and the surrounding neighbourhood.

Alexandra Taylor: Has concerns over the safety of the neighbourhood after the building has been constructed. Also believes there are not enough amenities for the target demographic.

Rudy Sukkel: Has concerns over crime, waste, property maintenance and property values. Says that money should be put into upgrading the neighbourhood.

Mirella Meneguzzo: Has concerns over safety after the proposed project is built.

Sylvia Sukkel: Has issues with garbage and property maintenance. Would like to see the development take place somewhere else.

Jack and Cathy Roseboom: Have concerns over the lack of amenities and transportation for the people living in the proposed building. Would prefer if the project was located in a different area.

Michelle Turcotte: Is concerned about traffic, crime, the fit for the neighbourhood, property values and mental health. Would like to see the park remain in the location it is.

Tony Pruyn: Is concerned with the size of the proposed building and would not be opposed to development that matches the density of the neighbourhood.

Irma Comazzolo: Does not believe that social housing is the right fit for the neighbourhood. Also has concerns over the decrease in property values, increase in traffic, more crime and danger to young children. Irma also says that this location is not close enough to amenities.

Jacques and Olga Lieber: They do not want to see the park removed from its current location. They want the outdoor space to be saved for children to play for physical and mental health purposes.

Patti and Martin Fitzgerald: Do not want the park to be removed. They would like to see the housing project placed on a vacant lot, instead of taking away an existing park.

Bethany Moore: Has concerns over the new location of the park. Bethany says that parks should be visible to the public and easily accessible. She worries about the safety of the new location and is worried that her property is at risk without a fence.

Gino Castagna: Does not want the park to be replaced by housing and has an issue with not being notified when the City sold the land. Does not like the proposed location of the new park.

Matthew deGuerre: Does not want the park to be removed and believes that there are not enough amenities for a housing project. Believes that infrastructure should be upgraded in the area before more units are added. Also has concerns over why the land was sold without public notice.

Andrew Herron: Wants the zoning to remain the way it is. Worries that a social housing project will disturb the quiet and safe nature of the neighbourhood. Does not think that the proposed location is close enough to amenities.

Joseph DiGregorio and Catarina Buri: Has concerns over noise, safety and traffic. Believes the park should remain where it is and would like to see this housing project in a different location.

Jennefer Driver: Does not support the rezoning and has concerns over the relocation of the park.

Maybeth Szilagyi: Wants to know if the residents have any say in what happens in the neighbourhood. Would like to see the proposed housing units on a vacant lot, rather than relocating the park.

Sam Tavano: Has concerns over the look of the building in the neighbourhood and Council agreeing to sell the property behind closed doors.

Amy and Steven Forte: Believes that the park should not be removed. The new location is unsafe for children and women. Believes that property values will be affected. Has concerns over lack of transparency and believes the public doesn't have a voice.

Jim Turnbull: Believes affordable housing should be located closer to amenities, which are not available in this area.

Mona and Roland Breton: Is opposed to relocating the park because there are not enough parks in the area and does not want children to have to cross a busy street to get to the park.

Penny Turnbull: Is opposed to the removal of the park. Is worried that the proposed development will block the view of the boats. Believes that affordable housing should be located closer to amenities.

Donna Hale: Has concerns over the increase in traffic and would like to know if a traffic study has been conducted and believes that an increase in traffic will reduce safety.

Gayle Pulak: Does not support an apartment building in the neighbourhood as the park is meant for children.

Rick Lascelles: Has concerns over safety, increase in crime, property values, loss of park facilities and the logistics of this development in the neighbourhood. Believes that there are more suitable locations in the city for this development.

Shari Patterson: Has concerns over the target demographic and parking. Would prefer the target demographic be focused on seniors.

Emmanuel Boudreau: Would like the housing units to be located somewhere else and believes that there are better vacant lots in town.

Jessica Nuxoll: Has concerns over the increase in crime rates. Believes that the public should have been consulted in the sale of the property.

Kimberly and Justin LeBlanc: Has concerns over the lack of amenities in the area for this development and concerns over the new location of the park.

Explanation of Procedure to be Followed

Mr. Schulz advised that the procedure to be followed this evening would be to present Department of Planning and Development Report 2021-46 and read any correspondence received from circulated agencies and the public.

Presentation of Application for Zoning By-law Amendment

Mr. Schulz presented the following.

The subject parcel is zoned Public and Park (P). The P zone permits a cemetery; community garden; conservation use; cultural facility; food vehicle; park; public use; recreation uses; and uses, structures and buildings accessory thereto.

The Zoning By-law Amendment proposes to change the zoning of the property from Public and Park to R4-60, a special provision of the R4 zone. The R4 zone permits detached, semi-detached, triplex, fourplex dwellings; block and street townhouse dwellings; apartment buildings;

public apartment buildings; and uses, structures and buildings accessory thereto.

Comments of Applicant

Gary Long and Christine Clark Lafleur made additional comments regarding the target demographic and the need for affordable housing.

Questions of Clarifications to Applicant/Planning Staff

Councillor Desmarais asked about the target demographic.

Ms. Lafleur responded that the target population was seniors.

Councillor Desmarais asked how the public can be more involved.

Ms. Lafleur responded that they will be working closely with the planning department to ensure that any issues raised by the community are addressed and there will be a Community Advisory Committee.

Councillor Kalailieff asked if they would be targeting local seniors.

Ms. Lafleur responded yes they would be targeting locals.

Councillor Kalailieff asked if they would consider a mixed use.

Ms. Lafleur responded that it depends on the funding they receive.

Councillor Bruno asked if the funding will affect the build quality.

Ms. Lafleur said that the intent is to build sustainable and that nothing has been drafted yet but it will fit the neighborhood.

Councillor Bruno asked what the application process for residency looks like.

Ms. Lafleur responded that age will be a factor and it could come down to income or a lottery process.

Councillor Bodner asked if the building can be changed in the future.

Ms. Lafleur responded that it depends on the needs of the future but if Port Cares remains the owner they are obligated to look after the building.

Councillor Bodner asked how quickly this will rollout.

Ms. Lafleur responded that nothing will happen with the park until the due diligence is done. Scott Luey added that it depends on the funding as well.

Councillor Bagu asked if resident will have an input in Lockview Park.

Mr. Long responded that the public will be engaged.

Oral Presentations and/or Questions from the Public

Planning Staff will respond to public inquiries at a later date.

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 report will return to Council at a later date.

Adjournment

Mayor Steele adjourned this Public Hearing at approximately 10:28 p.m.

Moved By Councillor A. Desmarais

Seconded By Councillor D. Kalailieff

That Planning and Development Department Report 2021-46 be received for information.

Carried

a. Delegation from Christine Clark Lafleur, Executive Director, Port Cares

b. Delegation from Penny Butler, resident

Penny Butler expressed concerns over accessibility and parking.

c. Delegation from Melissa Bigford, resident

Melissa Bigford indicated that she does not want the City to sell off parkland and gave history of the park. Stated that the proposal contradicts the procedures of the Parks and Recreation plan and does not believe there are enough parks on the east side.

d. Delegation from Jessica Nuxoll, resident

Jessica Nuxoll expressed concerns over property values and an increase in crime in the area.

e. Delegation from Shari Patterson, resident

Shari Patterson expressed concerns about the location of the building. She indicated that it should be reflective of the community and believes that the height will be too high and not fit the character of the neighborhood. Also believes that traffic and parking will be an issue.

f. Delegation from Barbara deGuerre, resident

Barbara deGuerre expressed concerns with how it will impact the area, accessibility and the decrease of property values.

g. Delegation from Penny Turnbull, resident

Penny Turnbull expressed concerns with infrastructure and believes that money needs to be spent on upgrading the infrastructure of the area first. Believes that the building will be too tall and is not in an ideal location.

h. Delegation from Amy and Steve Forte, residents

Amy and Steve Forte expressed safety and property value concerns. They indicated that they do not believe that it will spur economic growth in the area and feels that the proposal is being rushed. They do not feel like there is any transparency between the City and the public.

i. Delegation from MayBeth Szilagyi, resident

j. Delegation from Jennefer Driver, resident

Jennefer Driver indicated that this location is not suitable for this development. She expressed that she does not want the park to be relocated and believes that this is not an accessible location for seniors.

k. Delegation from Matthew deGuerre, resident

l. Delegation from Bethany Moore, resident

Bethany Moore expressed concerns for the new park. Believes that it will be too closed off and will lead to bad behaviour and safety concerns.

m. Delegation from Patti and Martin Fitzgerald, residents

n. Delegation from Tony Pruyn, resident

o. Delegation from Michelle Turcotte, resident

Michelle Turcotte expressed traffic and safety concerns. Believes that there will be an increase in crime and that property values will be affected. She also believes that these issues will lead to mental health problems for the neighbors.

p. Delegation from Alexandra Taylor, resident

Alexandra Taylor expressed concerns over the safety, accessibility and traffic. Believes that the area will be too busy now and is concerned about the transparency between the City and the public.

q. Delegation from Ryan Dyck, resident

Ryan Dyck indicated that this is a growing community because of its affordability and location to a highway but has concerns over accessibility for seniors and the proposed location.

r. Delegation material from Kimberly and Justin LeBlanc, residents

s. Delegation material from Emmanuel Boudreau, resident

t. Delegation material from Rick Lascelles, resident

u. Delegation material from Gayle Pulak, resident

v. Delegation material from Donna Hale, resident

w. Delegation material from Mona and Roland Breton, residents

x. Delegation material from Jim Turnbull, resident

y. Delegation material from the Tavano family, residents

z. Delegation material from Josephine DiGregorio and Catarina Buri, residents

aa. Delegation material from Andrew Herron, resident

ab. Delegation material from Gino Castagna

ac. Delegation material from Jacques and Olga Lieber, residents

ad. Delegation material from Irma Comazzolo, resident

- ae. Delegation material from Jack and Cathy Roseboom, residents
- af. Delegation material from Sylvia Sukkel, resident
- ag. Delegation material from Mirella Meneguzzo, resident
- ah. Delegation material from Rudy Sukkel, resident
- ai. Delegation material from David and Jennie Beck, residents
- aj. Delegation material from Mary Bigford, resident
- ak. Delegation material from RB McGinnis, resident
- al. Delegation material from M. Berry, resident
- am. Delegation material from Irene L., resident

5. Procedural Motions

6. Information Items

7. Adjournment

Mayor Steele adjourned the meeting at approximately 10:30 p.m.

William C. Steele, Mayor

Amber LaPointe, City Clerk