



City of Port Colborne
Regular Meeting of Committee of the Whole 16-18
Monday, July 23, 2018 – 6:30 p.m.
Council Chambers, 3rd Floor, 66 Charlotte Street

Agenda

1. **Call to Order:** Mayor John Maloney
2. **National Anthem:** Joel Longfellow
3. **Introduction of Addendum and Delegation Items:**
4. **Confirmation of Agenda:**
5. **Disclosures of Interest:**
6. **Adoption of Minutes:**
 - (a) Regular meeting of Committee of the Whole 15-18, held on July 9, 2018.
7. **Determination of Items Requiring Separate Discussion:**
8. **Approval of Items Not Requiring Separate Discussion:**
9. **Presentations:**

Nil.
10. **Delegations (10 Minutes Maximum):**
 - (a) Cynthia B. Skinner, Member of The Friends of Port Colborne Lighthouses regarding a proclamation request for International Lighthouse Day, August 7, 2018 (Page No. 5 and Correspondence Item No. 5)
 - (b) Dianna M. Carle regarding a request for an exemption to By-law 1117/64/81, Section 3.2.2 for 1056 Steele Street to Allow for a Second Curb/Driveway Cut (Page No. 9)
11. **Mayor's Report:**
12. **Regional Councillor's Report:**
13. **Councillors' Items:**
 - (a) Councillors' Issues/Enquiries
 - (b) Staff Responses to Previous Councillors' Enquiries
14. **Consideration of Items Requiring Separate Discussion:**
15. **Notice of Motion:**

16. Adjournment:**Upcoming Committee of the Whole and Council Meetings**

Monday, August 13, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, August 27, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, September 10, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, September 24, 2018	Committee of the Whole/Council – 6:30 P.M.

Note: If not otherwise attached to the staff report, by-laws are published and available for review under the "Consideration of By-laws" section of the Council agenda.

Committee Items:

Notes	Item	Description / Recommendation	Page
JDM BB RB AD FD YD DE BK JM	1.	<p>Planning and Development Department, Planning Division, Report 2018-105, Subject: Recommendation Report for Official Plan Amendment D09-01-18 & Zoning By-law Amendment D14-02-18, n/s Killaly Street West</p> <p>That the Official Plan Amendment attached to Planning and Development Department, Planning Division Report 2018-105 as Appendix A be approved, adding a special policy to the Highway Commercial designation to support the use of warehousing on the property.</p> <p>That the Zoning By-law Amendment attached to Planning and Development Department, Planning Division Report 2018-105 as Appendix B be approved, rezoning the land from "HC – Highway Commercial" to "HC-48".</p> <p>That staff be directed to prepare the Notice of Passing in accordance with the <i>Planning Act</i> and circulate to all applicable parties.</p>	17
JDM BB RB AD FD YD DE BK JM	2.	<p>Engineering and Operations Department, Engineering Division, Report 2018-103, Subject: Wignell, Michener, Port Colborne and Beaverdam Municipal Drains Engineer Appointment</p> <p>That the appointment of Paul Smeltzer P. Eng. of AMEC(FW) be rescinded as per Section 39(2) Chapter D.17 of the <i>Drainage Act R.S.O. 1990</i>; and</p> <p>That Paul Marsh P. Eng. of EWA Engineers Inc. be appointed under Section 78(1) Chapter D.17 of the <i>Drainage Act R.S.O. 1990</i>, and that this appointment become effective once the conditions of Section 78(2) have been met; and</p> <p>That staff be authorized to execute a petition under Section 4 Chapter D.17 of the <i>Drainage Act R.S.O. 1990</i> to initiate/incorporate any new works related to municipal roads and/or property; and</p> <p>That Paul Marsh P. Eng. of EWA Engineers Inc., be appointed under Section 8 Chapter D.17 of the <i>Drainage Act R.S.O. 1990</i> for the new works contemplated and any additional petitions under Section 4, related to the Wignell, Michener Port Colborne and Beaver Dam Drains, that may come forward during the Drainage Act process; and</p> <p>That the Mayor and Clerk be authorized to sign the requisite Engineering Services Agreement for the preparation of new engineer(s) reports for the Wignell, Michener, Port Colborne and Beaverdam Municipal Drains.</p>	47

Note: If not otherwise attached to the staff report, by-laws are published and available for review under the "Consideration of By-laws" section of the Council agenda.

JDM	BB	RB	3.	Corporate Services Department, Clerk's Division, Report 2018-109, Subject: Leave of Absence from Council	51
AD	FD	YD			
DE	BK	JM		That a leave of absence be approved for Councillor John Mayne for a period ending November 30, 2018, or until he resumes attendance, whichever occurs first.	
JDM	BB	RB	4.	Corporate Services Department, Finance Division, Report 2018-108, Subject: Development Charge Reserve Funds – January 1, 2017 to December 31, 2017	53
AD	FD	YD			
DE	BK	JM		That report Corporate Services Department, Finance Division report 2018-108 with respect to Development Charge Reserve Funds January 1, 2017 to December 31, 2017 be received for information.	
Miscellaneous Correspondence					
JDM	BB	RB	5.	Cynthia B. Skinner, Member of The Friends of Port Colborne Lighthouses Re: Request for Proclamation of Lighthouse Day, August 7, 2018	57
AD	FD	YD			
DE	BK	JM		That August 7, 2018 be proclaimed as "Lighthouse Day" in the City of Port Colborne in accordance with the request received from Cynthia B. Skinner, Member, The Friends of Port Colborne Lighthouses.	
JDM	BB	RB	6.	Region of Niagara Re: Comments of Province's Draft Agricultural Impact Assessment Guidance Document (PDS Report 29-2018)	59
AD	FD	YD			
DE	BK	JM		That the correspondence received from the Region of Niagara Re: Comments on Province's Draft Agricultural Impact Assessment Guidance Document (PDS Report 29-20178), be received for information.	
JDM	BB	RB	7.	Niagara Central Airport Commission Re: 2nd Quarter Report 2018 for the Niagara Central Dorothy Rungeling Airport	69
AD	FD	YD			
DE	BK	JM		That the correspondence received from Richard Rybiak, Chair, Niagara Central Airport Commission Re: Niagara Central Airport Commission 2 nd Quarter Report for the Niagara Central Dorothy Rungeling Airport, be received for information.	
Outside Resolutions – Requests for Endorsement					
Nil.					
Responses to City of Port Colborne Resolutions					
Nil.					

Note: If not otherwise attached to the staff report, by-laws are published and available for review under the "Consideration of By-laws" section of the Council agenda.

To whom it may concern:

In connection with the request for the lighthouse
declaration, FOLCL has delegated me to speak before
Council 23 July to make this formal request. (3 min)

Cynthia B Skennen (B.S. (IT))


JUL 03 2018

CORPORATE SERVICES
DEPARTMENT

Port Colborne city Council:

This letter From the Friends of Pt Colborne Lighthouses (FOPCL) is a request for the city to recognize International Light House Day by declaring August 7th 2018 "Lighthouse Day" in Pt Colborne.

We wish Pt Colborne to join the ever growing number of cities recognizing the historical and cultural importance of their lighthouses and place in their history.

Where as 7th August 2018 is International light house Day,
Therefore we seek recognition here by having
lighthouse Day declared in Pt Colborne.

Where as this recognition acknowledges our rich maritime
based history, culture and industry

Whereas Port Colborne is unique, having 2 lighthouses
connected by a tunnel.

Whereas We are able to have tours to same through
co-operative inter-agency agreements, thus
meeting the public's ever growing interest in lighthouses

Whereas This public interest re-enforces FOPCL efforts
to increase access and gain stewardship so that
they may be properly preserved, restored, maintained
and shared with the public for future generations

International Lighthouse Day Request

It is good to return to the council chambers and request that the city recognize International Lighthouse Day here in Pt Colborne on the occasion of the 40th anniversary of Canal Days festivities.

Lighthouse Day is recognized internationally on Aug 7th. As tourist interest continues to grow in lighthouses, more cities, home to Lighthouses are coming on board to recognize the importance that lighthouses played in their history, culture and economy.

Once again! Our small group will man our stations for 4 days of non-stop tours. And I would be remiss if I didn't acknowledge the Goodwill shown us by making the Pavilion at the Marina available as our land base of operations. Additionally, we benefit from the Canal Days co-op advertising.

On behalf of our lighthouse tour efforts, I have been an exhibitor at Dunville Days. Here the visitors express much interest in our Lighthouses. Some relate stories of having known former keepers - others, stories of having visited it back in the day. This summer I also attended a Morgan Pt event. Here it was obvious that they feel a connection to our lighthouses and much interest shown in our tours.

And Cheryl Fortin also does marketing for our group. She is often found on market day in front of Cowd Hall with her fliers and souvenirs.

We are not alone in our struggle to obtain more and better access to lighthouses. Hamilton now has a plot and a plan to have their light open to visitors down the road. That is good news for us, too. We will reap the ripple effect of nearby visitable lighthouses. 7

And in future, perhaps we can develop a plot and plan to participate in International Ham Radio lighthouse weekend later in Aug. On this weekend, Ham Radio groups worldwide broadcast from lighthouses - not necessarily from up in them - but from the adjacent space. Currently, the nearest participant is [unclear] at Dunkirk, RI just across the lake. And Noga currently has a vibrant Ham Radio group.

The more access we have to the lighthouses all summer, the more steady flow of tourists - leaving happy and leaving money in our merchants' coffers.

And at last, Thankyou for raising our lighthouse flag over city hall for this event.

Thankyou

Cynthia B Skinner

PRESENTATION BY DIANNA M. CARLE TO
THE CITY COUNCIL OF PORT COLBORNE
FOR AN EXCEPTION TO THE
REQUIREMENTS OF SECTION 3.2.2. OF
BY-LAW 1117/64/81, RELATIVE TO 1056
STEELE STREET, PORT COLBORNE, TO
BE PRESENTED AT JULY 23, 2018
COUNCIL MEETING.

SUBMISSION TO CITY COUNCIL OF PORT COLBORNE, ONTARIO FOR AN EXCEPTION TO THE REQUIREMENTS OF SECTION 3.2.2 OF BY-LAW 1117/64/81 TO ALLOW FOR A SECOND CURB/DRIVEWAY CUT ON THE PROPERTY MUNICIPALLY KNOWN AS 1056 STEELE STREET, PORT COLBORNE.

I HAVE BEEN INFORMED THAT WE ARE 2 METERS (6.74 feet) SHORT OF THE REQUIREMENT TO HAVE A SECOND CURB/DRIVEWAY CUT UNDER THE TERMS OF THE BYLAW PASSED ON JULY 27, 1981 AND CURRENTLY IN PLACE . FOLLOWING ARE THE DETAILS OF MY REQUEST.

My name is Dianna Carle and together with my son, Bryan L'Ecuyer, I purchased the property municipally known as 1056 Steele Street, Port Colborne in November, 2016. I am requesting the subject by-law exception for the following reasons :-

- I am 74 years of age and I am mobility impaired due to severe arthritis and require a cane for stability when walking. My condition is compounded by two autoimmune disorders and elevated pain levels are a continuous part of my daily living.
- PICTURE 1 is taken from the opposite side of the street and shows our frontage and the residence, which was originally built in 1946 and expanded on at a date not known to us. On the left side of the picture you will see a set-back room with a large window and ground-level entry door to the premises.....this was the original garage prior to the previous owners expanding the residence to the right of the living quarters with a breezeway, double garage and driveway.
- PLEASE NOTE that the “breezeway” door does not provide entry to the home...it is merely a means of access from the front yard to the back yard.
- PLEASE NOTE that the area between the left side of the house (proposed driveway access) and the neighbouring residence is a substantial distance and a car coming and going as infrequently as I use my vehicle would not impose any undue noise or disturbance on the neighbours....indeed, this was for many years the original driveway in use at all times.
- PLEASE NOTE that the picture of the property currently available on Google is outdated. Since we have owned the home we have, among other upgrades, added two trees to the front lawn....these trees are not visible in older pictures.

- With the move of the garage to the right side of the house you will note that the front-porch handrail, which would normally be on the right (and was when the house was in its original configuration), is now on the left for anyone coming from the driveway and ascending the stairs. While this may not create difficulty for many it creates a great deal of difficulty for me. My left side is significantly weaker than my right and it is almost impossible to two-handedly “haul” myself up the steps if attempting to utilize the left-side railing. Therefore, as my right side is much stronger and, hence, my “working side” and although sounding and looking very awkward, I ascend the steps by placing my right hand and arm on the brick of the front of the house on the right side of the stairs and pull myself up.....needless to say this is inherently risky and very hard on my right hand and clothing.
- You will see my yellow vehicle in the position in which it is always parked in order to allow my son access to the left garage door to remove his personal vehicle when required....this provides a visual reference as to how long a walk making the continual trips back and forth to the house with parcels/groceries is for me.
- PICTURE 2 is a picture of the steps leading up to the front porch. As you will see they fall far from being built to code and present a very real hazard to a mobility challenged person.....both sets of stairs are the same.
- I would ask you now to attempt to visualize the difficulty I have gaining access to my home, particularly if bringing any packages (i.e. groceries) home. On that note, I cannot carry heavy bags and for a grocery order that many might handle with four bags, I will need at least eight. Winter weather and rain make this already difficult procedure a virtual “living hell” for me....I am soaked by either snow or rain and in constant fear of taking a debilitating fall.

Upon arrival home and parking my vehicle I must make numerous trips from the car to the steps with my grocery bags, which I pile on the steps to the left (railing side) as I need a clear area to the right to pull myself up along the brick wall. After these trips are made and my vehicle secured I proceed to pull myself up on the brick wall and unlock the front door. Following this I must make a number of trips back to the steps to retrieve my grocery bags and bring them into the house. I am very anxious when doing this as I am bending over picking up the bags which have been placed on the left-hand side of the stairs and fear that I will tumble down the steps some day.

All of the foregoing is a physically punishing and dangerous undertaking. If a curb/driveway cut were made where the driveway was originally located I could pull my

vehicle straight in, right up to the house....exit my vehicle....retrieve parcels and enter the home on ground level, totally eliminating using the stairs and the incredible difficulty I am presently experiencing by having to do so.

- Several suggestions have been presented to me as a means to alleviate my problem without the requested curb/driveway cut. None of those will offer any assistance to me at all, as outlined below.....

Suggestion 1....put in a ramp. I do not use a wheelchair or a walker and hope that this will not become necessary in the foreseeable future. A ramp would provide no relief to the distance I must travel due to the number of trips I must make back and forth from my vehicle to carry in parcels and I would still need to push myself up using the brick wall. In fact, a ramp would be inherently more dangerous in wet conditions due to the increased potential for a slip and debilitating fall.

Suggestion 2....run a sidewalk from the driveway across the front lawn in front of the garden and swing it round to the ground-level room. This would accomplish nothing to assist me in accessing the home in an efficient manner as it substantially increases the distance I would have to walk while ferrying parcels from my vehicle to the far door. The longer the walk, the greater the chance of a slip and fall and a marked escalation in my pain levels.

Suggestion 3....enlarge the existing driveway by cutting it across the front lawn and swinging it round to face the ground-level room which would allow me immediate access to the ground-level room. This suggestion would be, in my opinion, very unsightly and would, more importantly, be completely unmanageable for me. If the addition was to be placed low in the present driveway it would require two approximately 90-degree turns for me to end up facing the house and continue to the ground-level room. With the addition of the two trees on the front lawn any addition farther up the existing driveway would require a meandering course between the trees. In either of these scenarios backing out to the street when leaving the residence would be a complete impossibility for me as I have limited ability to turn my neck due to the degenerative progress of my condition.

- I would ask that Council consider the demographics of aging in Niagara, since the passing of the subject by-law in 1981. In 1981 I was 37 years old.....in the ensuing 37 years the breakdown by age of Niagara's population is now shown as follows :-

“If Niagara was a village of 100 people...21 would be 0 - 19 years old....23 would be 20 - 39 years old....35 would be 40 - 64 years old and 21 would be 65+ years old” <https://www.niagararegion.ca/health/statistics/demographics/default.aspx>)

It's very clear from the above figures to see that in the not so distant future the 65+ number will be a combination of the 40-64 year old group and the present 65+ group and the majority of this very large number of seniors is going to require some type of assistance in their daily living. Given the move to keep as many seniors in their homes and out of our hospitals, due to the devastating lack of long-term care availability in the Region, anything that can be done to facilitate arrangements to do so should be of great importance to any municipality.

IN CLOSING I would like to ask that Council members, when considering my request, take into consideration the needs of its aging population and how a simple exception, such as the one I am requesting, can manifestly improve the quality of life of your older residents.

Relative to my personal issues, that consideration be given to how difficult getting in and out of my own home is for me because of a mere 6.74 feet (2 meters) and how simply this could be rectified by the granting of the subject exception which would not have any impact on “visibility” or create any “operational problems” (3.2.2.) by so granting.

I thank Council members for their time and consideration.

DIANNA M. CARLE

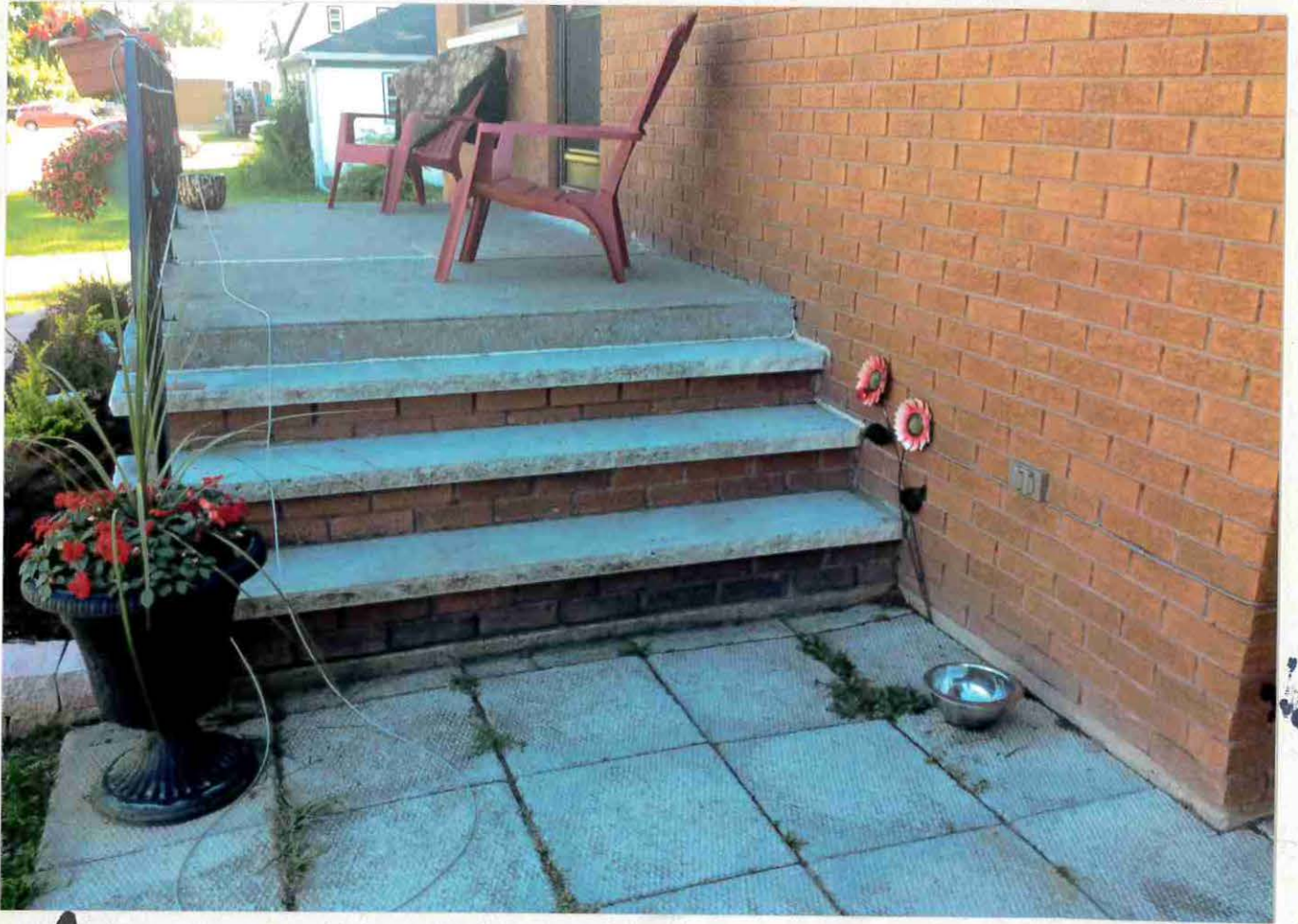
PICTURE 1



C *

*
SECOND TREE

PICTURE 2



TOP OF PORCH RAILING



15" (5")

17"

18"

10 1/2"

GROUND LEVEL

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Report Number: 2018-105

Date: July 23, 2018

SUBJECT: Recommendation Report for Official Plan Amendment D09-01-18 & Zoning By-law Amendment D14-02-18, n/s Killaly Street West

1) PURPOSE

The purpose of the report is to provide Council with a recommendation regarding a proposed Official Plan Amendment and Zoning By-law Amendment initiated by Michael Losier on behalf of the owner Sam Armenti for the property legally known as Part Lot 32, Concession 2, Former Township of Humberstone, in the City of Port Colborne, Regional Municipality of Niagara; municipally located on the north side of Killaly Street West between Main Street West and Third Avenue.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

The application for Official Plan Amendment proposes to add a special policy to the Highway Commercial designation in the Official Plan to support the use of warehousing.

The application for Zoning By-law Amendment proposes to change the zoning from HC - Highway Commercial to HC-48, which will add warehousing as a permitted use. The warehousing use is being sought to allow the operation of a self-storage facility on this property.

On July 9, 2018, Planning staff presented Department of Planning and Development Public Meeting Report No. 2018-97 as part of the statutory public meeting. The public meeting was held to discuss the Official Plan and Zoning By-law Amendment applications. Please refer to the Draft Minutes of Public Meeting (Appendix D).

3) STAFF COMMENTS AND DISCUSSIONS

The Notice of Public Meeting was circulated to required agencies and property owners and within 120 metres of the property on June 18, 2018. A public notice sign was posted on the property on or before June 19, 2018. A public notice was also posted on the City's website on June 18, 2018.

The following comments (full comments available in Appendix C) were received from members of the public:

Gary and MaryAnn Pietrelli
7 Third Avenue

- The property and area would be subject to increased traffic.
- Unavoidable noise and dust would present with the proposed development of this site.
- Bright security lighting would be shining into bedrooms all night long.
- Decrease in property value of surrounding homes.

Nancy Gillespie
373 Killaly Street West

- People using the property at any time will cause noise and potential vandalism.
- Harmful items could potentially be stored on the property (chemicals etc.).
- Security lighting will make sleeping very difficult.
- Concerns with drainage of the property.
- Mini-storage units are usually located in small commercial/industrial areas. Not next to a residence.

Notice of Public Meeting was circulated to required commenting agencies and relevant City departments on June 18, 2018. As of the date of writing this report, the following comments have been received (full comments available in Appendix C):

Niagara Region Planning & Development Services:

Regional Planning and Development Services staff is not opposed to the Official Plan and Zoning By-law Amendment applications, subject to the satisfaction of any local requirements and provided that the Region be circulated the future Site Plan application. The Official Plan Amendment is exempt from Regional Council approval.

Planning Division Review

City of Port Colborne Official Plan

The City of Port Colborne Official Plan designates the property as **Highway Commercial**. Land uses in the Highway Commercial designation include: hotels and motels; automobile sales and service establishments; places of amusement or recreation; restaurants with take-out and/or drive-through facilities; and accessory uses to the aforementioned uses, including a residence for a caretaker. The Official Plan Amendment proposes to add a special policy to the Highway Commercial designation to support the use of warehousing. The Draft Official Plan Amendment is attached hereto as Appendix A.

City of Port Colborne Zoning By-law 6575/30/18

The City of Port Colborne Zoning By-law 6575/30/18, as amended, zones the property **HC – Highway Commercial** which permits the following uses: Animal Care Establishment; Day Care; Drive-Thru Facility; Existing Motor Vehicle Gas Station; Existing Motor Vehicle Repair Garage; Medical Clinic; Office; Personal Service Business; Place of Worship; Public Use; Recreation Facility; Restaurant, Fast Food; Restaurant, Full-Service; Restaurant, Take-Out; Retail Store; Service Commercial; Studio; Veterinary Clinic; and Uses, structures and buildings accessory thereto. The application for Zoning By-law Amendment proposes to change the zoning from HC – Highway Commercial to HC-48, which will add warehousing as a permitted use. The Draft Zoning By-law Amendment is attached hereto as Appendix B.

The property was previously zoned R1 – First Density Residential in City of Port Colborne Zoning By-law 1150/97/81, but was rezoned to HC – Highway Commercial through the passing of the City of Port Colborne Zoning By-law 6575/30/18 on April 23, 2018. The

applicant's property and neighbouring properties were rezoned to become consistent with the policies of the Official Plan.

Adjacent Zoning and Land Use

Northwest Motel Zoned: HC – Highway Commercial	North Automotive parts retailer Zoned: HC – Highway Commercial	Northeast Automotive parts retailer Zoned: HC – Highway Commercial
West Residential dwelling Zoned: HC – Highway Commercial	Applicant's Property	East Residential dwelling Zoned: HC – Highway Commercial
Southwest Vacant land Zoned: R4-30 Townhouse and/or apartment	South Vacant land Zoned: R4-30 Townhouse and/or apartment	Southeast Vacant land Zoned: R4-30 Townhouse and/or apartment

Discussion

At the public meeting on July 9, 2018, the following concerns were raised by Councillors and members of the public: security lighting projecting onto neighbouring properties; ensuring adequate screening is in place along property lines; landscaping and architectural details to limit the visual impact to the neighbouring legal non-conforming residential dwellings; drainage affecting the immediate neighbouring properties; the potential for outdoor storage, unknown items being stored, and time restrictions for the use of the storage units. Lighting, screening, landscaping, architectural details, and drainage will be dealt with and controlled at the site plan stage of this development, should this application be successful. Restricting the time of day that a property can be used for business activities is not something that can be controlled through the zoning by-law nor a site plan agreement. Staff note that the building will need to comply with the Building Code and Fire Code and any risks posed by the items being stored on the premises can be mitigated through the building permit process.

Additionally, Gary and MaryAnn Pietrelli submitted comments regarding the reduction in property value and increase in traffic, noise and dust. Planning staff suggest that there is no evidence for developments of this nature having a negative effect on property values. Staff would also like to note that traffic to and from the property is anticipated to be minimal and that the owner will be responsible for adhering to the City's Noise By-law and the Ministry of Environment's Air Quality Standards.

To address concerns about outside storage and to make the building fit into the neighbourhood, staff recommend that the zoning by-law amendment have additional provisions to prohibit exterior storage and provide a 3 metre landscape buffer on the interior side lot lines. The landscape buffer will contain fencing and trees.

Conclusion

The Official Plan and Zoning By-law Amendments are necessary to allow the use of the property for self-storage. It is the opinion of the Planning Division that allowing warehousing on this property will be an efficient use of this land and will conserve the City's industrial lands for developments that offer more employment than a self-storage facility. With exterior storage being prohibited and the inclusion of a 3 metre landscaping buffer, staff believes that the remaining concerns raised by members of the public and councillors can be mitigated through a Site Plan Agreement. Planning staff can recommend approval of the Official Plan and Zoning By-law Amendments.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing

Not an option as Council is statutorily obligated to make a decision on the proposed applications.

b) Other Options

Though not recommended, Council could deny the applications.

Council could request additional information or further changes from staff.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A

6) ATTACHMENTS

Appendix A: Official Plan Amendment
Appendix B: Zoning By-law Amendment
Appendix C: Public & Agency Comments
Appendix D: Draft Minutes of Public Meeting

7) RECOMMENDATION

That the Official Plan Amendment attached to Planning and Development Department, Planning Division Report 2018-105 as Appendix A be approved, adding a special policy to the Highway Commercial designation to support the use of warehousing on the property.

That the Zoning By-law Amendment attached to Planning and Development Department, Planning Division Report 2018-105 as Appendix B be approved, rezoning the land from "HC – Highway Commercial" to "HC-48".

That staff be directed to prepare the Notice of Passing in accordance with the *Planning Act* and circulate to all applicable parties.

8) SIGNATURES

Prepared on July 13, 2018 by:



David Schulz
Planning Student

Reviewed by:



Evan Acs, MA, MSc
Planner

Reviewed by:



Todd Rogers, MAATO, CBCO
Acting Director of Planning and
Development

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. _____
BEING A BY-LAW TO ADOPT AMENDMENT NO. 5 TO THE
OFFICIAL PLAN FOR THE CITY OF PORT COLBORNE

WHEREAS it is deemed expedient to further amend the Official Plan, heretofore adopted by Council for the City of Port Colborne Planning Area;

THEREFORE the Council of The Corporation of the City of Port Colborne under Section 17(22) of the Planning Act, hereby enacts as follows:

1. That Official Plan Amendment No. 5 to the Official Plan for the City of Port Colborne Planning Area, consisting of the attached map and explanatory text is hereby adopted.
2. That this By-law shall come into force and take effect on the day of passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2018.

MAYOR

CITY CLERK

**AMENDMENT NO. 5
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

PREPARED BY:

**CITY OF PORT COLBORNE
DEPARTMENT OF PLANNING & DEVELOPMENT**

July 13, 2018

AMENDMENT NO. 5
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA

**AMENDMENT NO. 5
TO THE OFFICIAL PLAN
FOR THE
CITY OF PORT COLBORNE**

This Amendment to the Official Plan for the City of Port Colborne, which has been adopted by the Council of the Corporation of the City of Port Colborne, is hereby approved in accordance with Sections 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as Amendment No. 2 to the Official Plan for the City of Port Colborne.

Date: _____

AMENDMENT NO. 5 TO THE OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA

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The Statement of Components

Part A – The Preamble

Purpose

Location

Basis

Part B – The Amendment

Introductory Statement

Details of the Amendment

Implementation & Interpretation

Part C – The Appendices

1. Minutes of the Public Meeting
2. Department of Planning and Development Report

STATEMENT OF COMPONENTS**PART A**

The Preamble does not constitute part of this Amendment.

PART B

The Amendment, consisting of the following map, constitutes Amendment No. 5 to the Official Plan for the Port Colborne Planning Area.

Also attached is **PART C** – The Appendices, which do not constitute part of this Amendment. These appendices contain the background data, planning considerations and public involvement associated with this Amendment.

PART A - THE PREAMBLE**Purpose**

The purpose of Official Plan Amendment No. 5 is to expand uses for the subject lands, shown on the attached Schedule, in order to support the use of the property for warehousing.

Location

The lands affected by this amendment are located in Part Lot 32, Concession 2, Geographic Township of Humberstone, in the City of Port Colborne, Regional Municipality of Niagara municipally known as Killaly Street West.

Basis

Currently, the subject lands are designated Highway Commercial. An application has been made to initiate amendments to the City of Port Colborne's Official Plan and Zoning By-law as they relate to these lands in order to permit the use of the property for self-storage.

It is intended to concurrently approve an Amendment to the City's Zoning By-law 6575/30/18, rezoning of the lands from the existing "HC (Highway Commercial)" zone to site-specific "HC-48" zone that will permit the use of the property for warehousing or more specifically self-storage.

Planning staff has evaluated the proposed amendment in light of Official Plan policies, the public information process and general planning principles and have recommended approval of this Official Plan Amendment through Department of Planning and Development Report No. 2018-97 which is attached as Appendix II in Part C.

PART B - THE AMENDMENT

All of this part of the document entitled **PART "B"** – "The Amendment" consisting of the following text and map designated Schedule "A" constitutes Amendment No. 5 to the Official Plan for the City of Port Colborne. The Official Plan of the City of Port Colborne is hereby amended as follows:

Section 13 Site Specific Policies

13.2 Notwithstanding any provisions of Section 3.13 to the contrary, warehousing may be permitted on the lands described in Schedule A of the amendment and municipally located on the north side of Killaly Street West.

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this amendment shall be in accordance with

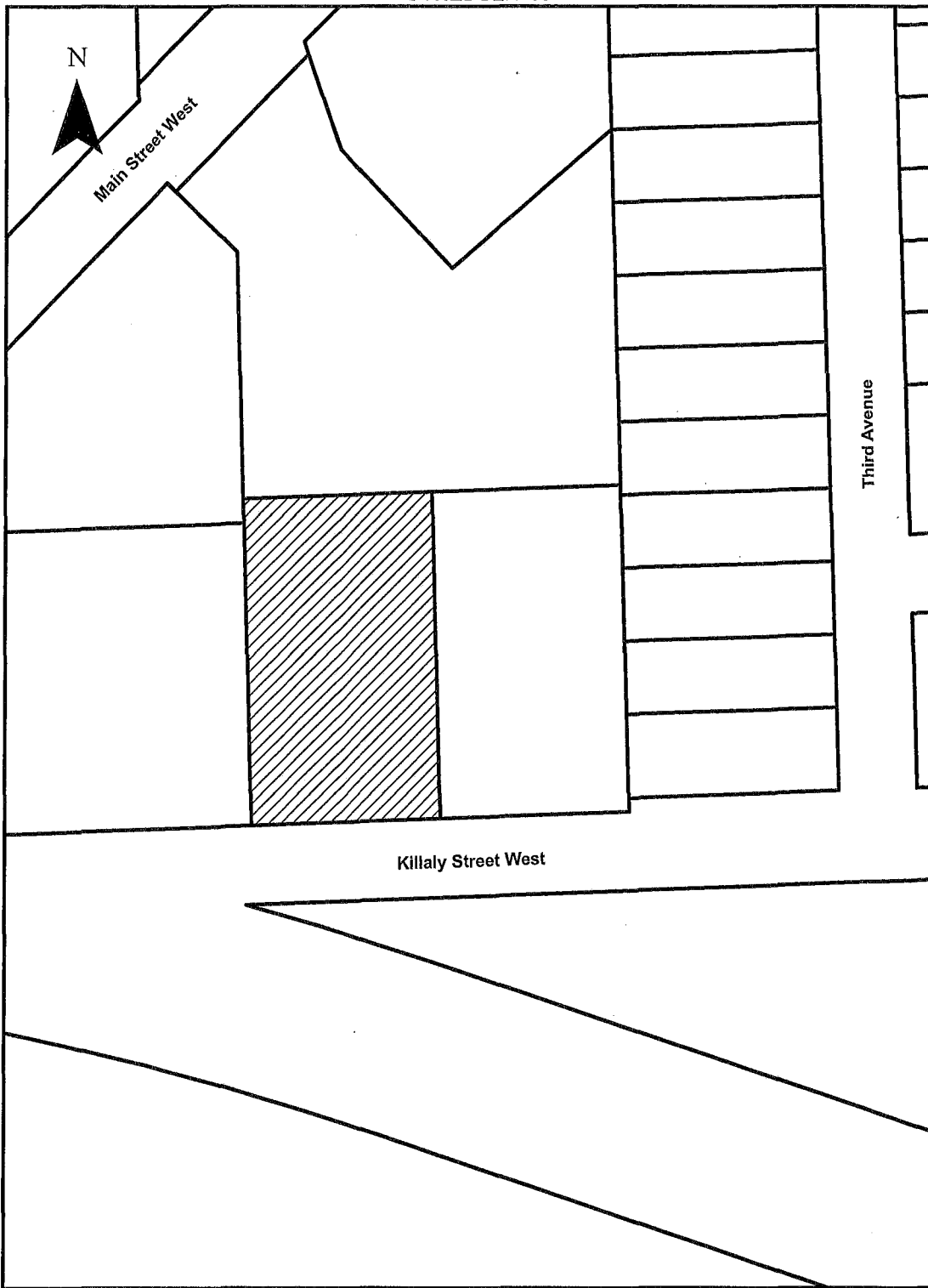
the respective policies of the Port Colborne Official Plan and an amendment to the City Zoning By-law to rezone the subject lands.


PART C – THE APPENDICES

The following appendices do not constitute part of Amendment No. 5 but are included as information to support the Amendment.

APPENDIX I – Minutes of the Public Meeting dated July 9, 2018

APPENDIX II – Department of Planning & Development Report 2018-105



<p>THIS IS SCHEDULE "A" TO BY-LAW NO _____</p> <p>PASSED THE _____, 2018</p> <p>_____</p> <p>MAYOR</p> <p>_____</p> <p>CLERK</p>	<p> LANDS TO BE REZONED FROM HIGHWAY COMMERCIAL (HC) ZONE TO HC-48</p> <p>JUNE 2018</p> <p>FILE NO D09-01-18 & D14-02-18</p> <p>DRAWN BY; CITY OF PORT COLBORNE PLANNING DIVISION</p> <p>NOT TO SCALE</p>
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DRAFT ZONING BY-LAW AMENDMENT

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. _____

BEING A BY-LAW TO AMEND ZONING BY-LAW 6575/30/18 RESPECTING LANDS LEGALLY DESCRIBED AS PART LOT 32, CONCESSION 2, MUNICIPALLY KNOWN AS KILLALY STREET WEST.

WHEREAS By-law 6575/30/18 is a by-law of the Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures;

AND WHEREAS, the Council of the Corporation of the City of Port Colborne desires to amend the said by-law;

NOW, THEREFORE, and pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, the Corporation of the City of Port Colborne enacts as follows:

- 1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
- 2. That the Zoning Map referenced as Schedule "A" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Highway Commercial (HC) Zone to HC-48.
- 3. That Section 37 entitled SPECIAL EXCEPTIONS AND PROVISIONS of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

HC-48

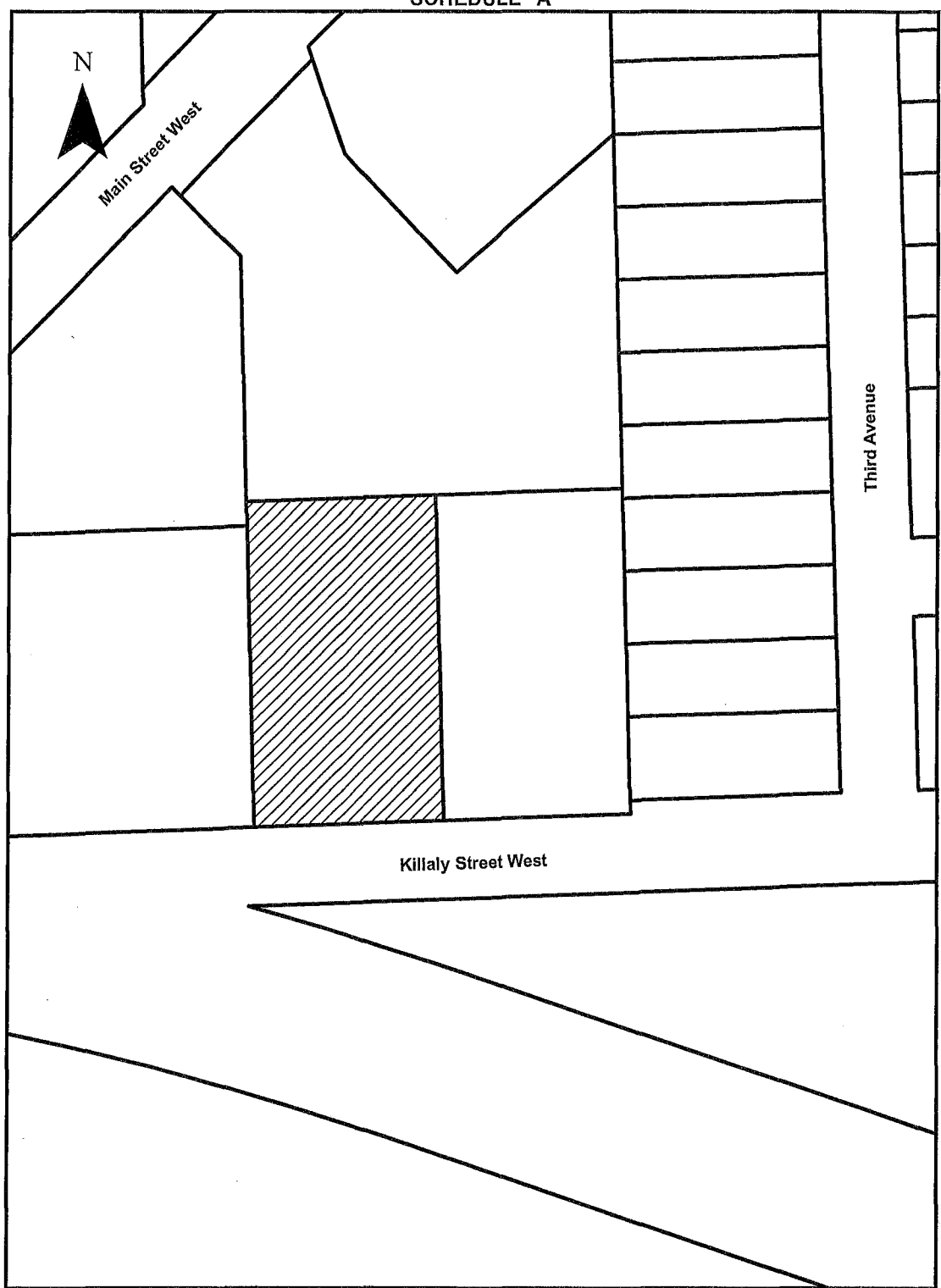
In addition to the uses permitted in the Highway Commercial (HC) Zone, this land may also be used for warehousing and uses, buildings and structures accessory thereto, and the following special regulations shall apply:

- a) Outside storage shall not be permitted.
 - b) The first 3m from the interior side lot lines shall only be used as a landscape buffer.
- 4. That this By-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of The Planning Act.
 - 5. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with The Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2018.

John Maloney, MAYOR


Amber LaPointe, CLERK



THIS IS SCHEDULE "A" TO BY-LAW NO _____
 PASSED THE _____, 2018

 MAYOR

 CLERK

 LANDS TO BE REZONED FROM HIGHWAY COMMERCIAL (HC) ZONE TO HC-48
 JUNE 2018
 FILE NO D09-01-18 & D14-02-18
 DRAWN BY; CITY OF PORT COLBORNE PLANNING DIVISION
 NOT TO SCALE

JUL 05 2018

CORPORATE SERVICES
DEPARTMENT

July 5, 2018

To Whom it May Concern:

Re: Land known as Part Lot 32, Concession 2

In regards to the proposed changes in zoning to allow warehousing as a permitted use, I would like to submit our views in writing, as we are unable to attend the public meeting on July 9, 2018.

Our property is located on Third Avenue. The land in question is behind our back yard. If this operation is permitted, we would subsequently be subjected to increased traffic to and on the premises, as well as unavoidable noise and dust. Also, for security reasons, bright lighting would probably be installed, which would be in use during the night. All of our bedroom windows as well as the windows of most of our neighbours are in the rear of the house. Light would be shining into our bedrooms all night long regardless of having window coverings.

Another cause of concern is that the property value and the resale value of the surrounding homes would decrease.

Therefore, as a result we are not in favour of the zoning change proposal.

If any changes were to be made to the zoning, we would highly welcome residential dwellings.

Yours truly,

G. Pietrelli / Mary Ann Pietrelli

Gary and MaryAnn Pietrelli

RECEIVED
JUL 05 2018
PLANNING & DEVELOPMENT
SERVICES DEPT.

JUL 05 2018

CORPORATE SERVICES
DEPARTMENT

*I would like to speak at the:

Public Meeting on July 9, 2018 6:30 PM

RE: PART LOT 32 CONCESSION 2 ON THE NORTH SIDE OF KILLALY STREET WEST BETWEEN MAIN ST. AND THIRD AVENUE.

PROPOSES TO CHANGE ZONING FROM HC-HIGHWAY COMMERCIAL TO HC-48 TO ALLOW THE OPERATION OF A SELF-STORAGE FACILITY ON THIS PROPERTY.

HONOURABLE MAYOR:

STORAGE SHEDS NEXT TO MY PROPERTY AT 373 KILLALY ST. WEST WILL CHANGE MY PEACE-OF-MIND AND CAUSE A DISRUPTION IN MY EVERYDAY LIVING. I WOULD LIKE THIS DOCUMENTED FOR THE RECORD, ON THE FOLLOWING ITEMS.

(1) THE THOUGHTS OF PEOPLE COMING IN AND OUT OF THIS PROPERTY AT ANY TIME, CAUSING NOISE, POTENTIAL VANDALISM, UNKNOWN ITEMS TO BE STORED (CHEMICALS ETC.), PROPERTY NOT MAINTAINED AND SECURITY LIGHTS ON ALL NIGHT IS VERY DISTURBING TO ME. LIGHTS ON ALL NIGHT, SHINING ON THE WEST WINDOWS WILL MAKE SLEEPING VERY DIFFICULT. WHAT GUARANTEE WOULD I HAVE THAT THE ITEMS STORED WOULD BE SAFE.

(2) THEN THERE IS THE LAND PREPARATION TO HOUSE THESE SHEDS.

- THIS LOT CURRENTLY IS HIGHER THEN MY LOT.
- NAPA AUTOMOTIVE IS HIGHER THEN MY LOT.
- ALL THE RAIN AND MELTED SNOW DRAIN ON

JUL 20 2018

DEPARTMENT OF
COMMUNITY SERVICES

MY PROPERTY.

- WHEN THE LOT IS LEVELLED AND THE SURFACE STONED OR PAVED IT WILL SIT UP HIGHER THAN IT DOES NOW AND THE RUNOFF WOULD BECOME A HUGE ISSUE FOR ME.

- THE PROPERTY THAT NAPA AUTOMOTIVE IS ON, CURRENTLY MUST BE AT LEAST 3 FEET ABOVE MY PROPERTY ON THE NORTH SIDE AND GRADUALLY SLOPING TO EVEN OUT AT THEIR PARKING LOT. IN THE BACK LEFTSIDE. THIS EVENS OUT AT THE BACK OF MY PROPERTY WHERE MY SEPTIC BED LIES. A DRAINAGE PIPE RUNS EAST TO WEST ALONG OUR JOINT PROPERTY LINES. SHOULD THIS LAND BE EXCAVATED, THIS PIPE COULD BE COMPROMISED AND THE EFFICIENCY OF MY SEPTIC BED WOULD NO LONGER WORK AND RESULT IN WATER TO LAID ON TOP OF THE LAND.

- MOST MINI-STORAGE SHEDS ARE IN SMALL COMMERCIAL/INDUSTRIAL LOCATIONS NOT UP AGAINST A RESIDENCE. AS A LIFELONG RESIDENT, MY HOPE IS THAT THE COUNCIL WILL REALIZE THAT THIS IS NOT THE RIGHT LOCATION FOR THE SHEDS.

I WOULD APPRECIATE YOUR ATTENTION TO THIS MATTER AND IF YOU CAN, PLEASE DRIVE BY MY RESIDENCE AND ASK YOURSELF "WOULD YOU LIKE MINI-SHEDS NEXT TO YOU?"

THANK YOU,

NANCY GILLESPIE

373 KILLALY ST. WEST
PORT COLBORNE, ON

VIA EMAIL ONLY

July 4, 2018

Files: D.10.07.OPA-18-027
D.18.07.ZA-18-083

Evan Acs
Planner
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

Dear Mr. Acs:

**Re: Regional and Provincial Review Comments
Official Plan and Zoning By-law Amendment
City File No.: D09-01-18 & D14-02-18
Owner: Sam Armenti
Agent: Michael Losier
North Side of Killaly Street West, Between 421 & 373 Killaly Street West
City of Port Colborne**

Regional Planning and Development Services staff has reviewed the information circulated for the above-noted Official Plan and Zoning By-law Amendment applications, which propose the following:

- To amend the Official Plan to add a special policy to the Highway Commercial designation to support the use of warehousing; and
- To change the existing zoning on the property from Highway Commercial (HC) to HC-48, which will add warehousing as a permitted use.

The circulated Notice of Public Meeting indicates that the warehousing use is being sought to allow the operation of a self-storage facility on the subject property. A Pre-Consultation Meeting was held on April 12, 2018 at the City of Port Colborne with the agent, and staff from the City and Region. The following Provincial and Regional comments are provided to assist the City in considering the applications.

Provincial and Regional Policies

The subject lands are located within a Settlement Area under the Provincial Policy Statement (PPS), and within the Delineated Built-up Area under the Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS directs growth to settlement areas, and encourages the efficient use of land, resources, infrastructure, and public service

facilities that are planned or available. The Growth Plan encourages intensification in Delineated Built-up Areas, and prioritizes planning and investment in infrastructure that will support intensification and the achievement of complete communities.

The property is located within the Urban Area Boundaries for the City of Port Colborne and are designated as within the Built-up Area according to the Regional Official Plan (ROP). These areas are to be planned as compact, complete communities, which support intensification and accommodate a range of land uses including residential, commercial, institutional, employment and other land uses; all development within urban areas should be accommodated on full municipal services. In this regard, Regional staff is not opposed to the warehouse use, however, municipal services (i.e. water and sanitary sewer) will need to be extended to service the subject property.

Regional Road Allowance

The subject property has frontage along Regional Road 5 (Killaly Street West). This road section has a substandard road allowance of approximately 20.1 meters. The designated road allowance for Regional Road 5 (Killaly Street West) is 26.2 meters, as identified in the Regional Official Plan.

Therefore, at the future site plan approval stage for the development, the applicant is required to gratuitously grant the following widening to the Region:

- A 3.05 meter widening across the subject property's frontage on Regional Road 5 (Killaly Street West). This is in order to achieve 13.1 meters from the original centerline of this road section;

The actual width of the required widening must be confirmed by an Ontario Land Surveyor. This is only an approximation of the requirement. As this process can take up to 8 weeks, the applicant is encouraged to have their lawyer contact Niagara Region to begin the process of transfer.

The requested widening is to be conveyed free and clear of any mortgages, liens or other encumbrances, and is to be described by Reference Plan. The widening portion of the Plan will be the responsibility of the owner to order. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for the land surveyor for the property to submit the preliminary undeposited survey plan along with all related documents to Regional Surveys staff for approval. Regional Surveys staff will advise the land surveyor of any required revisions to the plan. Once the plan is deposited and the transfer registered, the Region will clear the applicable condition.

Should the applicant have any questions, please direct them to contact the individuals listed below:

Norma Price, Law Clerk, 905-980-6000 extension 3339. E-mail norma.price@niagararegion.ca
(Inquiries - specific to the transfer of property to the Region)

Normans Taurins, Manager, Surveys & Property Information, 905-980-6000 extension 3325, E-mail: normans.taurins@niagararegion.ca

Regional Permit Requirements

Prior to any future construction or entrance construction taking place within the Regional road allowance, a Regional Construction and Entrance Permit must be obtained from the Transportation Services Division, Public Works Department.

Permit applications can be made through the following link:
<http://niagararegion.ca/living/roads/permits/default.aspx>

Servicing

Based on Regional mapping software, the subject property does not appear to have frontage on existing water or sanitary services. Therefore, the applicant will be required to extend water and sanitary services. There is an existing local (City owned) 150mm diameter CI watermain and an existing local 200mm diameter AC sanitary sewer east of this site on Killaly Street West (Regional Road 5). An extension of services will require review and approval by the Region.

Further, the applicant will be required to apply for Ministry of the Environment and Climate Change (MOECC) Environmental Compliance Approval (ECA) for the extension of the sanitary service through the public right-of-way. The ECA application should be submitted to Niagara Region through the Transfer of Review program.

Stormwater Management

The following Regional requirements, with respect to stormwater management, need to be addressed at site plan review:

1. Stormwater quality controls be implemented such that stormwater runoff is captured and treated to a Normal standard prior to discharge from the site.
2. Confirmation be provided that the Killaly Street (Regional Road 5) storm conveyance infrastructure is not negatively impacted as a result of the proposed development.

Urban Design

Regional staff notes that urban design for the proposed development fronting onto Regional Road 5 will be reviewed through the future site plan process. In this regard, it is

recommended that the development align with the Region's Model Urban Design Guidelines.

Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

- No limit blue/grey containers;
- No limit green containers; and,
- 4 garbage containers.

It should be noted that this development is not eligible for enhanced (on-site) waste collection, and if the applicant wishes to pursue on-site waste collection it shall be their own responsibility through a private contractor.

Conclusion

Regional Planning and Development Services staff is not opposed to the Official Plan and Zoning By-law Amendment applications, subject to the satisfaction of any local requirements, and provided that the Region be circulated the future Site Plan application. The Official Plan Amendment is exempt from Regional Council approval.

If you have any questions or wish to discuss these comments, please contact the undersigned at extension 3352 or Richard Wilson, Senior Development Planner, at extension 3391.

Please send a copy of the staff report and notice of the City's decision on these applications.

Sincerely,



Aimee Alderman
Development Planner

cc: Mr. S. Miller, P.Eng., Stormwater Management Engineer, Niagara Region
Ms. S. Dunsmore, P.Eng., Development Engineer, Niagara Region
Mr. K. Ahmad, MRAIC, FIUD, MCIP, RPP, Manager, Urban Design, Niagara Region

**City of Port Colborne
Special Council Meeting 16-18
Minutes**

Date: July 9, 2018

Time: 6:30 p.m.

Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Staff Present: T. Rogers, Acting Director of Planning & Development
T. Cartwright, Fire Chief
A. LaPointe, Manager of Legislative Services/City Clerk
S. Luey, Chief Administrative Officer
E. Acs, Planner
H. Mahon, Planning Technician/Clerk (minutes)
C. McIntosh, Deputy Clerk
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and YourTV and WeeStream.

1. Call to Order:

Mayor Maloney called the meeting to order.

2. National Anthem:

Joel Longfellow sang O Canada.

3. Confirmation of Agenda:

No. 1 Moved by Councillor B. Kenny
Seconded by Councillor R. Bodner

That the agenda dated July 9, 2018 be confirmed, as circulated or as amended.
CARRIED.

4. **Disclosures of Interest:**

Nil.

5. **Public Hearing Under the Planning Act:**

Official Plan Amendment and Zoning By-law Amendment

Planning and Development Department, Planning Division, Report 2018-97, Subject: Public Meeting Report for Official Plan Amendment D09-01-18 & Zoning By-law Amendment D14-02-18, n/s Killaly Street West

(i) PURPOSE

Evan Acs advised that the purpose of this meeting, pursuant to Sections 22 and 34 of the Planning Act, is to consider an application submitted by agent Michael Losier on behalf of owner Sam Armenti for the lands legally known Part Lot 32 Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, located on the north side of Killaly Street West between the roads known as Main Street West and Third Avenue.

Mr. Acs also advised that the application for Official Plan Amendment proposes to add a special policy to the Highway Commercial designation in the Official Plan to support the use of warehousing.

Mr. Acs noted that the application for Zoning By-law Amendment proposes to change the zoning from HC – Highway Commercial to HC-48, which will add warehousing as a permitted use. The warehousing use is being sought to allow the operation of a self-storage facility on this property.

(ii) METHOD OF NOTICE

Mr. Acs advised that Notice of the Public Meeting was administered in accordance with Sections 22 and Sections 34 of the Planning Act, as amended, and Section 3 of Ontario Regulation 543/06 and Section 5 of Ontario Regulation 545/06.

The Notice of Public Meeting was mailed to property owners within 120 metres of the property and a notice was posted on the City's website on June 18th 2018. A sign was posted on the property by June 19th 2018.

Mr. Acs advised that at this time, the following comments have been received from the public:

Gary and MaryAnn Pietrelli, 7 Third Ave, Port Colborne
-Opposed to application.

- Concerns related to traffic, noise, dust and light originating from the subject property resulting from warehousing/mini-storage use.
- Concern of impact of development on property value.

Nancy Gillespie, 373 Killaly Street West, Port Colborne

- Opposed to application.
- Concerns about noise, vandalism, items being stored and lighting on subject property.
- Concerns about drainage impact from grading and construction on existing drainage pipe and septic system.
- Ministorage not compatible with residential uses.

At this time, the following comments have been received from commenting agencies:

Niagara Region

Not opposed.

(iii) EXPLANATION OF PROCEDURE TO BE FOLLOWED

Mr. Acs advised that the procedure to be followed this evening will be to present DEPARTMENT OF PLANNING & DEVELOPMENT REPORT 2018-97, to hear any comments from the applicant, to receive questions of clarification from Council to the applicant or Planning Staff, to open the meeting to the public for comments and questions, to announce the requirements under the Planning Act for written notice of passage of the proposed official plan and zoning by-law amendment, and to provide a brief explanation of future meetings regarding the application.

(iv) PRESENTATION OF APPLICATION FOR ZONING BY-LAW AMENDMENT

Mr. Acs then presented Planning and Development Public Hearing Report 2018-97 and made reference to a Power Point presentation.

Location and Context

The property is located on the north side of Killaly Street West between Main Street West and Third Avenue. The property is currently vacant. To the north is an automotive parts retail/wholesale establishment. To the east is a legal non-conforming residence. To the south is vacant residential land, part of the Rosemount Estates plan of subdivision. To the east is a legal non-conforming residence. To the northwest is a motel.

City of Port Colborne Official Plan

Schedule "A": City Wide Land Use to the City of Port Colborne Official Plan designates the property as Highway Commercial. The predominant uses for lands

designated Highway Commercial shall include, but not be limited to; hotels and motels; automobile sales and service establishments; places of amusement or recreation; restaurants with take-out and/or drive-through facilities; and accessory uses to the aforementioned uses, including a residence for a caretaker.

City of Port Colborne Zoning By-law 6575/30/18

Schedule "A7" to the City of Port Colborne Zoning By-law zones the property Highway Commercial. The permitted uses for lands zoned Highway Commercial include Animal Care Establishment; Brew Pub; Car Wash; Convenience Store; Day Care; Drive-Thru Facility; Dwelling, Accessory; Food Vehicle; Hotel; Motor Vehicle Repair Garage; Motor Vehicle Sales/Rental Service Centre; Motor Vehicle Gas Station; Office; Personal Service Business; Place of Assembly/Banquet Hall; Place of Worship; Public Use; Recreation Facility; Restaurant, Fast Food; Restaurant, Full Service; Restaurant, Take-Out; Retail Building Construction and Supply; Service Commercial; and Uses, structures and buildings accessory thereto.

The application is being made to add warehousing as a permitted use in both the Official Plan and Zoning By-law Amendment so to allow a self-storage type of establishment from being built and operated on the property. Should the amendments be successful, a site plan agreement that will address, amongst other items, fencing and screening, lighting, parking, fire routes and grading and drainage will be required before construction can commence.

(v) COMMENTS OF APPLICANT

At this time Mr. Acs invited the applicant to comment.

Mr. Michael Losier, acting as agent for the owner Sam Armenti addressed Council. Mr. Losier advised that the reason for the re-zoning application is to create a self-storage facility. He advised that the units will be located in the interior of the building and the property will have adequate fencing.

(vi) QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT

Councillor Kenny questioned Mr. Losier on the entrance to the building. Mr. Losier responded that there will be a main loading area and some but not all units will have individual entrances. Councillor Kenny asked that the applicant consider the neighbour's comments and concerns about what will be stored, the lighting, and that the fencing not be chain-link. Mr. Losier responded that the units are to be used for personal self-storage and not for heavy equipment. He further noted that they will address the storm-water management process.

Councillor Bodner noted that they have not yet seen a site plan and questioned whether there will be any outside storage. Mr. Acs responded that the bylaw has not yet been written and Council can direct staff that outside storage not be

permitted. Mr. Losier advised that the building will meet the maximum setbacks required by the fire department and there would not be room for outside storage. However, if they want to include that as a condition it would not be an issue. Mr. Acs advised that it would be best addressed in the zoning bylaw rather than through site plan control.

No. 2 Moved by Councillor R. Bodner
 Seconded by Councillor A. Desmarais

That no outside storage be permitted.

CARRIED.

Councillor Danch questioned whether access is available 24/7 and what would be the hours of operation. Mr. Losier responded that access will be regulated with gated access and the hours will be from dawn to dusk. Mr. Acs advised that this can be addressed through the site plan agreement.

Mayor Maloney questioned the number of units. Mr. Losier responded that there will be approximately 150 units, however the size of the units can be changed. Mayor Maloney questioned whether items can be restricted. Mr. Losier advised that this will be addressed through insurance policies and that it will not be used for eg. a Mechanic's shop. Mr. Acs advised that this can also be addressed through site plan control. Mayor Maloney questioned the location for parking. Mr. Losier responded that the front part of the building will be paved and used for parking. Mayor Maloney asked that the neighbour's concerns regarding lighting be addressed. Mr. Losier responded that they will follow the bylaw requirements. Mr. Acs advised that they are in the early stages of planning and once the zoning bylaw is addressed then they can work with the applicant on the details for site plan control.

Mr. Acs then read the following cautionary statements into the record:

"If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before a decision on the proposed Official Plan and Zoning By-law Amendments are passed by Council, the person or public body is not entitled to appeal the decision of the City of Port Colborne Council to Local Planning Appeal Tribunal."

And;

'If a person or public body does not make oral submissions at a public meeting, or make written submission to the City of Port Colborne before a decision on the proposed Official Plan and Zoning By-law Amendments are passed by Council, the person or public body may not be added as a party to the hearing of an appeal

before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so. “

Mr. Acs noted that for any interested members of the public there is a sign-in sheet to request future notices regarding this application.

(vii) ORAL PRESENTATIONS AND/OR QUESTIONS BY PUBLIC

Nancy Gillespie of 373 Killaly St. W. addressed Council. Mrs. Gillespie is opposed to the application. She received Notice of the Public Hearing on June 21st. She expressed concern about people having constant access to the units, what type of items would be stored, and improper lighting and drainage. She does not think a storage unit is compatible between 2 residential dwellings.

Councillor Bodner questioned Mr. Acs as to whether the concern for lighting could be addressed through site plan control. Mr. Acs concurred that this can be addressed. Councillor Bodner questioned whether the drainage issues could also be addressed through site plan control. Mr. Acs concurred that this can also be addressed.

Councillor Bodner questioned how the zoning would be affected if someone wanted to build a house on this lot. Mr. Acs provided some background zoning history and advised that a re-zoning application would be required to build a house.

Councillor Butters questioned Mr. Acs as to whether a façade designed to blend in with the residential uses could be applied. Mr. Acs noted that the property fronts onto a Regional Road and must follow their urban design guidelines. He was not sure about the facade but indicated that landscaping will be addressed.

Mayor Maloney questioned Mrs. Gillespie as to whether she has a septic. Mrs. Gillespie confirmed that there is a septic to the north of her property. She noted that she already has drainage problems and is concerned that any change could upset her septic system.

Councillor Kenny advised Mrs. Gillespie that she shares her concerns regarding the lighting and drainage issues and advised that these can be addressed through site plan control. She will be able to attend the Council meeting to ensure her concerns can be addressed.

Mayor Maloney questioned Mr. Acs on the side yard setbacks. Mr. Acs advised that he did not have that information available at this time but can provide it at a later date. He advised that the proposal is to build in the center of the lot which will provide proper fire access. Mayor Maloney questioned whether the landscaping can be applied to the side yards as well. Mr. Acs concurred that landscaping and fencing can be addressed. Mayor Maloney questioned the zoning for property across the street. Mr. Acs advised that it is mixed residential use.

Mayor Maloney questioned Mrs. Gillespie on whether her written submission has been given to the Clerk and Mrs. Gillespie concurred that it has. Mr. Acs further noted that the Pietrelli correspondence has been submitted to the Clerk as well.

(viii) ANNOUNCEMENT RESPECTING WRITTEN NOTICE OF PASSAGE OF THE OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

Mr. Acs advised that if anyone wishes "to be notified of the approval of the zoning by-law amendment they 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."

(ix) EXPLANATION OF FUTURE MEETINGS

Mr. Acs advised that this concludes the PUBLIC HEARING UNDER THE PLANNING ACT. The proposed Zoning By-law Amendment will be placed on Council's agenda at a future meeting.

6. **Adjournment:**

No. 3 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That the Council meeting be adjourned at approximately 7:15 p.m.
CARRIED.

John Maloney
Mayor

Amber LaPointe
City Clerk

Minutes prepared by the Department of Planning and Development.

/hm

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**Engineering and Operations Department
Engineering Division**

Report Number: 2018-103

Date: July 23, 2018

**SUBJECT: Wignell, Michener, Port Colborne and Beaverdam Municipal Drains
Engineer Appointment**

1) PURPOSE

This report, prepared jointly by Henri Bennemeer and Alana VanderVeen, Drainage Superintendents, has been authorized by Chris Lee, Director of Engineering and Operations. The purpose of this report is to provide Council with an update regarding the aforementioned Municipal Drain project(s) and the need to reappoint or appoint a new engineer for engineering services related to the preparation of a new Engineer's Report, under the Drainage Act R.S.O. 1990, for the repair and improvement of the Wignell, Michener, Port Colborne and Beaverdam Drains, and requisite actions.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

- Engineering and Operations Report 2009-52, presented a detailed background on the Beaverdam and Wignell/Michener Municipal Drains and direction to proceed with a Request for Proposal (RFP) for engineering services.
- Engineering and Operations Report 2011-33 provided Council with the results of the RFP process, a rescinding of the Wiebe Engineering Group Inc. appointment, the appointment of Paul Smeltzer P. Eng. of AMEC(FW)(2014) and requisite engineering services agreement to complete the original assignment, plus additional works.
- Engineering and Operations Report 2011-55, facilitated a scope change for an addition \$20,420 to be expended on engineering services for water quality options.
- Engineering and Operations Report 2013-1, provided for an interim measure to accommodate an expansion of Port Colborne Quarry's pit no. 3, (as the new engineer's report was far from completion) necessitating the abandonment of the Wignell 2A (W2A) Drain, the abandonment of a portion of the Wignell 2 (W2) Drain east of Babion Road and for the redirection of a remnant portion of the W2 Drain watershed to the Michener 2 (M2) Drain, the following update is provided.

Over the course of the following three years, from the most recent report to Council, staff endeavored to keep the project moving forward, however from the onset, the project suffered from the lack of AMEC(FW) staff continuity. Twice (once prior to 2013) the Principle Engineer was replaced while on leave. Then, on or about November of 2014, both the Project Manager and the Principle Engineer left the firm. In March of 2015, improvements were implemented on the Wignell Drain, downstream of Highway # 3, to alleviate flooding issues pertaining to the discharge of Port Colborne Quarries.

This exercise entailed the collective efforts of City, Niagara Peninsula Conservation Authority (NPCA) and Niagara Region staff, utilizing several sources of funding:

- NPCA Wetland Creation Projects (\$11,520.50)
- Niagara Water Smart Funding (\$50,000) to realign the drain, accommodating water quality features, and downstream maintenance of the Wignell Drain

In May of 2015, AMEC(FW) assigned a new Project Manager, along with a Principle Engineer that had previous involvement, however this Principle Engineer also left the firm within the same month. Subsequently another Principal Engineer, with some familiarity of the project, was assigned by AMEC(FW) around August of 2015 and that engineer worked on the project until July of 2016 which was the last communication. This involvement was in completing the sub-consultant's water quality component of the project, enabling the City to secure \$50,000 from the Region's Water Smart Program.

Throughout the course of the project, considerable staff time was spent in assisting the various Principle Engineers and sub-consultants in developing their reports, providing numerous comments and repeated corrections over content and quality. The City received final notification on May 8, 2017, that AMEC(FW) was exercising their right under the terms of the Engineering Services Agreement to terminate their services for this project hence where the project sits today.

3) STAFF COMMENTS AND DISCUSSIONS

With the aforementioned termination of engineering services, City staff are once again faced with the need to source an engineer or engineering firm to bring this project to completion. Up to now, the RFP process for Municipal Drains has not proven very successful in the City's endeavor to improve the Municipal Drain Maintenance Program within the City's jurisdiction. As can be seen with this project and others, it has been neither productive, timely, nor beneficial and has provided little in the way of engineering savings, requiring considerable staff time to execute. As such, staff are recommending to sole source engineering services for municipal drains under current City procurement policies.

As indicated earlier, there are a number of requisite actions that must take place to select a new consultant. For the Wignell/Michener and Beaverdam Drains, the appointment of Paul Smeltzer P. Eng. of AMEC Earth & Environmental, must be rescinded and a corresponding appointment of Paul Marsh P. Eng. of EWA Engineers Inc., to complete these reports along with the Port Colborne Drain must take place. There is an increased cost, but these projects must be seen through to completion in order to expense the costs.

With respect to the municipal road allowances and property, there is a genuine need to have a system in place to address common law drainage. Staff propose use of the *Drainage Act* as the means by which these situations can be resolved/financed, as the *Drainage Act* process will provide the public forum that will likely be needed to mitigate issues that arise. In order to initiate the above, staff will require that Council authorize the initiation of a petition(s) by the appropriate staff body, representing both the road allowances and municipal properties.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

This is not an option as the City is mandated by the *Drainage Act* to ensure that Municipal Drain Reports are kept up to date for future maintenance.

b) Other Options

An up to date report provides for an effective drain maintenance and roadside ditching program, which in turn will reduce overall costs, providing ratepayers with a reasonable level of service.

At this stage there are no financial implications. Once the report is adopted and the construction is completed, the cost will be expensed according to the assessment schedule contained in the report. There will be an assessment to the City of Port Colborne for their proportionate share of roads and City owned properties (Friendship Trail).

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Municipal Drain Maintenance Strategic Planning is currently under review. This project is in compliance with all City legislative requirements.

6) ATTACHMENTS

None.

7) RECOMMENDATION

That the appointment of Paul Smeltzer P. Eng. of AMEC(FW) be rescinded as per Section 39(2) Chapter D.17 of the *Drainage Act R.S.O. 1990*; and

That Paul Marsh P. Eng. of EWA Engineers Inc. be appointed under Section 78(1) Chapter D.17 of the *Drainage Act R.S.O. 1990*, and that this appointment become effective once the conditions of Section 78(2) have been met; and

That staff be authorized to execute a petition under Section 4 Chapter D.17 of the *Drainage Act R.S.O. 1990* to initiate/incorporate any new works related to municipal roads and/or property; and

That Paul Marsh P. Eng. of EWA Engineers Inc., be appointed under Section 8 Chapter D.17 of the *Drainage Act R.S.O. 1990* for the new works contemplated and any additional petitions under Section 4, related to the Wignell, Michener Port Colborne and Beaver Dam Drains, that may come forward during the Drainage Act process; and

That the Mayor and Clerk be authorized to sign the requisite Engineering Services Agreement for the preparation of new engineer(s) reports for the Wignell, Michener, Port Colborne and Beaverdam Municipal Drains.

8) SIGNATURES

Prepared on July 5, 2018



Henri Bennemeer
Drainage Superintendent



Alana Vander Veen
Survey CAD Technologist/Acting Drainage
Superintendent

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

Reviewed by:



Chris Lee
Director, Engineering and Operations



Report Number: 2018-109

Date: July 23, 2018

SUBJECT: Leave of Absence from Council

1) PURPOSE

The purpose of this report is to obtain Council's approval regarding an extended leave of absence from Council.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Section 259(1) of the *Municipal Act*, states that an absence from Council meetings of three successive months requires authorization by a resolution of Council. If such a resolution is not passed the seat becomes vacant.

3) STAFF COMMENTS AND DISCUSSIONS

Councillor John Mayne has requested a leave of absence that began in May 2018. Currently, the return date of Councillor Mayne is unknown and therefore a leave of absence is being recommended until the end of the current term of Council. If approved Councillor Mayne will be permitted to end the leave early if desired.

If the leave of absence is not granted the seat will become vacant. As provided in Section 65(2) of the *Municipal Elections Act*, no by-election shall be held to fill an office that becomes vacant after March 31 in the year of a regular election. Also, according to Section 262(5) of the *Municipal Act* Council is not required to fill a vacancy within 90 days of the election.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do Nothing

If Council does not approve the requested leave of absence then the seat will become vacant and most likely remain so until the next term of Council.

b) Other Options

It is recommended that Council approve the requested leave of absence.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

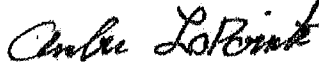
None.

7) RECOMMENDATION

That a leave of absence be approved for Councillor John Mayne for a period ending November 30, 2018, or until he resumes attendance, whichever occurs first.

8) SIGNATURES


Prepared on July 16, 2018 by:


Amber LaPointe
Manager of Legislative Services/City Clerk

Reviewed by:


Peter Senese
Director of Corporate Services

Reviewed and respectfully submitted by:


C. Scott Luey
Chief Administrative Officer



Corporate Services Department
Finance Division

Report Number: 2018-108

Date: July 23, 2018

**SUBJECT: Development Charge Reserve Funds -
January 1, 2017 to December 31, 2017**

1) PURPOSE

This report provides the allocation of the Fire, Parks and Recreation, Library, Public Works, Corporate Services, Water, Sanitary and Storm Services Development Charge Reserve Funds for the twelve months ending December 31, 2017.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

In accordance with the *Development Charges Act, 1997*, the municipality shall, in each year, provide Council with a statement relating to Development Charge Reserve Funds, attached as Schedule "A".

The balance in each fund as at December 31, 2017 was:

Fire	\$ 36,613.95
Roads	\$ 76,033.90
Parks & Recreation	\$ 31,279.59
Library	\$ 9,069.75
Public Works	\$ 61,640.60
Corporate Services	\$ nil
Water	\$ nil
Sanitary	\$ 6,581.05
	<u>\$221,218.84</u>

Schedule "A" provides the breakdown of the reserve fund activity for the period January 1, 2017 to December 31, 2017. There were no Development Charges collected due to the moratorium on collection of the fees. Interest earned on the fund balances amounted to \$5,320.88.

3) STAFF COMMENTS AND DISCUSSIONS

The *Development Charges Act* and the City's by-law specify that such funds must be spent on the designated services for which the charges are imposed and collected. There were no funds expended in 2017.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

Report for information purposes.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

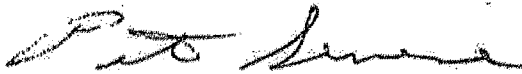
Schedule 'A' - Statement of Activity of Development Charge Reserve Funds

7) RECOMMENDATION

That report Corporate Services Department, Finance Division Report 2018-108 with respect to Development Charge Reserve Funds January 1, 2017 to December 31, 2017 be received for information.

8) SIGNATURES

Prepared on July 16, 2018 by:



Peter Senese
Director of Community & Corporate Services

Reviewed and respectfully submitted
by:



C. Scott Luey
Chief Administrative Officer

**DEVELOPMENT CHARGE RESERVE FUNDS
STATEMENT OF ACTIVITY
January 1, 2017 to December 31, 2017**

SCHEDULE A

	<u>FIRE</u>	<u>ROADS</u>	<u>PARKS & RECREATION</u>	<u>LIBRARY</u>	<u>PUBLIC WORKS SERVICES</u>	<u>CORPORATE</u>	<u>WATER</u>	<u>SANITARY</u>	<u>TOTAL</u>
Balance as of January 1, 2017	\$35,733.29	\$74,205.08	\$30,527.24	\$8,851.60	\$60,157.99	\$0.00	\$0.00	\$6,422.76	\$215,897.96
<u>RECEIPTS</u>									
Development Charges Received	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Interest Earned	\$880.66	\$1,828.82	\$752.35	\$218.15	\$1,482.61	\$0.00	\$0.00	\$158.29	\$5,320.88
Total Receipts	\$880.66	\$1,828.82	\$752.35	\$218.15	\$1,482.61	\$0.00	\$0.00	\$158.29	\$5,320.88
<u>DISBURSEMENTS</u>									
Transferred to Capital Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Transferred to Revenue Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Development Charges Refunded	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Disbursements	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Balance as of December 31, 2017	\$36,613.95	\$76,033.90	\$31,279.59	\$9,069.75	\$61,640.60	\$0.00	\$0.00	\$6,581.05	\$221,218.84
Net Increase (Decrease)	\$880.66	\$1,828.82	\$752.35	\$218.15	\$1,482.61	\$0.00	\$0.00	\$158.29	\$5,320.88

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JUL 03 2018

CORPORATE SERVICES
DEPARTMENT

Port Colborne city Council:

This letter from the Friends of Pt Colborne Lighthouses (FOPCL) is a request for the city to recognize International Light House Day by declaring August 7th 2018 "Lighthouse Day" in Pt Colborne.

We wish Pt Colborne to join the ever growing number of cities recognizing the historical and cultural importance of their lighthouses and place in their history.

Whereas 7th August 2018 is International Light House Day,

Therefore we seek recognition here by having Lighthouse Day declared in Pt Colborne.

Whereas this recognition acknowledges our rich marine-based history, culture and industry

Whereas Port Colborne is unique, having 2 lighthouses connected by a tunnel.

Whereas We are able to have tours to same through co-operative inter-agency agreements, thus meeting the public's ever growing interest in lighthouses

Whereas This public interest re-inforces FOPCL efforts to increase access and gain stewardship so that they may be properly preserved, restored, maintained and shared with the public for future generations

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July 10, 2018

CL 9-2018, July 5, 2018
PEDC 9-2018, June 27, 2018
Report PDS 29-2018

**LOCAL AREA MUNICIPALITIES
AGRICULTURAL POLICY AND ACTION COMMITTEE**

SENT ELECTRONICALLY

Comments on Province's Draft Agricultural Impact Assessment Guidance Document
PDS 29-2018

Regional Council, at its meeting of July 5, 2018, approved the following recommendation of its Planning and Economic Development Committee:

1. That the staff comments within Report PDS 29-2018, attached as Appendix 1, respecting the Province's draft "*Agricultural Impact Assessment Guidance Document*" **BE ENDORSED**;
2. That staff **BE DIRECTED** to submit comments to the Environmental Registry prior to the July 13th deadline; and,
3. That a copy of Report PDS 29-2018 **BE FORWARDED** to the Local Area Municipalities and the Agricultural Policy and Action Committee for information.

A copy of Report PDS 29-2018 is attached for your information.

Yours truly,



Ann-Marie Norio
Acting Regional Clerk

:jg

CLK-C 2018-88

cc: L. Savage, Planner, Planning and Development Services
N. Oakes, Executive Assistant to the Commissioner, Planning and Development Services
R. Mostacci, Commissioner, Planning and Development Services

Subject: Comments on Province's Draft Agricultural Impact Assessment Guidance Document

Report to: Planning and Economic Development Committee

Report date: Wednesday, June 27, 2018

Recommendations

1. That the staff comments within Report PDS 29-2018, attached as Appendix 1, respecting the Province's draft "*Agricultural Impact Assessment Guidance Document*" **BE ENDORSED**;
2. That staff **BE DIRECTED** to submit comments to the Environmental Registry prior to the July 13th deadline; and,
3. That a copy of Report PDS 29-2018 **BE FORWARDED** to the Local Area Municipalities and the Agricultural Policy and Action Committee for information.

Key Facts

- The purpose of this report is to seek endorsement of staff comments on the Province's draft Agricultural Impact Assessment Guidance Document.
- The guidance document is intended to support implementation of Agricultural Impact Assessment requirements in four provincial land use plans.
- Agricultural Impact Assessment requirements and guidance will be considered as part of the agriculture work program for the new Regional Official Plan.
- Regional staff invited input on the attached comments from the local municipalities.
- Comments on the document focus on practicalities and ease of implementation from a municipal perspective.
- Comments must be submitted through the Environmental Registry by July 13, 2018.

Financial Considerations

There are no direct financial considerations associated with commenting on the draft guidance document.

Analysis

The Coordinated Plan Review of the Growth Plan for the Greater Golden Horseshoe, Greenbelt Plan, Niagara Escarpment Plan and Oak Ridges Moraine Conservation Plan

strengthened the provincial framework for agricultural planning in Ontario. As part of the new framework, policy direction for Agricultural Impact Assessment was introduced.

Agricultural Impact Assessment is defined as: a study that evaluates the potential impacts of non-agricultural development on agricultural operations and the Agricultural System and recommends ways to avoid, and where avoidance is not possible, minimize and mitigate adverse impacts. Policy direction with respect to Agricultural Impact Assessments is provided for settlement area boundary expansion, mineral aggregate operations, infrastructure, and other non-agricultural uses.

On March 15, 2018, the Ministry of Agriculture, Food and Rural Affairs posted the draft Agricultural Impact Assessment Guidance Document on the Environmental Registry for a 120-day commenting period (closing on July 13, 2018). The guidance document is divided into four parts with the aim of providing: a clear definition of Agricultural Impact Assessment and related provincial requirements; technical guidelines for the content and structure of an Agricultural Impact Assessment to ensure consistency; and examples of mitigation measures to avoid, minimize and mitigate impacts on agriculture.

Following the release of the draft guidance document, Regional staff participated in a provincial webinar that provided an overview of the purpose and use of the document. Regional staff also invited input on the draft comments from the local municipalities.

The guidance document is generally a helpful resource. It appears to be consistent with what is already happening in practice in some municipalities. However, some of the suggestions in the document may be challenging to execute in practice. As such, recommendations have been put forward by Regional staff to provide clarification and improve ease of implementation from a municipal perspective.

Comments for endorsement and submission to the Province are attached as Appendix 1 to this report. Key recommendations are summarized as follows:

- More explicit direction should be provided with respect to criteria that 'qualified professionals' must meet, given potential implications for providing expert opinion evidence at the Local Planning Appeal Tribunal
- Municipalities should keep a general list of consultants who have undertaken similar work within the area in the past, rather than hold a list of 'qualified' consultants who have been endorsed
- A reference should be incorporated regarding compliance with applicable data use policies, agreements and privacy legislation when identifying local landowners, farmers, businesses, etc. for consultation
- A description of soils in the technical guidelines should include consideration of historical uses and soil contamination/brownfields

- Further guidance should be provided regarding quantifying the economic impact of agriculture within specific study areas
- Examples should be provided with respect to the implementation of monitoring and performance measures
- Further explanation and direction should be provided with respect to evaluating smaller site-specific, non-agricultural proposals where alternative sites may not be feasible
- When considering the mitigation measure of reducing density in proximity to agricultural operations, a reference should be incorporated regarding the need to balance provincial priorities relating to both density and agricultural viability
- Examples should be provided of how a policy or management technique could be 'fairly applied' to urban and agricultural land uses alike in an 'edge planning area'
- The document should provide guidance that implementation of the Agricultural System and consideration of settlement boundary expansion can be completed as part of the same municipal comprehensive review process

Alternatives Reviewed

The alternative would be for Council not to endorse the comments for submission to the Province. This is not recommended, as Regional staff's perspective would not be considered in the consultation to shape the final document. The guidance document will have implications for Niagara, where agriculture is an important component of the economy, and the Region should participate in its development.

Relationship to Council Strategic Priorities

Agricultural Impact Assessment policy requirements and guidance will be considered as part of the agriculture work program for the new Regional Official Plan. The Regional Official Plan will assist in implementing Council's Strategy Priority of Innovation, Investment and Entrepreneurship.

Other Pertinent Reports

PDS 17-2018: Agriculture – Project Framework
PDS 7-2018: Agricultural Project Initiation Report
PDS 29-2017: 2017 Niagara Escarpment Plan 2017
PDS 28-2017: Understanding the 2017 Provincial Growth Plan
PDS 27-2017: The Greenbelt Plan 2017

Prepared by:

Lindsey Savage, MCIP, RPP
Planner
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Carmelo D'Angelo, BSc, MPA
Chief Administrative Officer

This report was prepared in consultation with Erik Acs, MCIP, RPP, Senior Planner and reviewed by David Heyworth, MCIP, RPP, Official Plan Policy Consultant, Danielle De Fields, MCIP, RPP, Manager, Community Planning and Doug Giles, Director, Community and Long Range Planning.

Appendices

Appendix 1 Niagara Region's Comments on Province's Draft Agricultural Impact Assessment Guidance Document

APPENDIX 1

Niagara Region's Comments on Province's Draft Agricultural Impact Assessment Guidance Document

Draft Document Section	Niagara Region's Comments
Section 1.7 Peer Review	<p>The document recommends that municipalities keep a list of qualified peer reviewers to conduct Agricultural Impact Assessment (AIA) reviews as a best practice. It is notable that the <i>Municipal Act, 2001</i> requires municipalities to adopt policies with respect to their procurement of goods and services. The 'pre-qualification' of consultants may be subject to those procurement policies.</p> <p>Given that the pre-qualification of consultants may be subject to local procurement policies and have resourcing implications for municipalities, it is recommended that the document be revised to include a more general statement about keeping a list of consultants that have undertaken agricultural impact assessment within the area in the past, without any particular endorsement of their qualifications. In addition, it is recommended that clarification be provided regarding whether both upper- and lower-tier municipalities should hold these lists.</p>
Section 1.8 Qualified Professionals	<p>The document identifies knowledge and experience that qualified professionals should have in order to undertake a peer review of an AIA.</p> <p>It is recommended that this section be more explicit, particularly if it is intended to determine qualifications for providing expert opinion evidence before the Local Planning Appeal Tribunal. For example, clarification should be provided regarding whether all of the criteria in the bulleted list must be met, or whether municipalities have the flexibility to determine whether one or more of the criteria must be met, depending on the nature of the application.</p>

Draft Document Section	Niagara Region's Comments
Section 2.2 AIA Study Components (Part 2. Process)	<p>The document recommends that surrounding landowners be consulted as part of the AIA process. While this is valuable, individual landowners and businesses may not always have the capacity or desire to participate in consultations.</p> <p>It is recommended that, in such cases, attempts to engage with individual landowners and business be documented as part of the AIA process, with consideration for privacy protection (see below for further comments with respect to privacy).</p>
Section 2.2 AIA Study Components (Part 3. Study Areas)	<p>The document recommends compiling a list of local landowners, farmers, farming organizations and agricultural advisory committees to engage in the AIA process. While information could be collected from various sources, such as the Municipal Property Assessment Corporation or the Agricorp Farm Business Registration, privacy is an important consideration and data must be used for internal planning purposes in accordance with acceptable use policies. Privacy issues may become particularly important if the AIA forms part of a public record and process.</p> <p>It is recommended that, if the reference to local landowners remains in the document, an addition be made respecting compliance with applicable data use policies, agreements and privacy legislation.</p>
Section 2.2 AIA Study Components (Part 5. Description – Soils, Land)	<p>The document identifies the importance of obtaining a good understanding of the soil resources within the study areas.</p> <p>It is recommended that this section also identify historical uses and consideration for soil contamination / brownfields as one of the criteria.</p>
Section 2.2 AIA Study Components	<p>The document suggests quantifying the economic impact of agricultural production in the study areas with census</p>

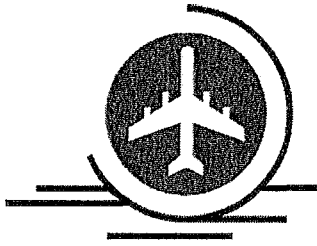
Draft Document Section	Niagara Region's Comments
(Part 5. Description – Soils, Land)	<p>of agriculture data. Quantifying the economic impact of agriculture within such a specific study area is challenging. Census data provides information at the municipal level but does not address specific properties or areas within municipal boundaries. Even at the municipal level, there are issues related to data suppression given limited sample size. In some cases, economic data can be collected through the Farm Business Registration, but this data is attributed to the business and not the actual farmland in question. As such, it may not be reliable for the purposes of determining the economic impact of agriculture within a specific study area.</p> <p>In addition, even if the economic impact of agriculture could be estimated within a specific study area, it may be difficult to apply meaning to that figure without any direct comparisons (e.g. if only one site is being examined).</p> <p>It is recommended that further guidance be provided regarding quantifying the economic impact of agriculture to implement this component of the AIA.</p>
Section 2.2 AIA Study Components (Part 9. Study Conclusions and Recommendations)	<p>The document recommends including monitoring and performance measures to ensure that the mitigation measures have been successfully implemented. This raises the question of who would be responsible for monitoring and any associated costs. In addition, how would monitoring be enforced after a development has been completed or the property has been sold or subdivided?</p> <p>It is recommended that an example be provided to illustrate how this might be implemented.</p>
Section 3.2.1 Avoiding Impacts (Table 2)	<p>The document suggests evaluating alternative locations and giving preference to locations where the settlement area boundary expansion or non-agricultural use avoids prime agricultural areas. Evaluating alternative sites may not be feasible for site specific non-agricultural use proposals. In such cases, if there is merit to the proposal,</p>

Draft Document Section	Niagara Region's Comments
	<p>efforts could be made to minimize and mitigate any potential adverse impacts on surrounding agricultural operations.</p> <p>It is recommended that direction with respect to site specific proposals be provided in the document.</p>
<p>Section 3.2.2 Minimizing and Mitigating Impacts (Table 3)</p>	<p>The document suggests that one option for minimizing and mitigating impacts to agriculture is limiting the area being developed and the number of residents or employees adjacent to agricultural lands and operations. This measure may be difficult to implement in practice, as the Growth Plan for the Greater Golden Horseshoe, 2017 requires municipalities to adopt minimum density targets of 80 people and jobs per hectare on greenfield sites. While the minimum density target is measured over the entire designated greenfield area, most greenfield land in Niagara is adjacent to farmland. As such, reducing the density of these sites would not be realistic in Niagara, as it may hinder Niagara's ability to meet the minimum density targets required by the Province.</p> <p>It is recommended that a reference be incorporated regarding the need to balance provincial priorities related to both density and agriculture.</p>
<p>Section 3.3 Impacts on the Agricultural System</p>	<p>The document states that both the agricultural land base and the agri-food network need to be assessed as far as impacts and to implement mitigation measures. In addition, the Agricultural System portal should be used to assess impacts on the agri-food network.</p> <p>Given that the agri-food network is not a specific designation that needs to be mapped in official plans, was it the Province's intent that municipalities would incorporate official plan policies to direct landowners, development proponents, consultants, etc. to the Province's Agricultural System portal? If yes, it is recommended that a reference be incorporated in this regard.</p>

Draft Document Section	Niagara Region's Comments
<p>Section 3.4 Description of Mitigation Measures</p>	<p>The document states that the urban-agricultural interface should be recognized as a distinct 'edge planning area' where specific policies and management techniques can be fairly applied for urban and agricultural land users alike. It may not be fair to impose requirements on the agricultural community if land is designated for agricultural uses and normal farm practices are expected in that area. In addition, this may create confusion, as provincial policies and definitions suggest that an AIA would only be triggered by and apply to non-agricultural development.</p> <p>It is recommended that the document provide further explanation of this issue and/or an example of a policy or management technique that could be fairly applied to urban and agricultural users alike.</p>
<p>Section 4.2 Background: Settlement Area Boundary Expansions</p>	<p>The document states that upper- and single-tier municipalities are required to designate prime agricultural areas in accordance with provincial mapping of the agricultural land base of the Agricultural System; and only once the Agricultural System has been "implemented", can upper- and single-tier municipalities complete an AIA to determine a preferred location of a settlement area boundary expansion. In practice, this may create difficulties for municipalities that will be updating their Agricultural System mapping and examining settlement area boundary expansions as part of the same municipal comprehensive review (MCR) process.</p> <p>Rather than suggesting that the Agricultural System mapping must be fully "implemented" in advance of a MCR, it is recommended that the document be revised to indicate that the Agricultural System must first be "identified", as the Agricultural System can be identified using the Province's Agricultural System Portal. This would enable a new or updated municipal official plan to be adopted by Council as one single document, rather than in phases with an Agricultural System predating the MCR process.</p>

JUL 15 2018

CORPORATE SERVICES
 DEPARTMENT



NIAGARA CENTRAL
Airport Commission

P. O. Box 234
 L3B 5P4

WELLAND, ONTARIO

July 13, 2018

City Clerk City of Port Colborne 66 Charlotte Street Port Colborne, Ontario L3K 3C8 Via email to ashleygrigg@portcolborne.ca	City Clerk City of Welland 60 East Main Street Welland, Ontario L3B 3X4 Via email to clerk@welland.ca
Chief Administrative Officer/Clerk Township of Wainfleet 31940 Highway 3 P.O. Box 40 Wainfleet, Ontario L0S 1V0 Via email to wkolasa@wainfleet.ca	Town Clerk Town of Pelham 20 Pelham Town Square P.O. Box 400 Fonthill, Ontario L0S 1E0 Via email to nbozzato@pelham.ca

Mayors and Councils of City of Port Colborne, City of Welland, Township of Wainfleet, and the Town of Pelham:

Following is brief synopsis of issues and developments at Niagara Central Dorothy Rungeling Airport through the second quarter of 2018 for your information:

Condition and Maintenance:

- Cost of completion of repairs to Taxiway Alpha, and repairs to the Secondary Runway and Taxiway Bravo was submitted in the 2018 capital budget. Estimates within the budget were received. Norjohn has scheduled the work for August, 2018. Remedial treatment to the treated surfaces will result in save use for 10+ years.

Other Repair and Maintenance Issues:

- MOE has reviewed plans of new septic system designed by the engineering firm AMEC to replace the current greater than 70 year old system, and has agreed that our system will need to service a daily capacity of under 10,000 litres daily. Wood Group's technical data has been provided to contractors for estimates which we anticipate receiving within the 3rd Quarter. Given the work load locally for contractors, we do not anticipate construction of the septic system until 2019. There are no environmental or health issues associated with our continuing use of our current system until it is replaced.
- The runway lighting system is still operational but will require renovation as they system is aged. However, we have been offered a large inventory of spare parts which we can acquire for the cost of transportation. Acquisition of these spares will allow our current system to function into the middle to long term without additional capital cost.

Request to Upload Control and Governance of NCDRA to Region:

- On September 26, 2016, Regional Council passed a motion supporting in principle that the Region adopt sole-responsibility for operations and governance of Niagara District and Niagara Central Dorothy Rungeling Airports. Subject to completion of a phase 2 environmental assessment at each location paid for by the current owners/operators, Regional staff is authorized to initiate negotiations with funding partners of both airports to transition responsibility.
- The required Environmental Assessment of NCDRA was substantially completed during the 3rd quarter, and the Phase 2 report was forwarded to the Region.
- Niagara Central Airport Commission and NCDRA staff is worked with our stakeholder municipalities to facilitate the negotiation process with the Region to make the transition of control to the Region. Mayors and CAO's met on March 9 to develop a process to develop a common negotiating position with which to approach Region.
- NCDRA and NDA Chairs and/or Commissions met on 3 occasions to discuss the development of an integrated position from which to negotiate with the Region. NDA Commission passed a resolution to work collaboratively with NCDRA to develop such a position, using NCDRA's position as a starting point. The objective is to bring the integrated position to the Region for Regional Staff and staff selected from NCDRA stakeholder municipalities to work on during the campaign period so that new Councils can consider the outcome as soon as possible. The discussion among our Commissions should be completed during the 3rd Quarter.

Growth:

- The local chapter of the Canadian Owners and Pilots Association (COPA Flight 149) has suggested that NCDRA rehabilitate the abandoned runway as a grass strip. They have offered to participate in the cost of construction and to undertake the maintenance of the strip. A plan and budget of this conversion has been approved by NCAC. The plan includes:
 - Excavation of a road a 1900 ft. roadbed on the south side of hangars along Taxiway Bravo to provide soil to cover the abandoned runway. The roadbed will accept fill from the wider community to eventually become the access to additional hangar lots required when lots along Bravo are leased.
 - The abandoned runway will be prepared, graded, and covered with the roadbed excavate provided above.
 - Preparation and seeding of the soil to create the grass strip will be undertaken by COPA.
 - Cost of excavation and placement of the soil will be undertaken by NCDRA with an upset limit of \$15,000.00, including HST.

- Cost of creation of the grass strip will be undertaken by COPA, who have committed to the maintenance of the grass strip thereafter.
- Work on the grass strip is scheduled to begin in the week of July 9, 2018.

Administration

Substantial progress has been made in converting our bookkeeping processes to Quickbooks, which will be extremely valuable in allowing management to access financial information as required in real time.

Airport Activities:

- Activities are at a busy summer level.
- The incident between aircraft on runway 05/23 in October resulted in the cleanup of spilled fuel, the cost of which will be borne by the insurance coverage of the aircraft involved. This item remains outstanding. Legal action commenced during the quarter.

Air Race Classic:

- As reported in NCDRA 3rd Quarter 2015, NCAC agreed in principle to the proposal that NCDRA be the terminus of the 2019 (44th) Air Race Classic. The Air Race Classic is an annual event in which 50 women pilots plus crew fly legs of a 2500 mile course across North America over a 4 day period. The community of terminus (finish line) airport experiences the positive impact of the end-of-race gala and associated celebration.
- The ARC Committee, chaired by and largely made up of tenants and users of NCDRA, meets regularly with our management as it prepares for the event in June 2019.
- Economic impact of this event to the Region is conservatively estimated at approximately \$650,000.00. Budget of up to \$40,000.00 is planned to be raised through fundraising, but NCAC will include red-circled funds in the 2019 budget to backstop if necessary.

Fundraising:

- Congratulation to COPA for surpassing their fundraising goals for their share of the cost of the grass strip.
- Donations have been received for the updating of the primary signage on the side of Hangar 1. Estimates for the update roughly equal to the donated amounts have been received, and the work is likely to be completed during the 3rd Quarter.
- Discussions regarding application of Section 110 of the Ontario Municipal Tax Act will depend on the outcome of negotiations around Region's uplift of control of the airport.

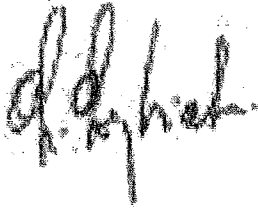
2015 through 2018 Niagara Central Airport Commission Members:

Welland	Jim Larouche John Mastroianni Leo Van Vliet
Port Colborne	Barbara Butters (Vice-Chair) Bea Kenny
Wainfleet	Ted Hessels

Pelham

Richard Rybiak (Chair)

Sincerely,

A handwritten signature in black ink, appearing to read "R. Rybiak". The signature is written in a cursive style with some ink bleed-through from the reverse side of the page.

Richard Rybiak
Chair, Niagara Central Airport Commission

**City of Port Colborne
Regular Committee of the Whole Meeting 15-18
Minutes**

Date: July 9, 2018
Time: 7:15 p.m.
Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Absent: D. Elliott, Councillor (due to work)
Y. Doucet, Councillor (due to vacation)
J. Mayne, Councillor (leave of absence)

Staff Present: T. Cartwright, Fire Chief
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk (minutes)
T. Rogers, Acting Director of Planning and Development
P. Senese, Director of Corporate Services
C. Vincent, Manager of Special Projects and Corporate Strategic Initiatives

Also in attendance were interested citizens, members of the news media and WeeStream.

1. Call to Order:

Mayor Maloney called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

Moved by Councillor B. Kenny
Seconded by Councillor A. Desmarais

That the agenda dated July 9, 2018 be confirmed, as circulated or as amended.
CARRIED.

4. Disclosures of Interest:

Councillor Bodner declared a pecuniary interest with respect to item 1, Planning and Development Department, Planning Division, Report 2018-95, Subject: Stopping Up and Closing Parts of Empire and Michael Roads and Sale to Sun Communities Operating Limited Partner, as he owns a business in Sherkston Shores. Councillor Bodner refrained from discussing or voting on this item.

Councillor Butters declared a pecuniary interest with respect to item 11, Memorandum from Gina Tartaglia, Event Coordinator Re: Canal Days 2018 – Royal Canadian Legion, Branch 56, Request for Letter of Non Objection regarding a Temporary Licence Extension, as she is a member of the Legion. Councillor Butters refrained from discussing or voting on this item.

5. Adoption of Minutes:**(a) Regular meeting of Committee of the Whole 14-18, held on June 25, 2018**

Moved by Councillor B. Kenny
Seconded by Councillor A. Desmarais

- (a) That the minutes of the regular meeting of the Committee of the Whole 14-18, held on June 25, 2018, be approved as presented.

CARRIED.

6. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Items 1, 2, 6, 9, 11.

7. Approval of Items Not Requiring Separate Discussion:

Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That Items 1 to 11 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

Items:**3. Corporate Services Department, Finance Division, Report 2018-90, Subject: Cancellation, Reduction or Refund of Realty Tax**

Committee of the Whole recommends:

That the applications pursuant to Section 357/358 of the Municipal Act, 2001, as amended, numbered 2015-40, 2018-01, and 2018-02 be approved to cancel or reduce taxes in the total amount of \$18,179.51, in which \$7,604.30 is the municipal portion.

**4. Corporate Services Department, Finance Division, Report 2018-94,
Subject: 2017 Audit Plan**

Committee of the Whole recommends:

That the 2017 Audit Plan prepared by Grant Thornton, attached to Corporate Services Department, Finance Division Report 2018-94 be received for information.

**5. Corporate Services Department, Finance Division, Report 2018-96,
Subject: Port Colborne Welland LINK Bus Route and Schedule Changes**

Committee of the Whole recommends:

That the Port Colborne Welland LINK bus route change and schedule change to accommodate the provision of three (3) additional trips for the transit service between Port Colborne and Welland as described in Corporate Services Department, Finance Division Report 2018-96, be approved, effective September 1, 2018.

7. Region of Niagara Re: 2017 Annual Financial Report

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: 2017 Annual Financial Report, be received for information.

The 2017 Annual Financial Report may be found at the following link:
<https://www.niagararegion.ca/business/finance/annual-reports/default.aspx>

**8. Region of Niagara Re: Regional Official Plan Amendment 13 -
Transportation Policies (PSD Report 27-2018)**

Committee of the Whole recommends:

That the correspondence received from the region of Niagara Re: Regional Official Plan Amendment 13 – Transportation Policies (PDS Report 27-2018); be received for information.

**10. Region of Niagara Re: Trade with the United States and Protecting
Canadian Jobs**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Trade with the United States and Protecting Canadian Jobs, be received for information.

CARRIED.

8. **Presentations:**

Nil.

9. **Delegations:**

a) **Margaret Josipovic, Project Expeditor, City of St. Catharines Re: Housing Action Plan 2017**

Margaret Josipovic presented with respect to the City of St. Catharines' Housing Action Plan. A copy of the presentation is attached.

10. **Mayor's Report:**

A copy of the Mayor's Report is attached.

11. **Regional Councillor's Report:**

Nil.

12. **Councillors' Items:**

a) **Parking at Pleasant Beach (Butters)**

Councillor Butters advised that tow trucks were experiencing difficulty accessing illegally parked vehicles and garbage trucks were having trouble accessing the waste enclosure due to lack of no parking signs. The Acting Director of Planning and Development advised that no parking signs were installed and he would seek feedback from the tow and garbage truck drivers.

b) **Directional signage to Nickel and Centennial Beaches (Butters)**

In response to an inquiry from Councillor Butters, the Chief Administrative Officer advised that he discussed the directional signage with parks staff and will provide regular updates to Council with respect to the status of the project.

c) **Signage on Pleasant Beach (Butters)**

In response to a concern expressed by Councillor Butters with respect to a sign on Pleasant Beach advising that dogs are allowed off leash on part of the beach, the Acting Director of Planning and Development advised that the signage is incorrect as dogs can only be off leash at the dog park and also

advised that he would discuss removal of the signage with Sherkston Shores as the signage is located on their property.

d) Niagara Regional Police and concerns within the community (Desmarais)

Councillor Desmarais expressed concerns with respect to policing of roads, sidewalks and trails as well as with people aggressively begging for money outside of grocery stores and banks. The Chief Administrative Officer advised that concerns with ineffective policing are being addressed one by one with the Niagara Regional Police Staff Sergeant and also advised that he plans to include the NRP in the orientation of the new Council.

e) Community Based Risk Assessment (Desmarais)

Councillor Desmarais requested that Mayor Maloney request a meeting with the new Minister of the Environment, Conservation and Parks with respect to resolving the issues related to the process to address the chemicals of concern in soil created by historic emissions from Vale's operations.

f) Property on Nickel Street (Desmarais)

Councillor Desmarais expressed frustration with respect to a dilapidated property on Nickel Street that has been an active enforcement file for a number of years with no improvement. The Acting Director of Planning and Development advised that he would forward the concern to the Director.

g) Railway tracks on Fielden Avenue (Danch)

Councillor Danch commented that the rail maintenance performed by Trillium Railway on the Fielden Avenue tracks improved the crossing and he looks forward to improvements at the Killaly Street and Main Street crossings.

h) Niagara Region grass cutting (Danch)

In response to an inquiry from Councillor Danch, the Director of Engineering and Operations advised that he would follow up with the Region about a second grass cutting along Highway #3.

i) Left turn pavement marking – Intersection of Elm Street and Main Street (Danch)

In response to a concern expressed by Councillor Danch about the left turn lane pavement marking that was not re-painted on the north side of Elm Street turning onto Main Street, the Director of Engineering and Operations advised that he would forward the concern to the Region.

Staff Responses to Previous Councillor Enquiries:**a) Smoke Alarm Program (Cartwright)**

The Fire Chief advised that 39% compliance has been achieved with the Smoke Alarm Program.

b) Open burning complaints (Cartwright)

The Fire Chief advised that complainants about open burning should call 911 to make a report, rather than the Fire Department. The Fire Chief also advised that due to the dry weather, a complete ban on open burning may be implemented.

c) Hoarding concerns (Cartwright)

The Fire Chief advised that the Ontario Association of Fire Chiefs posted the newspaper article about hoarding generated as a result of the issue having been raised at the June 25, 2018 meeting of Council. The Fire Chief also advised that the Region of Durham offered assistance with respect to addressing with hoarding. Finally, the Fire Chief advised that a group of key stakeholders, including the Niagara Region, will meet to discuss a plan to addressing hoarding region-wide.

13. Consideration of Items Requiring Separate Discussion:**1. 2018-95, Subject: Stopping Up and Closing Parts of Empire and Michael Roads and Sale to Sun Communities Operating Limited Partnership**

Moved by Councillor B. Kenny
Seconded by Councillor A. Desmarais

That the by-law to stop up and close, declare surplus to the needs of the municipality and to sell part of the Empire Road and Michael Road allowances, being Part 1 on Plan 59R-161032 and Plan 59R-165103 be approved; and

That The Corporation of the City of Port Colborne enter into an Agreement of Purchase and Sale with Sun Communities Operating Limited Partnership for the purchase of, for \$525,000, the Empire Road and Michael Road allowances, being Part 1 on Plan 59R-161032 and Plan 59R-165103; and

That Council place \$525,000 into a reserve for expenditures related to Community and Economic Development Department projects as identified in the 2018 Strategic Planning Session and to be determined by the future Parks and Recreation Master Plan; and

That the Mayor and Clerk be authorized to sign and execute any and all documents respecting the sale these lands.

CARRIED.

2. Planning and Development Department, Planning Division, Report 2018-98, Subject: Proposed Site Plan Agreement for Farmedica Corporation, 3786 Highway 3, East

Moved by Councillor B. Butters
Seconded by Councillor B. Kenny

That entering into a site plan agreement with Karen Anne Neufeld with respect to 3786 Highway 3 East be approved and that the Mayor and Clerk be authorized to sign and execute said agreement.

CARRIED.

6. Community and Economic Development Department, Events Division, Report 2018-101, Subject: Canal Days – Bass Pro Range

Moved by Councillor A. Desmarais
Seconded by Councillor B. Kenny

That in accordance with Community and Economic Development Department , Events Division, Report 2018-101, exception be approved to by-law 2499/115/90, the Discharge of Firearms By-law, to permit Bass Pro Outdoor World to operate a BB gun shooting range at Canal Days 2018, August 3-6, 2018.

CARRIED.

9. Region of Niagara Re: Petition – Holding Elected Officials to a Higher Standard

Moved by Councillor B. Butters
Seconded by Councillor R. Bodner

That the correspondence received from the Region of Niagara Re: Petition – Holding Elected Officials to a Higher Standard, be received for information.

Moved in referral by Councillor B. Butters
Seconded by Councillor R. Bodner

That the correspondence received from the Region of Niagara Re: Petition – Holding Elected Officials to a Higher Standard be referred to the Manager of Legislative Services/City Clerk for a report providing comment on the recommendations contained in the correspondence.

CARRIED.

11. Memorandum from Gina Tartaglia, Event Coordinator Re: Canal Days 2018 – Royal Canadian Legion, Branch 56, Request for Letter of Non Objection regarding a Temporary Licence Extension

Moved by Councillor B. Kenny
Seconded by Councillor A. Desmarais

That the Council of The Corporation of the City of Port Colborne does not object to the application for a Temporary Licence Extension to an existing licence held by the Royal Canadian Legion, Branch 56, located at 67 Clarence Street, Port Colborne, on August 4, 5, and 6, 2018 during the Canal Days Marine Heritage Festival, as outlined in the correspondence from Harry Hamilton, Branch President, dated June 15, 2018, subject to the following conditions:

- That the applicant shall satisfy and comply with all applicable regulatory requirements, rules and provisions;
- That where the area is enclosed (by the building and permanent and temporary fencing) there shall be two separate, unrestricted, exits from the area that are a minimum of four feet in width; and

That Port Colborne Fire and Emergency Services shall inspect the site on August 4.

CARRIED.

14. Notice of Motion:

Nil.

15. Adjournment:

Moved by Councillor B. Kenny
Seconded by Councillor A. Desmarais

That the Committee of the Whole meeting be adjourned at approximately 8:45 p.m.

CARRIED.

AL/cm

Housing Action Plan



CITY OF ST. CATHARINES

Background

January 30th Council Motion – Housing Action Plan:

“That Council direct staff to prepare a comprehensive report on the City’s policy tools and options to encourage the development of affordable housing, including a review of policies related to secondary suites and inclusionary zoning, regulations and allowances for mini houses, live work spaces, modular homes and laneway homes, as well as a review of the CIP program and development charges policy and other creative incentive options to support the creation of affordable housing in St. Catharines.”

CITY OF ST. CATHARINES

Context- What is affordable housing?

OWNERSHIP	
Least expensive of:	Purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households
	Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area
RENTAL	
Least expensive of:	Rent does not exceed 30 percent of gross annual household income for low and moderate income households
	Rent is at or below the average market rent of a unit in the regional market area

CITY OF ST. CATHARINES

Context- Government Roles

Federal	Provincial
<ul style="list-style-type: none"> • Creation of policies/regulations • National housing strategies • Funding supply 	<ul style="list-style-type: none"> • Creation of policies/regulations • Legislative framework • Funding supply • Policy documents
Regional	Municipal
<ul style="list-style-type: none"> • Community services • Housing provider • Oversight and administration for local non-profits • Creation of regional policy • Incentive provision 	<ul style="list-style-type: none"> • Policy creation • Implementation of provincial and regional policy • Official plan/zoning by-law • Incentive provision

CITY OF ST. CATHARINES

Issues Identified

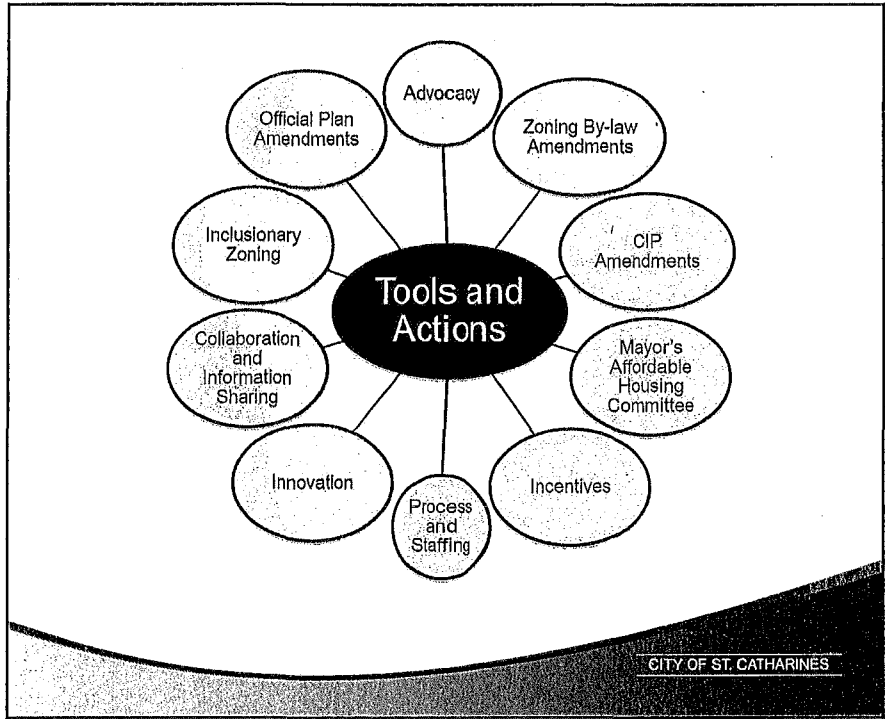
- Lack of units
- Poor condition of units
- NRH wait list
- Unit configuration
- Increasing market prices
- Public opinion/perception
- Cost of development
- Availability of funding
- Access to funding
- Landlord issues
- Long term affordability is difficult to ensure
- Innovative options are hindered by regulations
- Strict building code requirements

CITY OF ST. CATHARINES

Current Practices

- Official Plan policies
- Zoning By-law 2013-283 regulations
- Collaboration

CITY OF ST. CATHARINES



Tool/Action Item
Advocacy
Petition MAH for funding
Request use of Provincial/Federal lands for affordable housing projects
Examine option of creating a municipal service corporation
Create policy that all surplus municipal lands be first considered for affordable housing
Public transit improvement advocacy

CITY OF ST. CATHARINES

Tool/Action Item
Zoning By-law Amendments
Permit detached accessory apartments without a zoning amendment
Increase size allowances for interior accessory apartments
Examine parking exemption areas
Consider prohibition of downsizing
Encourage built-in accessory apartments in new developments

CITY OF ST. CATHARINES

Tool/Action Item
Official Plan Amendments
Amend condo conversion policies
Consider waiving of parkland dedication for affordable housing projects
Inclusionary zoning
Demolition control areas
Strengthen affordable housing polices in the GCP

CITY OF ST. CATHARINES

Tool/Action Item
Process and Staff
Separate approval process
Automatic waiving of fees
More certainty at preconsultation
Extended site plan approval dates
Staff member that specializes in affordable housing
Consultation with development community on process streamlining

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Tool/Action Item
Community Improvement Plan Amendments
Add "affordable housing" as a value added ranking criteria
Sunset clause for inactive current approvals to free up funding
Creation of CIP affordable housing grant

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Tool/Action Item
Incentives
Dedicated staff contact for grant research and information
Adjustment of tax rates – condo vs rental
Density bonusing
<hr/>
<small>CITY OF ST. CATHARINES</small>

Tool/Action Item
Collaboration and Information Sharing
Public education campaign
Profiles of success
Information sharing across municipalities in the Region
Information sharing through professional associations
<hr/>
<small>CITY OF ST. CATHARINES</small>

Tool/Action Item
Innovation
Staff support of innovative housing options
<ul style="list-style-type: none">• Mini homes• Container and modular housing• Flex housing• 3D printing• Co-operative student housing
Use of publicly owned properties/buildings
Municipality partaking in the development process
Creation of housing competitions for planning universities in Ontario

CITY OF ST. CATHARINES

Questions?

Margaret Josipovic

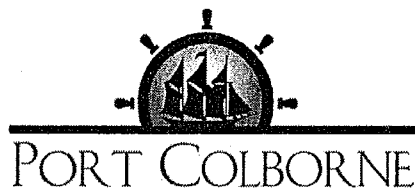
Project Expediter

City of St. Catharines

905 688 5601 ext 1723

mjosipovic@stcatharines.ca

CITY OF ST. CATHARINES



**Mayor's Report to the
July 9, 2018 Council Meeting**

Canada Day and Optimist Day in the Park

I wanted to extend our appreciation to all of the volunteers with the Port Colborne Optimist Club for the fun activities they put together this year to help us celebrate Canada Day at the park. The weather cooperated and there were smiles all around.

A special thank you to Grant and Carrie at Sobey's for their generous contribution to the cake which we all enjoyed.

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**City of Port Colborne
Regular Meeting of Council 18-18
Monday, July 23, 2018
following Committee of the Whole Meeting
Council Chambers, 3rd Floor, 66 Charlotte Street**

Agenda

- 1. Call to Order:** Mayor John Maloney
- 2. Introduction of Addendum Items:**
- 3. Confirmation of Agenda:**
- 4. Disclosures of Interest:**
- 5. Adoption of Minutes:**
 - (a) Special meeting of Council 16-18, held on July 9, 2018.
 - (b) Regular meeting of Council 17-18, held on July 9, 2018.
- 6. Determination of Items Requiring Separate Discussion:**
- 7. Approval of Items Not Requiring Separate Discussion:**
- 8. Consideration of Items Requiring Separate Discussion:**
- 9. Proclamations:**
 - (a) Lighthouse Day, August 7, 2018
- 10. Minutes of Boards, Commissions & Committees:**
 - (a) Minutes of the Port Colborne Public Library Board Meeting of June 5, 2018
- 11. Consideration of By-laws:**
- 12. Council in Closed Session:**
 - (i) Motion to go into Closed Session

That Council do now proceed into closed session in order to address the following matter(s):

- (a) Minutes of the closed session portion of the following Council meetings: July 9, 2018.
- (b) Planning and Development Department, Planning Division Report 2018-102, concerning the potential sale of City-owned land, pursuant to the *Municipal*

Act, 2001, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

- (c) Corporate Services Department, Clerk's Division Report 2018-104, Subject: Appointments to Boards and Committees, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees.
- (d) Planning and Development Department, By-law Enforcement Division Report 2018-106, concerning an update with respect to ongoing property investigations, pursuant to *Municipal Act, 2001*, Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees and Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- (e) Verbal report from the Chief Administrative Officer concerning a human resources matter, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees.

(ii) Disclosures of Interest (closed session agenda):

(iii) Consideration of Closed Session Items:

(iv) Motion to Rise With Report:

13. Disclosures of Interest Arising From Closed Session:

14. Report/Motions Arising From Closed Session:

15. Adjournment:

Council Items:

Notes	Item	Description / Recommendation
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>1.</p>	<p><u>Planning and Development Department, Planning Division, Report 2018-105, Subject: Recommendation Report for Official Plan Amendment D09-01-18 & Zoning By-law Amendment D14-02-18, n/s Killaly Street West</u></p> <p>That the Official Plan Amendment attached to Planning and Development Department, Planning Division Report 2018-105 as Appendix A be approved, adding a special policy to the Highway Commercial designation to support the use of warehousing on the property.</p> <p>That the Zoning By-law Amendment attached to Planning and Development Department, Planning Division Report 2018-105 as Appendix B be approved, rezoning the land from “HC – Highway Commercial” to “HC-48”.</p> <p>That staff be directed to prepare the Notice of Passing in accordance with the <i>Planning Act</i> and circulate to all applicable parties.</p>
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>2.</p>	<p><u>Engineering and Operations Department, Engineering Division, Report 2018-103, Subject: Wignell, Michener, Port Colborne and Beaverdam Municipal Drains Engineer Appointment</u></p> <p>That the appointment of Paul Smeltzer P. Eng. of AMEC(FW) be rescinded as per Section 39(2) Chapter D.17 of the <i>Drainage Act R.S.O. 1990</i>; and</p> <p>That Paul Marsh P. Eng. of EWA Engineers Inc. be appointed under Section 78(1) Chapter D.17 of the <i>Drainage Act R.S.O. 1990</i>, and that this appointment become effective once the conditions of Section 78(2) have been met; and</p> <p>That staff be authorized to execute a petition under Section 4 Chapter D.17 of the <i>Drainage Act R.S.O. 1990</i> to initiate/incorporate any new works related to municipal roads and/or property; and</p> <p>That Paul Marsh P. Eng. of EWA Engineers Inc., be appointed under Section 8 Chapter D.17 of the <i>Drainage Act R.S.O. 1990</i> for the new works contemplated and any additional petitions under Section 4, related to the Wignell, Michener Port Colborne and Beaver Dam Drains, that may come forward during the Drainage Act process; and</p> <p>That the Mayor and Clerk be authorized to sign the requisite Engineering Services Agreement for the preparation of new engineer(s) reports for the Wignell, Michener, Port Colborne and Beaverdam Municipal Drains.</p>

JDM AD DE	BB FD BK	RB YD JM	3.	<p><u>Corporate Services Department, Clerk’s Division, Report 2018-109, Subject: Leave of Absence from Council</u></p> <p>That a leave of absence be approved for Councillor John Mayne for a period ending November 30, 2018, or until he resumes attendance, whichever occurs first.</p>
JDM AD DE	BB FD BK	RB YD JM	4.	<p><u>Corporate Services Department, Finance Division, Report 2018-108, Subject: Development Charge Reserve Funds – January 1, 2017 to December 31, 2017</u></p> <p>That report Corporate Services Department, Finance Division report 2018-108 with respect to Development Charge Reserve Funds January 1, 2017 to December 31, 2017 be received for information.</p>
Miscellaneous Correspondence				
JDM AD DE	BB FD BK	RB YD JM	5.	<p><u>Cynthia B. Skinner, Member of The Friends of Port Colborne Lighthouses Re: Request for Proclamation of Lighthouse Day, August 7, 2018</u></p> <p>That August 7, 2018 be proclaimed as “Lighthouse Day” in the City of Port Colborne in accordance with the request received from Cynthia B. Skinner, Member, The Friends of Port Colborne Lighthouses.</p>
JDM AD DE	BB FD BK	RB YD JM	6.	<p><u>Region of Niagara Re: Comments of Province’s Draft Agricultural Impact Assessment Guidance Document (PDS Report 29-2018)</u></p> <p>That the correspondence received from the Region of Niagara Re: Comments on Province’s Draft Agricultural Impact Assessment Guidance Document (PDS Report 29-20178), be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	7.	<p><u>Niagara Central Airport Commission Re: 2nd Quarter Report 2018 for the Niagara Central Dorothy Rungeling Airport</u></p> <p>That the correspondence received from Richard Rybiak, Chair, Niagara Central Airport Commission Re: Niagara Central Airport Commission 2nd Quarter Report for the Niagara Central Dorothy Rungeling Airport, be received for information.</p>
Outside Resolutions – Requests for Endorsement				
Nil.				
Responses to City of Port Colborne Resolutions				
Nil.				

**Consideration of By-laws
(Council Agenda Item 11)**

By-law No.	Title
6600/55/18	Being a By-law to Adopt Amendment No. 5 to the Official Plan for the City of Port Colborne
6601/56/18	Being a By-law to Amend Zoning By-law 6575/30/18 Respecting Lands Legally Described as Part Lot 32, Concession 2, Municipally Known as Killaly Street West
6602/57/18	Being a By-law to Appoint Paul Marsh P. Eng. Of EWA Engineers Inc. for the Completion of a New Engineer's Report for the Repair and Improvement of the Wignell, Michener, Port Colborne and Beaverdam Drains situated in the City of Port Colborne and to Rescind By-law No. 5653/84/11 and By-law No. 5666/97/11
6603/58/18	Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Regular Meeting of July 23, 2018

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The Corporation of the City of Port Colborne

By-law No. 6600/55/18

Being a by-law to adopt Amendment No. 5 to the
Official Plan for the City of Port Colborne

Whereas it is deemed expedient to further amend the Official Plan, heretofore adopted by Council for the City of Port Colborne Planning Area; and

Therefore the Council of The Corporation of the City of Port Colborne under Section 17(22) of the *Planning Act*, hereby enacts as follows:

1. That Official Plan Amendment No. 5 to the Official Plan for the City of Port Colborne Planning Area, consisting of the attached map and explanatory text is hereby adopted.
2. That this by-law shall come into force and take effect on the day of passing thereof.

Enacted and passed this 23rd day of July, 2018.

John Maloney
Mayor

Amber LaPointe
City Clerk

**AMENDMENT NO. 5
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

PREPARED BY:

**CITY OF PORT COLBORNE
DEPARTMENT OF PLANNING & DEVELOPMENT**

July 13, 2018

**AMENDMENT NO. 5
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

**AMENDMENT NO. 5
TO THE OFFICIAL PLAN
FOR THE
CITY OF PORT COLBORNE**

This Amendment to the Official Plan for the City of Port Colborne, which has been adopted by the Council of the Corporation of the City of Port Colborne, is hereby approved in accordance with Sections 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as Amendment No. 2 to the Official Plan for the City of Port Colborne.

Date: July 23, 2018

AMENDMENT NO. 5 TO THE OFFICIAL PLAN

**FOR THE
PORT COLBORNE PLANNING AREA**

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STATEMENT OF COMPONENTS

PART A

The Preamble does not constitute part of this Amendment.

PART B

The Amendment, consisting of the following map, constitutes Amendment No. 5 to the Official Plan for the Port Colborne Planning Area.

Also attached is **PART C** – The Appendices, which do not constitute part of this Amendment. These appendices contain the background data, planning considerations and public involvement associated with this Amendment.

PART A - THE PREAMBLE

Purpose

The purpose of Official Plan Amendment No. 5 is to expand uses for the subject lands, shown on the attached Schedule, in order to support the use of the property for warehousing.

Location

The lands affected by this amendment are located in Part Lot 32, Concession 2, Geographic Township of Humberstone, in the City of Port Colborne, Regional Municipality of Niagara municipally known as Killaly Street West.

Basis

Currently, the subject lands are designated Highway Commercial. An application has been made to initiate amendments to the City of Port Colborne's Official Plan and Zoning By-law as they relate to these lands in order to permit the use of the property for self-storage.

It is intended to concurrently approve an Amendment to the City's Zoning By-law 6575/30/18, rezoning of the lands from the existing "HC (Highway Commercial)" zone to site-specific "HC-48" zone that will permit the use of the property for warehousing or more specifically self-storage.

Planning staff has evaluated the proposed amendment in light of Official Plan policies, the public information process and general planning principles and have recommended approval of this Official Plan Amendment through Department of Planning and Development Report No. 2018-97 which is attached as Appendix II in Part C.

PART B - THE AMENDMENT

All of this part of the document entitled **PART "B"** – "The Amendment" consisting of the following text and map designated Schedule "A" constitutes Amendment No. 5 to the Official Plan for the City of Port Colborne. The Official Plan of the City of Port Colborne is hereby amended as follows:

Section 13 Site Specific Policies

13.2 Notwithstanding any provisions of Section 3.13 to the contrary, warehousing may be permitted on the lands described in Schedule A of the amendment and municipally located on the north side of Killaly Street West.

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this amendment shall be in accordance with

the respective policies of the Port Colborne Official Plan and an amendment to the City Zoning By-law to rezone the subject lands.

PART C – THE APPENDICES

The following appendices do not constitute part of Amendment No. 5 but are included as information to support the Amendment.

APPENDIX I – Minutes of the Public Meeting dated July 9, 2018

APPENDIX II – Department of Planning & Development Report 2018-105

SCHEDULE "A"




THIS IS SCHEDULE "A" TO BY-LAW NO 6600/55/18

PASSED THE 23RD DAY OF JULY, 2018

_____ MAYOR

_____ CLERK

 LANDS TO BE REZONED FROM HIGHWAY COMMERCIAL (HC) ZONE TO HC-48

JUNE 2018

FILE NO D09-01-18 & D14-02-18

DRAWN BY; CITY OF PORT COLBORNE PLANNING DIVISION

NOT TO SCALE

**City of Port Colborne
Special Council Meeting 16-18
Minutes**

Date: July 9, 2018

Time: 6:30 p.m.

Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Absent: D. Elliott, Councillor (due to work)
Y. Doucet, Councillor (due to vacation)
J. Mayne, Councillor (leave of absence)

Staff Present: E. Acs, Planner
T. Cartwright, Fire Chief
A. LaPointe, Manager of Legislative Services/City Clerk
S. Luey, Chief Administrative Officer
H. Mahon, Planning Technician/Clerk (minutes)
T. Rogers, Acting Director of Planning and Development
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and WeeStream.

1. Call to Order:

Mayor Maloney called the meeting to order.

2. National Anthem:

Joel Longfellow sang O Canada.

3. Confirmation of Agenda:

No. 98 Moved by Councillor B. Kenny
Seconded by Councillor R. Bodner

That the agenda dated July 9, 2018 be confirmed, as circulated or as amended.

CARRIED.

4. **Disclosures of Interest:**

Nil.

5. **Public Hearing Under the Planning Act:**

Official Plan Amendment and Zoning By-law Amendment

Planning and Development Department, Planning Division, Report 2018-97, Subject: Public Meeting Report for Official Plan Amendment D09-01-18 & Zoning By-law Amendment D14-02-18, n/s Killaly Street West

(i) Purpose

Evan Acs advised that the purpose of this meeting, pursuant to Sections 22 and 34 of the *Planning Act*, is to consider an application submitted by agent Michael Losier on behalf of owner Sam Armenti for the lands legally known Part Lot 32 Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, located on the north side of Killaly Street West between the roads known as Main Street West and Third Avenue.

Mr. Acs also advised that the application for Official Plan Amendment proposes to add a special policy to the Highway Commercial designation in the Official Plan to support the use of warehousing.

Mr. Acs noted that the application for Zoning By-law Amendment proposes to change the zoning from HC – Highway Commercial to HC-48, which will add warehousing as a permitted use. The warehousing use is being sought to allow the operation of a self-storage facility on this property.

(ii) Method of Notice

Mr. Acs advised that Notice of the Public Meeting was administered in accordance with Sections 22 and Sections 34 of the *Planning Act*, as amended, and Section 3 of Ontario Regulation 543/06 and Section 5 of Ontario Regulation 545/06.

The Notice of Public Meeting was mailed to property owners within 120 metres of the property and a notice was posted on the City's website on June 18th 2018. A sign was posted on the property by June 19th 2018.

Mr. Acs advised that at this time, the following comments have been received from the public:

Gary and MaryAnn Pietrelli, 7 Third Ave, Port Colborne

- Opposed to application.
- Concerns related to traffic, noise, dust and light originating from the subject property resulting from warehousing/mini-storage use.
- Concern of impact of development on property value.

Nancy Gillespie, 373 Killaly Street West, Port Colborne

- Opposed to application.
- Concerns about noise, vandalism, items being stored and lighting on subject property.
- Concerns about drainage impact from grading and construction on existing drainage pipe and septic system.
- Ministorage not compatible with residential uses.

At this time, the following comments have been received from commenting agencies:

Niagara Region

Not opposed.

(iii) Explanation of Procedure to be Followed

Mr. Acs advised that the procedure to be followed this evening will be to present Department of Planning & Development Report 2018-97, to hear any comments from the applicant, to receive questions of clarification from Council to the applicant or Planning staff, to open the meeting to the public for comments and questions, to announce the requirements under the *Planning Act* for written notice of passage of the proposed Official Plan and Zoning By-law Amendment, and to provide a brief explanation of future meetings regarding the application.

(iv) Presentation of Application for Zoning By-Law Amendment

Mr. Acs then presented Planning and Development Public Hearing Report 2018-97 and made reference to a Power Point presentation.

Location and Context

The property is located on the north side of Killaly Street West between Main Street West and Third Avenue. The property is currently vacant. To the north is an automotive parts retail/wholesale establishment. To the east is a legal non-conforming residence. To the south is vacant residential land, part of the Rosemount Estates plan of subdivision. To the east is a legal non-conforming residence. To the northwest is a motel.

City of Port Colborne Official Plan

Schedule "A": City Wide Land Use to the City of Port Colborne Official Plan designates the property as Highway Commercial. The predominant uses for lands

designated Highway Commercial shall include, but not be limited to; hotels and motels; automobile sales and service establishments; places of amusement or recreation; restaurants with take-out and/or drive-through facilities; and accessory uses to the aforementioned uses, including a residence for a caretaker.

City of Port Colborne Zoning By-law 6575/30/18

Schedule “A7” to the City of Port Colborne Zoning By-law zones the property Highway Commercial. The permitted uses for lands zoned Highway Commercial include Animal Care Establishment; Brew Pub; Car Wash; Convenience Store; Day Care; Drive-Thru Facility; Dwelling, Accessory; Food Vehicle; Hotel; Motor Vehicle Repair Garage; Motor Vehicle Sales/Rental Service Centre; Motor Vehicle Gas Station; Office; Personal Service Business; Place of Assembly/Banquet Hall; Place of Worship; Public Use; Recreation Facility; Restaurant, Fast Food; Restaurant, Full Service; Restaurant, Take-Out; Retail Building Construction and Supply; Service Commercial; and Uses, structures and buildings accessory thereto.

The application is being made to add warehousing as a permitted use in both the Official Plan and Zoning By-law Amendment to allow a self-storage type of establishment from being built and operated on the property. Should the amendments be successful, a site plan agreement that will address, amongst other items, fencing and screening, lighting, parking, fire routes and grading and drainage will be required before construction can commence.

(v) Comments of Applicant

At this time Mr. Acs invited the applicant to comment.

Mr. Michael Losier, acting as agent for the owner Sam Armenti addressed Council. Mr. Losier advised that the reason for the re-zoning application is to create a self-storage facility. He advised that the units will be located in the interior of the building and the property will have adequate fencing.

(vi) Questions of Clarification to Planning Staff/Applicant

Councillor Kenny questioned Mr. Losier on the entrance to the building. Mr. Losier responded that there will be a main loading area and some but not all units will have individual entrances. Councillor Kenny asked that the applicant consider the neighbour's comments and concerns about what will be stored, the lighting, and that the fencing not be chain-link. Mr. Losier responded that the units are to be used for personal self-storage and not for heavy equipment. He further noted that they will address the storm-water management process.

Councillor Bodner noted that they have not yet seen a site plan and questioned whether there will be any outside storage. Mr. Acs responded that the bylaw has not yet been written and Council can direct staff that outside storage not be

permitted. Mr. Losier advised that the building will meet the maximum setbacks required by the fire department and there would not be room for outside storage. However, if they want to include that as a condition it would not be an issue. Mr. Acs advised that it would be best addressed in the zoning bylaw rather than through site plan control.

No. 99

Moved by Councillor R. Bodner
Seconded by Councillor A. Desmarais

That no outside storage be permitted through the site plan control process for the property legally known as Part Lot 32, Concession 2, Former Township of Humberstone, in the City of Port Colborne, Regional Municipality of Niagara; municipally located on the north side of Killaly Street West between Main Street West and Third Avenue.

CARRIED.

Councillor Danch questioned whether access is available 24/7 and what would be the hours of operation. Mr. Losier responded that access will be regulated with gated access and the hours will be from dawn to dusk. Mr. Acs advised that this can be addressed through the site plan agreement.

Mayor Maloney questioned the number of units. Mr. Losier responded that there will be approximately 150 units, however the size of the units can be changed. Mayor Maloney questioned whether items can be restricted. Mr. Losier advised that this will be addressed through insurance policies and that it will not be used for eg. a Mechanic's shop. Mr. Acs advised that this can also be addressed through site plan control. Mayor Maloney questioned the location for parking. Mr. Losier responded that the front part of the building will be paved and used for parking. Mayor Maloney asked that the neighbour's concerns regarding lighting be addressed. Mr. Losier responded that they will follow the by-law requirements. Mr. Acs advised that they are in the early stages of planning and once the Zoning By-law is addressed then they can work with the applicant on the details for site plan control.

Mr. Acs then read the following cautionary statements into the record:

"If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before a decision on the proposed Official Plan and Zoning By-law Amendments are passed by Council, the person or public body is not entitled to appeal the decision of the City of Port Colborne Council to Local Planning Appeal Tribunal."

And;

"If a person or public body does not make oral submissions at a public meeting, or

make written submission to the City of Port Colborne before a decision on the proposed Official Plan and Zoning By-law Amendments are passed by Council, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so.”

Mr. Acs noted that for any interested members of the public there is a sign-in sheet to request future notices regarding this application.

(vii) Oral Presentations and/or Questions by Public

Nancy Gillespie of 373 Killaly St. W. addressed Council. Mrs. Gillespie is opposed to the application. She received Notice of the Public Hearing on June 21st. She expressed concern about people having constant access to the units, what type of items would be stored, and improper lighting and drainage. She does not think a storage unit is compatible between 2 residential dwellings.

Councillor Bodner questioned Mr. Acs as to whether the concern for lighting could be addressed through site plan control. Mr. Acs concurred that this can be addressed. Councillor Bodner questioned whether the drainage issues could also be addressed through site plan control. Mr. Acs concurred that this can also be addressed.

Councillor Bodner questioned how the zoning would be affected if someone wanted to build a house on this lot. Mr. Acs provided some background zoning history and advised that a re-zoning application would be required to build a house.

Councillor Butters questioned Mr. Acs as to whether a façade designed to blend in with the residential uses could be applied. Mr. Acs noted that the property fronts onto a Regional Road and must follow their urban design guidelines. He was not sure about the facade but indicated that landscaping will be addressed.

Mayor Maloney questioned Mrs. Gillespie as to whether she has a septic system. Mrs. Gillespie confirmed that there is a septic tank to the north of her property. She noted that she already has drainage problems and is concerned that any change could upset her septic system.

Councillor Kenny advised Mrs. Gillespie that she shares her concerns regarding the lighting and drainage issues and advised that these can be addressed through site plan control. She will be able to attend the Council meeting to ensure her concerns can be addressed.

Mayor Maloney questioned Mr. Acs on the side yard setbacks. Mr. Acs advised that he did not have that information available at this time but can provide it at a later date. He advised that the proposal is to build in the centre of the lot which will provide proper fire access. Mayor Maloney questioned whether the landscaping

can be applied to the side yards as well. Mr. Acs concurred that landscaping and fencing can be addressed. Mayor Maloney questioned the zoning for property across the street. Mr. Acs advised that it is mixed residential use. Mayor Maloney questioned Mrs. Gillespie on whether her written submission has been given to the Clerk and Mrs. Gillespie concurred that it has. Mr. Acs further noted that the Pietrelli correspondence has been submitted to the Clerk as well.

(viii) Announcement Respecting Written Notice of Passage of the Official Plan and Zoning By-law Amendment

Mr. Acs advised that if anyone wishes "to be notified of the approval of the Zoning By-law Amendment they 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."

(ix) Explanation of Future Meetings

Mr. Acs advised that this concludes the Public Hearing under *The Planning Act*. The proposed Zoning By-law Amendment will be placed on Council's agenda at a future meeting.

6. **Adjournment:**

No. 100 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That the Council meeting be adjourned at approximately 7:15 p.m.
CARRIED.

John Maloney
Mayor

Amber LaPointe
City Clerk

Minutes prepared by the Department of Planning and Development.

/hm

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SUBJECT: Recommendation Report for Official Plan Amendment D09-01-18 & Zoning By-law Amendment D14-02-18, n/s Killaly Street West

1) PURPOSE

The purpose of the report is to provide Council with a recommendation regarding a proposed Official Plan Amendment and Zoning By-law Amendment initiated by Michael Losier on behalf of the owner Sam Armenti for the property legally known as Part Lot 32, Concession 2, Former Township of Humberstone, in the City of Port Colborne, Regional Municipality of Niagara; municipally located on the north side of Killaly Street West between Main Street West and Third Avenue.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

The application for Official Plan Amendment proposes to add a special policy to the Highway Commercial designation in the Official Plan to support the use of warehousing.

The application for Zoning By-law Amendment proposes to change the zoning from HC - Highway Commercial to HC-48, which will add warehousing as a permitted use. The warehousing use is being sought to allow the operation of a self-storage facility on this property.

On July 9, 2018, Planning staff presented Department of Planning and Development Public Meeting Report No. 2018-97 as part of the statutory public meeting. The public meeting was held to discuss the Official Plan and Zoning By-law Amendment applications. Please refer to the Draft Minutes of Public Meeting (Appendix D).

3) STAFF COMMENTS AND DISCUSSIONS

The Notice of Public Meeting was circulated to required agencies and property owners and within 120 metres of the property on June 18, 2018. A public notice sign was posted on the property on or before June 19, 2018. A public notice was also posted on the City's website on June 18, 2018.

The following comments (full comments available in Appendix C) were received from members of the public:

Gary and MaryAnn Pietrelli

7 Third Avenue

- The property and area would be subject to increased traffic.
- Unavoidable noise and dust would present with the proposed development of this site.
- Bright security lighting would be shining into bedrooms all night long.
- Decrease in property value of surrounding homes.

Nancy Gillespie
373 Killaly Street West

- People using the property at any time will cause noise and potential vandalism.
- Harmful items could potentially be stored on the property (chemicals etc.).
- Security lighting will make sleeping very difficult.
- Concerns with drainage of the property.
- Mini-storage units are usually located in small commercial/industrial areas. Not next to a residence.

Notice of Public Meeting was circulated to required commenting agencies and relevant City departments on June 18, 2018. As of the date of writing this report, the following comments have been received (full comments available in Appendix C):

Niagara Region Planning & Development Services:

Regional Planning and Development Services staff is not opposed to the Official Plan and Zoning By-law Amendment applications, subject to the satisfaction of any local requirements and provided that the Region be circulated the future Site Plan application. The Official Plan Amendment is exempt from Regional Council approval.

Planning Division Review

City of Port Colborne Official Plan

The City of Port Colborne Official Plan designates the property as **Highway Commercial**. Land uses in the Highway Commercial designation include: hotels and motels; automobile sales and service establishments; places of amusement or recreation; restaurants with take-out and/or drive-through facilities; and accessory uses to the aforementioned uses, including a residence for a caretaker. The Official Plan Amendment proposes to add a special policy to the Highway Commercial designation to support the use of warehousing. The Draft Official Plan Amendment is attached hereto as Appendix A.

City of Port Colborne Zoning By-law 6575/30/18

The City of Port Colborne Zoning By-law 6575/30/18, as amended, zones the property **HC – Highway Commercial** which permits the following uses: Animal Care Establishment; Day Care; Drive-Thru Facility; Existing Motor Vehicle Gas Station; Existing Motor Vehicle Repair Garage; Medical Clinic; Office; Personal Service Business; Place of Worship; Public Use; Recreation Facility; Restaurant, Fast Food; Restaurant, Full-Service; Restaurant, Take-Out; Retail Store; Service Commercial; Studio; Veterinary Clinic; and Uses, structures and buildings accessory thereto. The application for Zoning By-law Amendment proposes to change the zoning from HC – Highway Commercial to HC-48, which will add warehousing as a permitted use. The Draft Zoning By-law Amendment is attached hereto as Appendix B.

The property was previously zoned R1 – First Density Residential in City of Port Colborne Zoning By-law 1150/97/81, but was rezoned to HC – Highway Commercial through the passing of the City of Port Colborne Zoning By-law 6575/30/18 on April 23, 2018. The

applicant's property and neighbouring properties were rezoned to become consistent with the policies of the Official Plan.

Adjacent Zoning and Land Use

<p>Northwest Motel Zoned: HC – Highway Commercial</p>	<p>North Automotive parts retailer Zoned: HC – Highway Commercial</p>	<p>Northeast Automotive parts retailer Zoned: HC – Highway Commercial</p>
<p>West Residential dwelling Zoned: HC – Highway Commercial</p>	<p>Applicant's Property</p>	<p>East Residential dwelling Zoned: HC – Highway Commercial</p>
<p>Southwest Vacant land Zoned: R4-30 Townhouse and/or apartment</p>	<p>South Vacant land Zoned: R4-30 Townhouse and/or apartment</p>	<p>Southeast Vacant land Zoned: R4-30 Townhouse and/or apartment</p>

Discussion

At the public meeting on July 9, 2018, the following concerns were raised by Councillors and members of the public: security lighting projecting onto neighbouring properties; ensuring adequate screening is in place along property lines; landscaping and architectural details to limit the visual impact to the neighbouring legal non-conforming residential dwellings; drainage affecting the immediate neighbouring properties; the potential for outdoor storage, unknown items being stored, and time restrictions for the use of the storage units. Lighting, screening, landscaping, architectural details, and drainage will be dealt with and controlled at the site plan stage of this development, should this application be successful. Restricting the time of day that a property can be used for business activities is not something that can be controlled through the zoning by-law nor a site plan agreement. Staff note that the building will need to comply with the Building Code and Fire Code and any risks posed by the items being stored on the premises can be mitigated through the building permit process.

Additionally, Gary and MaryAnn Pietrelli submitted comments regarding the reduction in property value and increase in traffic, noise and dust. Planning staff suggest that there is no evidence for developments of this nature having a negative effect on property values. Staff would also like to note that traffic to and from the property is anticipated to be minimal and that the owner will be responsible for adhering to the City's Noise By-law and the Ministry of Environment's Air Quality Standards.

To address concerns about outside storage and to make the building fit into the neighbourhood, staff recommend that the zoning by-law amendment have additional provisions to prohibit exterior storage and provide a 3 metre landscape buffer on the interior side lot lines. The landscape buffer will contain fencing and trees.

Conclusion

The Official Plan and Zoning By-law Amendments are necessary to allow the use of the property for self-storage. It is the opinion of the Planning Division that allowing warehousing on this property will be an efficient use of this land and will conserve the City's industrial lands for developments that offer more employment than a self-storage facility. With exterior storage being prohibited and the inclusion of a 3 metre landscaping buffer, staff believes that the remaining concerns raised by members of the public and councillors can be mitigated through a Site Plan Agreement. Planning staff can recommend approval of the Official Plan and Zoning By-law Amendments.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing

Not an option as Council is statutorily obligated to make a decision on the proposed applications.

b) Other Options

Though not recommended, Council could deny the applications.

Council could request additional information or further changes from staff.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A

6) ATTACHMENTS

Appendix A: Official Plan Amendment
Appendix B: Zoning By-law Amendment
Appendix C: Public & Agency Comments
Appendix D: Draft Minutes of Public Meeting

7) RECOMMENDATION

That the Official Plan Amendment attached to Planning and Development Department, Planning Division Report 2018-105 as Appendix A be approved, adding a special policy to the Highway Commercial designation to support the use of warehousing on the property.

That the Zoning By-law Amendment attached to Planning and Development Department, Planning Division Report 2018-105 as Appendix B be approved, rezoning the land from "HC – Highway Commercial" to "HC-48".

That staff be directed to prepare the Notice of Passing in accordance with the *Planning Act* and circulate to all applicable parties.

8) SIGNATURES

Prepared on July 13, 2018 by:



David Schulz
Planning Student

Reviewed by:



Evan Acs, MA, MSc
Planner

Reviewed by:



Todd Rogers, MAATO, CBCO
Acting Director of Planning and
Development

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. _____
BEING A BY-LAW TO ADOPT AMENDMENT NO. 5 TO THE
OFFICIAL PLAN FOR THE CITY OF PORT COLBORNE

WHEREAS it is deemed expedient to further amend the Official Plan, heretofore adopted by Council for the City of Port Colborne Planning Area;

THEREFORE the Council of The Corporation of the City of Port Colborne under Section 17(22) of the Planning Act, hereby enacts as follows:

1. That Official Plan Amendment No. 5 to the Official Plan for the City of Port Colborne Planning Area, consisting of the attached map and explanatory text is hereby adopted.
2. That this By-law shall come into force and take effect on the day of passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2018.

MAYOR

CITY CLERK

**AMENDMENT NO. 5
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

**PREPARED BY:
CITY OF PORT COLBORNE
DEPARTMENT OF PLANNING & DEVELOPMENT
July 13, 2018**

AMENDMENT NO. 5
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA

**AMENDMENT NO. 5
TO THE OFFICIAL PLAN
FOR THE
CITY OF PORT COLBORNE**

This Amendment to the Official Plan for the City of Port Colborne, which has been adopted by the Council of the Corporation of the City of Port Colborne, is hereby approved in accordance with Sections 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as Amendment No. 2 to the Official Plan for the City of Port Colborne.

Date: _____

AMENDMENT NO. 5 TO THE OFFICIAL PLAN
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2. Department of Planning and Development Report

STATEMENT OF COMPONENTS**PART A**

The Preamble does not constitute part of this Amendment.

PART B

The Amendment, consisting of the following map, constitutes Amendment No. 5 to the Official Plan for the Port Colborne Planning Area.

Also attached is **PART C** – The Appendices, which do not constitute part of this Amendment. These appendices contain the background data, planning considerations and public involvement associated with this Amendment.

PART A - THE PREAMBLE**Purpose**

The purpose of Official Plan Amendment No. 5 is to expand uses for the subject lands, shown on the attached Schedule, in order to support the use of the property for warehousing.

Location

The lands affected by this amendment are located in Part Lot 32, Concession 2, Geographic Township of Humberstone, in the City of Port Colborne, Regional Municipality of Niagara municipally known as Killaly Street West.

Basis

Currently, the subject lands are designated Highway Commercial. An application has been made to initiate amendments to the City of Port Colborne's Official Plan and Zoning By-law as they relate to these lands in order to permit the use of the property for self-storage.

It is intended to concurrently approve an Amendment to the City's Zoning By-law 6575/30/18, rezoning of the lands from the existing "HC (Highway Commercial)" zone to site-specific "HC-48" zone that will permit the use of the property for warehousing or more specifically self-storage.

Planning staff has evaluated the proposed amendment in light of Official Plan policies, the public information process and general planning principles and have recommended approval of this Official Plan Amendment through Department of Planning and Development Report No. 2018-97 which is attached as Appendix II in Part C.

PART B - THE AMENDMENT

All of this part of the document entitled **PART "B"** – "The Amendment" consisting of the following text and map designated Schedule "A" constitutes Amendment No. 5 to the Official Plan for the City of Port Colborne. The Official Plan of the City of Port Colborne is hereby amended as follows:

Section 13 Site Specific Policies

13.2 Notwithstanding any provisions of Section 3.13 to the contrary, warehousing may be permitted on the lands described in Schedule A of the amendment and municipally located on the north side of Killaly Street West.

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this amendment shall be in accordance with

the respective policies of the Port Colborne Official Plan and an amendment to the City Zoning By-law to rezone the subject lands.


PART C – THE APPENDICES

The following appendices do not constitute part of Amendment No. 5 but are included as information to support the Amendment.

APPENDIX I – Minutes of the Public Meeting dated July 9, 2018

APPENDIX II – Department of Planning & Development Report 2018-105



<p>THIS IS SCHEDULE "A" TO BY-LAW NO _____</p> <p>PASSED THE _____, 2018</p> <p>_____</p> <p>MAYOR</p> <p>_____</p> <p>CLERK</p>	<p> LANDS TO BE REZONED FROM HIGHWAY COMMERCIAL (HC) ZONE TO HC-48</p> <p>JUNE 2018</p> <p>FILE NO D09-01-18 & D14-02-18</p> <p>DRAWN BY; CITY OF PORT COLBORNE PLANNING DIVISION</p> <p>NOT TO SCALE</p>
--	---

DRAFT ZONING BY-LAW AMENDMENT

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. _____

BEING A BY-LAW TO AMEND ZONING BY-LAW 6575/30/18 RESPECTING LANDS LEGALLY DESCRIBED AS PART LOT 32, CONCESSION 2, MUNICIPALLY KNOWN AS KILLALY STREET WEST.

WHEREAS By-law 6575/30/18 is a by-law of the Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures;

AND WHEREAS, the Council of the Corporation of the City of Port Colborne desires to amend the said by-law;

NOW, THEREFORE, and pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, the Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Highway Commercial (HC) Zone to HC-48.
3. That Section 37 entitled SPECIAL EXCEPTIONS AND PROVISIONS of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

HC-48

In addition to the uses permitted in the Highway Commercial (HC) Zone, this land may also be used for warehousing and uses, buildings and structures accessory thereto, and the following special regulations shall apply:


- a) Outside storage shall not be permitted.
 - b) The first 3m from the interior side lot lines shall only be used as a landscape buffer.
4. That this By-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of The Planning Act.
 5. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with The Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2018.

John Maloney, MAYOR

Amber LaPointe, CLERK



THIS IS SCHEDULE "A" TO BY-LAW NO _____	 LANDS TO BE REZONED FROM HIGHWAY COMMERCIAL (HC) ZONE TO HC-48
PASSED THE _____, 2018	JUNE 2018
_____ MAYOR	FILE NO D09-01-18 & D14-02-18
_____ CLERK	DRAWN BY; CITY OF PORT COLBORNE PLANNING DIVISION
	NOT TO SCALE

JUL 05 2018

CORPORATE SERVICES
DEPARTMENT

July 5, 2018

To Whom it May Concern:

Re: Land known as Part Lot 32, Concession 2

In regards to the proposed changes in zoning to allow warehousing as a permitted use, I would like to submit our views in writing, as we are unable to attend the public meeting on July 9, 2018.

Our property is located on Third Avenue. The land in question is behind our back yard. If this operation is permitted, we would subsequently be subjected to increased traffic to and on the premises, as well as unavoidable noise and dust. Also, for security reasons, bright lighting would probably be installed, which would be in use during the night. All of our bedroom windows as well as the windows of most of our neighbours are in the rear of the house. Light would be shining into our bedrooms all night long regardless of having window coverings.

Another cause of concern is that the property value and the resale value of the surrounding homes would decrease.

Therefore, as a result we are not in favour of the zoning change proposal.

If any changes were to be made to the zoning, we would highly welcome residential dwellings.

Yours truly,

G. Pietrelli - 1 MaryAnn Pietrelli

Gary and MaryAnn Pietrelli

RECEIVED
JUL 05 2018
PLANNING & DEVELOPMENT
SERVICES DEPT.

JUL 05 2018

CORPORATE SERVICES
DEPARTMENT

* I would like to speak at the:

Public Meeting on July 9, 2018 6:30 PM

RE: PART LOT 32 CONCESSION 2 ON THE NORTH SIDE OF KILLALY STREET WEST BETWEEN MAIN ST. U AND THIRD AVENUE.

PROPOSES TO CHANGE ZONING FROM HC-HIGHWAY COMMERCIAL TO HC-48 TO ALLOW THE OPERATION OF A SELF-STORAGE FACILITY ON THIS PROPERTY.

HONOURABLE MAYOR:

STORAGE SHEDS NEXT TO MY PROPERTY AT 373 KILLALY ST. WEST WILL CHANGE MY PEACE OF MIND AND CAUSE A DISRUPTION IN MY EVERY DAY LIVING. I WOULD LIKE THIS DOCUMENTED FOR THE RECORD, ON THE FOLLOWING ITEMS.

(1) THE THOUGHTS OF PEOPLE COMING IN AND OUT OF THIS PROPERTY AT ANYTIME, CAUSING NOISE, POTENTIAL VANDALISM, UNKNOWN ITEMS TO BE STORED (CHEMICALS ETC.), PROPERTY NOT MAINTAINED AND SECURITY LIGHTS ON ALL NIGHT IS VERY DISTURBING TO ME. LIGHTS ON ALL NIGHT, SHINING ON THEN WEST WINDOWS WILL MAKE SLEEPING VERY DIFFICULT. WHAT GUARANTEE WOULD I HAVE THAT THE ITEMS STORED WOULD BE SAFE.

(2) THEN THERE IS THE LAND PREPARATION TO HOUSE THESE SHEDS.

- THIS LOT CURRENTLY IS HIGHER THEN MY LOT.
- NAPA AUTOMOTIVE IS HIGHER THEN MY LOT.
- ALL THE RAIN AND MELTED SNOW DRAIN ON

JUL 20 2018

CITY OF PORT COLBORNE
COMMUNICATIONS

MY PROPERTY.

- WHEN THE LOT IS LEVELLED AND THE SURFACE STONED OR PAVED IT WILL SIT UP HIGHER THAN IT DOES NOW AND THE RUNOFF WOULD BECOME A HUGE ISSUE FOR ME.

- THE PROPERTY THAT NAPA AUTOMOTIVE IS ON, CURRENTLY MUST BE AT LEAST 3 FEET ABOVE MY PROPERTY ON THE NORTH SIDE AND GRADUALLY SLOPING TO EVEN OUT AT THEIR PARKING LOT. IN THE BACK LEFTSIDE. THIS EVENS OUT AT THE BACK OF MY PROPERTY WHERE MY SEPTIC BED LIES. A DRAINAGE PIPE RUNS EAST TO WEST ALONG OUR JOINT PROPERTY LINES. SHOULD THIS LAND BE EXCAVATED, THIS PIPE COULD BE COMPROMISED AND THE EFFICIENCY OF MY SEPTIC BED WOULD NO LONGER WORK AND RESULT IN WATER TO LAID ON TOP OF THE LAND.

- MOST MINI-STORAGE SHEDS ARE IN SMALL COMMERCIAL/INDUSTRIAL LOCATIONS NOT UP AGAINST A RESIDENCE. AS A LIFELONG RESIDENT, MY HOPE IS THAT THE COUNCIL WILL REALIZE THAT THIS IS NOT THE RIGHT LOCATION FOR THE SHEDS.

I WOULD APPRECIATE YOUR ATTENTION TO THIS MATTER AND IF YOU CAN, PLEASE DRIVE BY MY RESIDENCE AND ASK YOURSELF "WOULD YOU LIKE MINI-SHEDS NEXT TO YOU?"

THANK YOU,

NANCY GILLESPIE

373 KILLALY ST. WEST

PORT COLBORNE, ON

VIA EMAIL ONLY

July 4, 2018

Files: D.10.07.OPA-18-027
D.18.07.ZA-18-083

Evan Acs
Planner
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

Dear Mr. Acs:

**Re: Regional and Provincial Review Comments
Official Plan and Zoning By-law Amendment
City File No.: D09-01-18 & D14-02-18
Owner: Sam Armenti
Agent: Michael Losier
North Side of Killaly Street West, Between 421 & 373 Killaly Street West
City of Port Colborne**

Regional Planning and Development Services staff has reviewed the information circulated for the above-noted Official Plan and Zoning By-law Amendment applications, which propose the following:

- To amend the Official Plan to add a special policy to the Highway Commercial designation to support the use of warehousing; and
- To change the existing zoning on the property from Highway Commercial (HC) to HC-48, which will add warehousing as a permitted use.

The circulated Notice of Public Meeting indicates that the warehousing use is being sought to allow the operation of a self-storage facility on the subject property. A Pre-Consultation Meeting was held on April 12, 2018 at the City of Port Colborne with the agent, and staff from the City and Region. The following Provincial and Regional comments are provided to assist the City in considering the applications.

Provincial and Regional Policies

The subject lands are located within a Settlement Area under the Provincial Policy Statement (PPS), and within the Delineated Built-up Area under the Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS directs growth to settlement areas, and encourages the efficient use of land, resources, infrastructure, and public service

facilities that are planned or available. The Growth Plan encourages intensification in Delineated Built-up Areas, and prioritizes planning and investment in infrastructure that will support intensification and the achievement of complete communities.

The property is located within the Urban Area Boundaries for the City of Port Colborne and are designated as within the Built-up Area according to the Regional Official Plan (ROP). These areas are to be planned as compact, complete communities, which support intensification and accommodate a range of land uses including residential, commercial, institutional, employment and other land uses; all development within urban areas should be accommodated on full municipal services. In this regard, Regional staff is not opposed to the warehouse use, however, municipal services (i.e. water and sanitary sewer) will need to be extended to service the subject property.

Regional Road Allowance

The subject property has frontage along Regional Road 5 (Killaly Street West). This road section has a substandard road allowance of approximately 20.1 meters. The designated road allowance for Regional Road 5 (Killaly Street West) is 26.2 meters, as identified in the Regional Official Plan.

Therefore, at the future site plan approval stage for the development, the applicant is required to gratuitously grant the following widening to the Region:

- A 3.05 meter widening across the subject property's frontage on Regional Road 5 (Killaly Street West). This is in order to achieve 13.1 meters from the original centerline of this road section;

The actual width of the required widening must be confirmed by an Ontario Land Surveyor. This is only an approximation of the requirement. As this process can take up to 8 weeks, the applicant is encouraged to have their lawyer contact Niagara Region to begin the process of transfer.

The requested widening is to be conveyed free and clear of any mortgages, liens or other encumbrances, and is to be described by Reference Plan. The widening portion of the Plan will be the responsibility of the owner to order. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for the land surveyor for the property to submit the preliminary undeposited survey plan along with all related documents to Regional Surveys staff for approval. Regional Surveys staff will advise the land surveyor of any required revisions to the plan. Once the plan is deposited and the transfer registered, the Region will clear the applicable condition.

Should the applicant have any questions, please direct them to contact the individuals listed below:

Norma Price, Law Clerk, 905-980-6000 extension 3339. E-mail
norma.price@niagararegion.ca
(Inquiries - specific to the transfer of property to the Region)

Normans Taurins, Manager, Surveys & Property Information, 905-980-6000
extension 3325, E-mail: normans.taurins@niagararegion.ca

Regional Permit Requirements

Prior to any future construction or entrance construction taking place within the Regional road allowance, a Regional Construction and Entrance Permit must be obtained from the Transportation Services Division, Public Works Department.

Permit applications can be made through the following link:
<http://niagararegion.ca/living/roads/permits/default.aspx>

Servicing

Based on Regional mapping software, the subject property does not appear to have frontage on existing water or sanitary services. Therefore, the applicant will be required to extend water and sanitary services. There is an existing local (City owned) 150mm diameter CI watermain and an existing local 200mm diameter AC sanitary sewer east of this site on Killaly Street West (Regional Road 5). An extension of services will require review and approval by the Region.

Further, the applicant will be required to apply for Ministry of the Environment and Climate Change (MOECC) Environmental Compliance Approval (ECA) for the extension of the sanitary service through the public right-of-way. The ECA application should be submitted to Niagara Region through the Transfer of Review program.

Stormwater Management

The following Regional requirements, with respect to stormwater management, need to be addressed at site plan review:

1. Stormwater quality controls be implemented such that stormwater runoff is captured and treated to a Normal standard prior to discharge from the site.
2. Confirmation be provided that the Killaly Street (Regional Road 5) storm conveyance infrastructure is not negatively impacted as a result of the proposed development.

Urban Design

Regional staff notes that urban design for the proposed development fronting onto Regional Road 5 will be reviewed through the future site plan process. In this regard, it is

recommended that the development align with the Region's Model Urban Design Guidelines.

Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

- No limit blue/grey containers;
- No limit green containers; and,
- 4 garbage containers.

It should be noted that this development is not eligible for enhanced (on-site) waste collection, and if the applicant wishes to pursue on-site waste collection it shall be their own responsibility through a private contractor.

Conclusion

Regional Planning and Development Services staff is not opposed to the Official Plan and Zoning By-law Amendment applications, subject to the satisfaction of any local requirements, and provided that the Region be circulated the future Site Plan application. The Official Plan Amendment is exempt from Regional Council approval.

If you have any questions or wish to discuss these comments, please contact the undersigned at extension 3352 or Richard Wilson, Senior Development Planner, at extension 3391.

Please send a copy of the staff report and notice of the City's decision on these applications.

Sincerely,



Aimee Alderman
Development Planner

cc: Mr. S. Miller, P.Eng., Stormwater Management Engineer, Niagara Region
Ms. S. Dunsmore, P.Eng., Development Engineer, Niagara Region
Mr. K. Ahmad, MRAIC, FIUD, MCIP, RPP, Manager, Urban Design, Niagara Region

**City of Port Colborne
Special Council Meeting 16-18
Minutes**

Date: July 9, 2018

Time: 6:30 p.m.

Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Staff Present:

T. Rogers, Acting Director of Planning & Development
T. Cartwright, Fire Chief
A. LaPointe, Manager of Legislative Services/City Clerk
S. Luey, Chief Administrative Officer
E. Acs, Planner
H. Mahon, Planning Technician/Clerk (minutes)
C. McIntosh, Deputy Clerk
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and YourTV and WeeStream.

1. Call to Order:

Mayor Maloney called the meeting to order.

2. National Anthem:

Joel Longfellow sang O Canada.

3. Confirmation of Agenda:

No. 1 Moved by Councillor B. Kenny
Seconded by Councillor R. Bodner

That the agenda dated July 9, 2018 be confirmed, as circulated or as amended.
CARRIED.

4. Disclosures of Interest:

Nil.

5. Public Hearing Under the Planning Act:

Official Plan Amendment and Zoning By-law Amendment

Planning and Development Department, Planning Division, Report 2018-97, Subject: Public Meeting Report for Official Plan Amendment D09-01-18 & Zoning By-law Amendment D14-02-18, n/s Killaly Street West

(i) PURPOSE

Evan Acs advised that the purpose of this meeting, pursuant to Sections 22 and 34 of the Planning Act, is to consider an application submitted by agent Michael Losier on behalf of owner Sam Armenti for the lands legally known Part Lot 32 Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, located on the north side of Killaly Street West between the roads known as Main Street West and Third Avenue.

Mr. Acs also advised that the application for Official Plan Amendment proposes to add a special policy to the Highway Commercial designation in the Official Plan to support the use of warehousing.

Mr. Acs noted that the application for Zoning By-law Amendment proposes to change the zoning from HC – Highway Commercial to HC-48, which will add warehousing as a permitted use. The warehousing use is being sought to allow the operation of a self-storage facility on this property.

(ii) METHOD OF NOTICE

Mr. Acs advised that Notice of the Public Meeting was administered in accordance with Sections 22 and Sections 34 of the Planning Act, as amended, and Section 3 of Ontario Regulation 543/06 and Section 5 of Ontario Regulation 545/06.

The Notice of Public Meeting was mailed to property owners within 120 metres of the property and a notice was posted on the City's website on June 18th 2018. A sign was posted on the property by June 19th 2018.

Mr. Acs advised that at this time, the following comments have been received from the public:

Gary and MaryAnn Pietrelli, 7 Third Ave, Port Colborne

-Opposed to application.

- Concerns related to traffic, noise, dust and light originating from the subject property resulting from warehousing/mini-storage use.
- Concern of impact of development on property value.

Nancy Gillespie, 373 Killaly Street West, Port Colborne

- Opposed to application.
- Concerns about noise, vandalism, items being stored and lighting on subject property.
- Concerns about drainage impact from grading and construction on existing drainage pipe and septic system.
- Ministorage not compatible with residential uses.

At this time, the following comments have been received from commenting agencies:

Niagara Region

Not opposed.

(iii) EXPLANATION OF PROCEDURE TO BE FOLLOWED

Mr. Acs advised that the procedure to be followed this evening will be to present DEPARTMENT OF PLANNING & DEVELOPMENT REPORT 2018-97, to hear any comments from the applicant, to receive questions of clarification from Council to the applicant or Planning Staff, to open the meeting to the public for comments and questions, to announce the requirements under the Planning Act for written notice of passage of the proposed official plan and zoning by-law amendment, and to provide a brief explanation of future meetings regarding the application.

(iv) PRESENTATION OF APPLICATION FOR ZONING BY-LAW AMENDMENT

Mr. Acs then presented Planning and Development Public Hearing Report 2018-97 and made reference to a Power Point presentation.

Location and Context

The property is located on the north side of Killaly Street West between Main Street West and Third Avenue. The property is currently vacant. To the north is an automotive parts retail/wholesale establishment. To the east is a legal non-conforming residence. To the south is vacant residential land, part of the Rosemount Estates plan of subdivision. To the east is a legal non-conforming residence. To the northwest is a motel.

City of Port Colborne Official Plan

Schedule "A": City Wide Land Use to the City of Port Colborne Official Plan designates the property as Highway Commercial. The predominant uses for lands

designated Highway Commercial shall include, but not be limited to; hotels and motels; automobile sales and service establishments; places of amusement or recreation; restaurants with take-out and/or drive-through facilities; and accessory uses to the aforementioned uses, including a residence for a caretaker.

City of Port Colborne Zoning By-law 6575/30/18

Schedule “A7” to the City of Port Colborne Zoning By-law zones the property Highway Commercial. The permitted uses for lands zoned Highway Commercial include Animal Care Establishment; Brew Pub; Car Wash; Convenience Store; Day Care; Drive-Thru Facility; Dwelling, Accessory; Food Vehicle; Hotel; Motor Vehicle Repair Garage; Motor Vehicle Sales/Rental Service Centre; Motor Vehicle Gas Station; Office; Personal Service Business; Place of Assembly/Banquet Hall; Place of Worship; Public Use; Recreation Facility; Restaurant, Fast Food; Restaurant, Full Service; Restaurant, Take-Out; Retail Building Construction and Supply; Service Commercial; and Uses, structures and buildings accessory thereto.

The application is being made to add warehousing as a permitted use in both the Official Plan and Zoning By-law Amendment so to allow a self-storage type of establishment from being built and operated on the property. Should the amendments be successful, a site plan agreement that will address, amongst other items, fencing and screening, lighting, parking, fire routes and grading and drainage will be required before construction can commence.

(v) COMMENTS OF APPLICANT

At this time Mr. Acs invited the applicant to comment.

Mr. Michael Losier, acting as agent for the owner Sam Armenti addressed Council. Mr. Losier advised that the reason for the re-zoning application is to create a self-storage facility. He advised that the units will be located in the interior of the building and the property will have adequate fencing.

(vi) QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT

Councillor Kenny questioned Mr. Losier on the entrance to the building. Mr. Losier responded that there will be a main loading area and some but not all units will have individual entrances. Councillor Kenny asked that the applicant consider the neighbour's comments and concerns about what will be stored, the lighting, and that the fencing not be chain-link. Mr. Losier responded that the units are to be used for personal self-storage and not for heavy equipment. He further noted that they will address the storm-water management process.

Councillor Bodner noted that they have not yet seen a site plan and questioned whether there will be any outside storage. Mr. Acs responded that the bylaw has not yet been written and Council can direct staff that outside storage not be

permitted. Mr. Losier advised that the building will meet the maximum setbacks required by the fire department and there would not be room for outside storage. However, if they want to include that as a condition it would not be an issue. Mr. Acs advised that it would be best addressed in the zoning bylaw rather than through site plan control.

No. 2 Moved by Councillor R. Bodner
 Seconded by Councillor A. Desmarais

That no outside storage be permitted.

CARRIED.

Councillor Danch questioned whether access is available 24/7 and what would be the hours of operation. Mr. Losier responded that access will be regulated with gated access and the hours will be from dawn to dusk. Mr. Acs advised that this can be addressed through the site plan agreement.

Mayor Maloney questioned the number of units. Mr. Losier responded that there will be approximately 150 units, however the size of the units can be changed. Mayor Maloney questioned whether items can be restricted. Mr. Losier advised that this will be addressed through insurance policies and that it will not be used for eg. a Mechanic's shop. Mr. Acs advised that this can also be addressed through site plan control. Mayor Maloney questioned the location for parking. Mr. Losier responded that the front part of the building will be paved and used for parking. Mayor Maloney asked that the neighbour's concerns regarding lighting be addressed. Mr. Losier responded that they will follow the bylaw requirements. Mr. Acs advised that they are in the early stages of planning and once the zoning bylaw is addressed then they can work with the applicant on the details for site plan control.

Mr. Acs then read the following cautionary statements into the record:

"If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before a decision on the proposed Official Plan and Zoning By-law Amendments are passed by Council, the person or public body is not entitled to appeal the decision of the City of Port Colborne Council to Local Planning Appeal Tribunal."

And;

"If a person or public body does not make oral submissions at a public meeting, or make written submission to the City of Port Colborne before a decision on the proposed Official Plan and Zoning By-law Amendments are passed by Council, the person or public body may not be added as a party to the hearing of an appeal

before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so. “

Mr. Acs noted that for any interested members of the public there is a sign-in sheet to request future notices regarding this application.

(vii) ORAL PRESENTATIONS AND/OR QUESTIONS BY PUBLIC

Nancy Gillespie of 373 Killaly St. W. addressed Council. Mrs. Gillespie is opposed to the application. She received Notice of the Public Hearing on June 21st. She expressed concern about people having constant access to the units, what type of items would be stored, and improper lighting and drainage. She does not think a storage unit is compatible between 2 residential dwellings.

Councillor Bodner questioned Mr. Acs as to whether the concern for lighting could be addressed through site plan control. Mr. Acs concurred that this can be addressed. Councillor Bodner questioned whether the drainage issues could also be addressed through site plan control. Mr. Acs concurred that this can also be addressed.

Councillor Bodner questioned how the zoning would be affected if someone wanted to build a house on this lot. Mr. Acs provided some background zoning history and advised that a re-zoning application would be required to build a house.

Councillor Butters questioned Mr. Acs as to whether a façade designed to blend in with the residential uses could be applied. Mr. Acs noted that the property fronts onto a Regional Road and must follow their urban design guidelines. He was not sure about the façade but indicated that landscaping will be addressed.

Mayor Maloney questioned Mrs. Gillespie as to whether she has a septic. Mrs. Gillespie confirmed that there is a septic to the north of her property. She noted that she already has drainage problems and is concerned that any change could upset her septic system.

Councillor Kenny advised Mrs. Gillespie that she shares her concerns regarding the lighting and drainage issues and advised that these can be addressed through site plan control. She will be able to attend the Council meeting to ensure her concerns can be addressed.

Mayor Maloney questioned Mr. Acs on the side yard setbacks. Mr. Acs advised that he did not have that information available at this time but can provide it at a later date. He advised that the proposal is to build in the center of the lot which will provide proper fire access. Mayor Maloney questioned whether the landscaping can be applied to the side yards as well. Mr. Acs concurred that landscaping and fencing can be addressed. Mayor Maloney questioned the zoning for property across the street. Mr. Acs advised that it is mixed residential use.

Mayor Maloney questioned Mrs. Gillespie on whether her written submission has been given to the Clerk and Mrs. Gillespie concurred that it has. Mr. Acs further noted that the Pietrelli correspondence has been submitted to the Clerk as well.

(viii) ANNOUNCEMENT RESPECTING WRITTEN NOTICE OF PASSAGE OF THE OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

Mr. Acs advised that if anyone wishes "to be notified of the approval of the zoning by-law amendment they 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."

(ix) EXPLANATION OF FUTURE MEETINGS

Mr. Acs advised that this concludes the PUBLIC HEARING UNDER THE PLANNING ACT. The proposed Zoning By-law Amendment will be placed on Council's agenda at a future meeting.

6. Adjournment:

No. 3 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That the Council meeting be adjourned at approximately 7:15 p.m.
CARRIED.

John Maloney
Mayor

Amber LaPointe
City Clerk

Minutes prepared by the Department of Planning and Development.

/hm

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The Corporation of the City of Port Colborne

By-law No. 6601/56/18

Being a by-law to amend Zoning By-law 6575/30/18
respecting lands legally described as part lot 32,
Concession 2, municipally known as
Killaly Street West.

Whereas By-law 6575/30/18 is a by-law of The Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures;
and

Whereas, the Council of The Corporation of the City of Port Colborne desires to amend the said by-law;

Now therefore, and pursuant to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A" forming part of by-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Highway Commercial (HC) Zone to HC-48.
3. That Section 37 entitled Special Exceptions and Provisions of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

HC-48

In addition to the uses permitted in the Highway Commercial (HC) Zone, this land may also be used for warehousing and uses, buildings and structures accessory thereto, and the following special regulations shall apply:

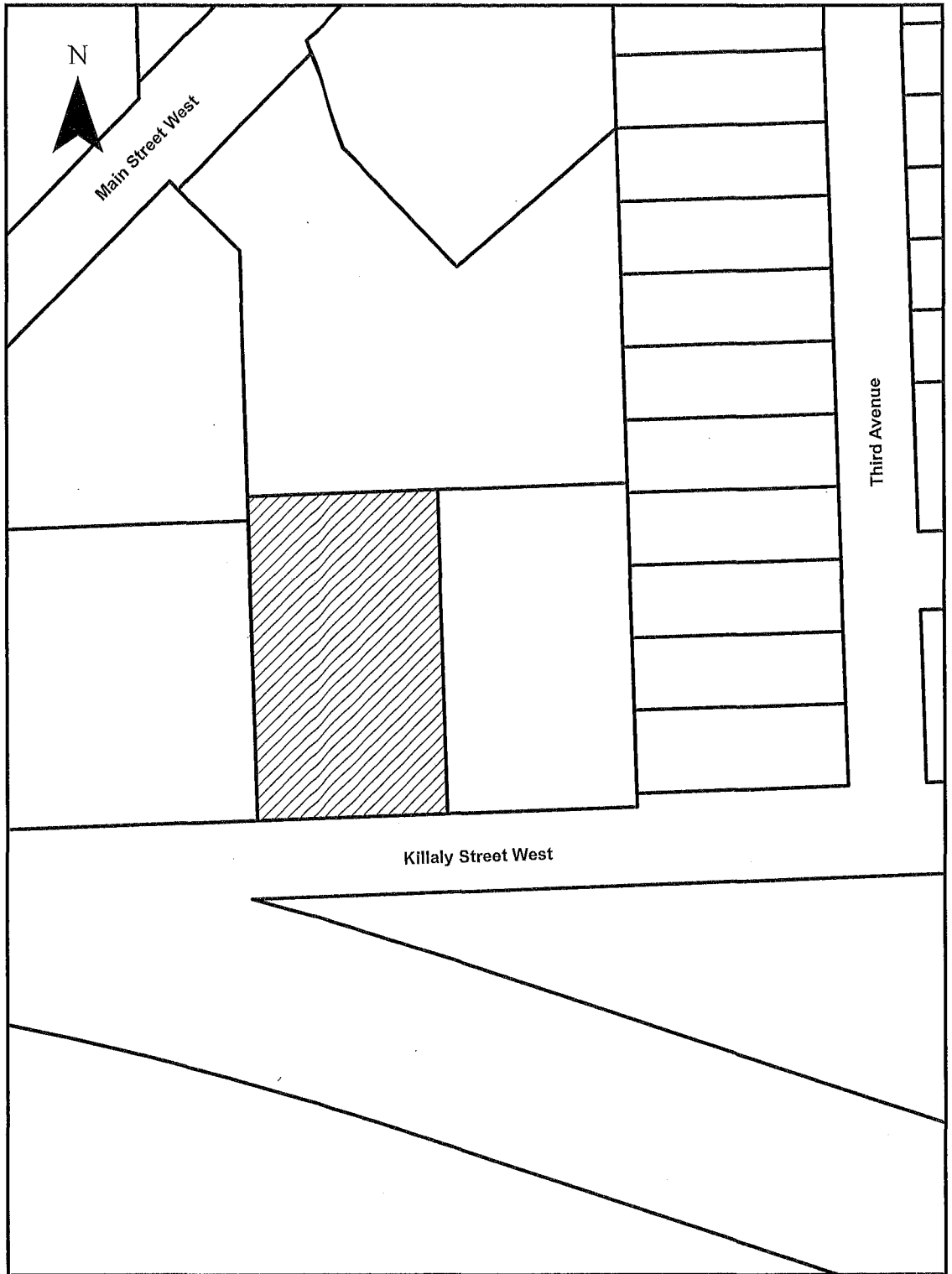
- a) Outside storage shall not be permitted.
- b) The first 3 metres from the interior side lot lines shall only be used as a landscape buffer.
4. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of *The Planning Act*.
5. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with *The Planning Act*.

Enacted and passed this 23rd day of July, 2018.

John Maloney
Mayor

Amber LaPointe
City Clerk

SCHEDULE "A"




THIS IS SCHEDULE "A" TO BY-LAW NO 6601/56/18

PASSED THE 23RD DAY OF July, 2018

MAYOR

CLERK

 LANDS TO BE REZONED FROM
HIGHWAY COMMERCIAL (HC) ZONE
TO HC-48

JUNE 2018

FILE NO D09-01-18 & D14-02-18

DRAWN BY; CITY OF PORT COLBORNE
PLANNING DIVISION

NOT TO SCALE

The Corporation of the City of Port Colborne

By-law No. 6602/57/18

Being a by-law to appoint Paul Marsh P. Eng. of EWA Engineers Inc. for the completion of a new engineer's report for the repair and improvement of the Wignell, Michener, Port Colborne and Beaverdam drains situated in the City of Port Colborne and to rescind By-law No. 5653/84/11 and By-law No. 5666/97/11

Whereas at its meeting of June 13, 2011 Council adopted By-law No. 5653/84/11, being a by-law to appoint Paul Smeltzer P. Eng. of AMEC for the preparation of a new engineer's report for the repair and improvement of the Wignell/Michener and Beaverdam Drains situated in the City of Port Colborne; and

Whereas at its meeting of July 11, 2011 Council adopted By-law No. 5666/97/11, being a by-law to authorize entering into an agreement with Paul Smeltzer P. Eng. of AMEC Earth and Environmental Limited respecting a drainage report for the Wignell-Michener and Beaverdam Municipal Drains; and

Whereas AMEC Earth and Environmental Limited has exercised their right to withdraw from the engineering services agreement; and

Whereas the Engineering and Operations Department, Engineering Division Report 2018-103, Subject: Wignell, Michener, Port Colborne and Beaverdam Municipal Drains Engineer Appointment, has provided a detailed background on the events to date regarding the Wignell/Michener and Beaverdam Municipal Drains; and

Whereas by adoption of the Engineering and Operations Department, Engineering Division Report 2018-103, at its meeting of July 23, 2018, Council has approved the appointment of Paul Marsh, P. Eng. of EWA Engineers Inc. for the Wignell, Michener, Port Colborne and Beaverdam Municipal Drainage Works.

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That Paul Marsh, P. Eng. EWA Engineers Inc. be appointed under Sections 8 and 78, Chapter D. 17 of the *Drainage Act, R.S.O. 1990*, to complete a new Engineer's Report for the repair and improvement of the Wignell, Michener, Port Colborne and Beaverdam Municipal Drains, and that said appointment become effective once the conditions under Section 78(2) of the *Drainage Act* have been satisfied.
2. That By-laws No. 5653/84/11 and 5666/97/11 are hereby repealed.

Enacted and passed this 23rd day of July, 2018.

John Maloney
Mayor

Amber LaPointe
City Clerk

The Corporation of the City of Port Colborne

By-Law No. 6603/58/18

Being a By-Law to adopt, ratify and confirm the proceedings of the Council of The Corporation of the City of Port Colborne at its Regular Meeting of July 23, 2018.

Whereas Section 5(1) of the *Municipal Act, 2001*, provides that the powers of a municipality shall be exercised by its council;

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Regular Meeting of July 23, 2018 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof except where the approval of the Ontario Municipal Board is required, in which case the effective date shall be the day after the approval of the Ontario Municipal Board is obtained or such other day as the Ontario Municipal Board may order; and further
2. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

Enacted and passed this 23rd day of July, 2018.

John Maloney
Mayor

Amber LaPointe
City Clerk

City of Port Colborne

DATE: July 23, 2018

MOVED BY COUNCILLOR

SECONDED BY COUNCILLOR

WHEREAS the 7th of August is International Lighthouse Day, therefore we seek recognition here by having Lighthouse Day declared in Port Colborne;

AND WHEREAS this recognition acknowledges our rich marine based history, culture and industry;

AND WHEREAS Port Colborne is unique, having 2 lighthouses connected by a tunnel;

AND WHEREAS we are able to have tours to same, through co-operative inter-agency agreements, thus meeting the publics ever growing interest in lighthouses.

AND WHEREAS this public interest re-enforces Friends of Port Colborne Lighthouses efforts to increase access and gain stewardship so that they may be properly preserved, restored, maintained and shared with the public for future generations;

NOW THEREFORE, I, Mayor, John Maloney, proclaim August 7th as “Lighthouse Day” in the City of Port Colborne.

John Maloney

MAYOR

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**City of Port Colborne
Special Council Meeting 16-18
Minutes**

Date: July 9, 2018

Time: 6:30 p.m.

Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Absent: D. Elliott, Councillor (due to work)
Y. Doucet, Councillor (due to vacation)
J. Mayne, Councillor (leave of absence)

Staff Present: E. Acs, Planner
T. Cartwright, Fire Chief
A. LaPointe, Manager of Legislative Services/City Clerk
S. Luey, Chief Administrative Officer
H. Mahon, Planning Technician/Clerk (minutes)
T. Rogers, Acting Director of Planning and Development
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and WeeStream.

1. Call to Order:

Mayor Maloney called the meeting to order.

2. National Anthem:

Joel Longfellow sang O Canada.

3. Confirmation of Agenda:

No. 98 Moved by Councillor B. Kenny
Seconded by Councillor R. Bodner

That the agenda dated July 9, 2018 be confirmed, as circulated or as amended.

CARRIED.

4. Disclosures of Interest:

Nil.

5. Public Hearing Under the Planning Act:

Official Plan Amendment and Zoning By-law Amendment

Planning and Development Department, Planning Division, Report 2018-97, Subject: Public Meeting Report for Official Plan Amendment D09-01-18 & Zoning By-law Amendment D14-02-18, n/s Killaly Street West

(i) Purpose

Evan Acs advised that the purpose of this meeting, pursuant to Sections 22 and 34 of the *Planning Act*, is to consider an application submitted by agent Michael Losier on behalf of owner Sam Armenti for the lands legally known Part Lot 32 Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, located on the north side of Killaly Street West between the roads known as Main Street West and Third Avenue.

Mr. Acs also advised that the application for Official Plan Amendment proposes to add a special policy to the Highway Commercial designation in the Official Plan to support the use of warehousing.

Mr. Acs noted that the application for Zoning By-law Amendment proposes to change the zoning from HC – Highway Commercial to HC-48, which will add warehousing as a permitted use. The warehousing use is being sought to allow the operation of a self-storage facility on this property.

(ii) Method of Notice

Mr. Acs advised that Notice of the Public Meeting was administered in accordance with Sections 22 and Sections 34 of the *Planning Act*, as amended, and Section 3 of Ontario Regulation 543/06 and Section 5 of Ontario Regulation 545/06.

The Notice of Public Meeting was mailed to property owners within 120 metres of the property and a notice was posted on the City's website on June 18th 2018. A sign was posted on the property by June 19th 2018.

Mr. Acs advised that at this time, the following comments have been received from the public:

Gary and MaryAnn Pietrelli, 7 Third Ave, Port Colborne

- Opposed to application.
- Concerns related to traffic, noise, dust and light originating from the subject property resulting from warehousing/mini-storage use.
- Concern of impact of development on property value.

Nancy Gillespie, 373 Killaly Street West, Port Colborne

- Opposed to application.
- Concerns about noise, vandalism, items being stored and lighting on subject property.
- Concerns about drainage impact from grading and construction on existing drainage pipe and septic system.
- Ministorage not compatible with residential uses.

At this time, the following comments have been received from commenting agencies:

Niagara Region

Not opposed.

(iii) Explanation of Procedure to be Followed

Mr. Acs advised that the procedure to be followed this evening will be to present Department of Planning & Development Report 2018-97, to hear any comments from the applicant, to receive questions of clarification from Council to the applicant or Planning staff, to open the meeting to the public for comments and questions, to announce the requirements under the *Planning Act* for written notice of passage of the proposed Official Plan and Zoning By-law Amendment, and to provide a brief explanation of future meetings regarding the application.

(iv) Presentation of Application for Zoning By-Law Amendment

Mr. Acs then presented Planning and Development Public Hearing Report 2018-97 and made reference to a Power Point presentation.

Location and Context

The property is located on the north side of Killaly Street West between Main Street West and Third Avenue. The property is currently vacant. To the north is an automotive parts retail/wholesale establishment. To the east is a legal non-conforming residence. To the south is vacant residential land, part of the Rosemount Estates plan of subdivision. To the east is a legal non-conforming residence. To the northwest is a motel.

City of Port Colborne Official Plan

Schedule "A": City Wide Land Use to the City of Port Colborne Official Plan designates the property as Highway Commercial. The predominant uses for lands

designated Highway Commercial shall include, but not be limited to; hotels and motels; automobile sales and service establishments; places of amusement or recreation; restaurants with take-out and/or drive-through facilities; and accessory uses to the aforementioned uses, including a residence for a caretaker.

City of Port Colborne Zoning By-law 6575/30/18

Schedule “A7” to the City of Port Colborne Zoning By-law zones the property Highway Commercial. The permitted uses for lands zoned Highway Commercial include Animal Care Establishment; Brew Pub; Car Wash; Convenience Store; Day Care; Drive-Thru Facility; Dwelling, Accessory; Food Vehicle; Hotel; Motor Vehicle Repair Garage; Motor Vehicle Sales/Rental Service Centre; Motor Vehicle Gas Station; Office; Personal Service Business; Place of Assembly/Banquet Hall; Place of Worship; Public Use; Recreation Facility; Restaurant, Fast Food; Restaurant, Full Service; Restaurant, Take-Out; Retail Building Construction and Supply; Service Commercial; and Uses, structures and buildings accessory thereto.

The application is being made to add warehousing as a permitted use in both the Official Plan and Zoning By-law Amendment to allow a self-storage type of establishment from being built and operated on the property. Should the amendments be successful, a site plan agreement that will address, amongst other items, fencing and screening, lighting, parking, fire routes and grading and drainage will be required before construction can commence.

(v) Comments of Applicant

At this time Mr. Acs invited the applicant to comment.

Mr. Michael Losier, acting as agent for the owner Sam Armenti addressed Council. Mr. Losier advised that the reason for the re-zoning application is to create a self-storage facility. He advised that the units will be located in the interior of the building and the property will have adequate fencing.

(vi) Questions of Clarification to Planning Staff/Applicant

Councillor Kenny questioned Mr. Losier on the entrance to the building. Mr. Losier responded that there will be a main loading area and some but not all units will have individual entrances. Councillor Kenny asked that the applicant consider the neighbour's comments and concerns about what will be stored, the lighting, and that the fencing not be chain-link. Mr. Losier responded that the units are to be used for personal self-storage and not for heavy equipment. He further noted that they will address the storm-water management process.

Councillor Bodner noted that they have not yet seen a site plan and questioned whether there will be any outside storage. Mr. Acs responded that the bylaw has not yet been written and Council can direct staff that outside storage not be

permitted. Mr. Losier advised that the building will meet the maximum setbacks required by the fire department and there would not be room for outside storage. However, if they want to include that as a condition it would not be an issue. Mr. Acs advised that it would be best addressed in the zoning bylaw rather than through site plan control.

No. 99

Moved by Councillor R. Bodner

Seconded by Councillor A. Desmarais

That no outside storage be permitted through the site plan control process for the property legally known as Part Lot 32, Concession 2, Former Township of Humberstone, in the City of Port Colborne, Regional Municipality of Niagara; municipally located on the north side of Killaly Street West between Main Street West and Third Avenue.

CARRIED.

Councillor Danch questioned whether access is available 24/7 and what would be the hours of operation. Mr. Losier responded that access will be regulated with gated access and the hours will be from dawn to dusk. Mr. Acs advised that this can be addressed through the site plan agreement.

Mayor Maloney questioned the number of units. Mr. Losier responded that there will be approximately 150 units, however the size of the units can be changed. Mayor Maloney questioned whether items can be restricted. Mr. Losier advised that this will be addressed through insurance policies and that it will not be used for eg. a Mechanic's shop. Mr. Acs advised that this can also be addressed through site plan control. Mayor Maloney questioned the location for parking. Mr. Losier responded that the front part of the building will be paved and used for parking. Mayor Maloney asked that the neighbour's concerns regarding lighting be addressed. Mr. Losier responded that they will follow the by-law requirements. Mr. Acs advised that they are in the early stages of planning and once the Zoning By-law is addressed then they can work with the applicant on the details for site plan control.

Mr. Acs then read the following cautionary statements into the record:

"If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before a decision on the proposed Official Plan and Zoning By-law Amendments are passed by Council, the person or public body is not entitled to appeal the decision of the City of Port Colborne Council to Local Planning Appeal Tribunal."

And;

"If a person or public body does not make oral submissions at a public meeting, or

make written submission to the City of Port Colborne before a decision on the proposed Official Plan and Zoning By-law Amendments are passed by Council, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so.”

Mr. Acs noted that for any interested members of the public there is a sign-in sheet to request future notices regarding this application.

(vii) Oral Presentations and/or Questions by Public

Nancy Gillespie of 373 Killaly St. W. addressed Council. Mrs. Gillespie is opposed to the application. She received Notice of the Public Hearing on June 21st. She expressed concern about people having constant access to the units, what type of items would be stored, and improper lighting and drainage. She does not think a storage unit is compatible between 2 residential dwellings.

Councillor Bodner questioned Mr. Acs as to whether the concern for lighting could be addressed through site plan control. Mr. Acs concurred that this can be addressed. Councillor Bodner questioned whether the drainage issues could also be addressed through site plan control. Mr. Acs concurred that this can also be addressed.

Councillor Bodner questioned how the zoning would be affected if someone wanted to build a house on this lot. Mr. Acs provided some background zoning history and advised that a re-zoning application would be required to build a house.

Councillor Butters questioned Mr. Acs as to whether a façade designed to blend in with the residential uses could be applied. Mr. Acs noted that the property fronts onto a Regional Road and must follow their urban design guidelines. He was not sure about the facade but indicated that landscaping will be addressed.

Mayor Maloney questioned Mrs. Gillespie as to whether she has a septic system. Mrs. Gillespie confirmed that there is a septic tank to the north of her property. She noted that she already has drainage problems and is concerned that any change could upset her septic system.

Councillor Kenny advised Mrs. Gillespie that she shares her concerns regarding the lighting and drainage issues and advised that these can be addressed through site plan control. She will be able to attend the Council meeting to ensure her concerns can be addressed.

Mayor Maloney questioned Mr. Acs on the side yard setbacks. Mr. Acs advised that he did not have that information available at this time but can provide it at a later date. He advised that the proposal is to build in the centre of the lot which will provide proper fire access. Mayor Maloney questioned whether the landscaping

can be applied to the side yards as well. Mr. Acs concurred that landscaping and fencing can be addressed. Mayor Maloney questioned the zoning for property across the street. Mr. Acs advised that it is mixed residential use. Mayor Maloney questioned Mrs. Gillespie on whether her written submission has been given to the Clerk and Mrs. Gillespie concurred that it has. Mr. Acs further noted that the Pietrelli correspondence has been submitted to the Clerk as well.

(viii) Announcement Respecting Written Notice of Passage of the Official Plan and Zoning By-law Amendment

Mr. Acs advised that if anyone wishes "to be notified of the approval of the Zoning By-law Amendment they 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."

(ix) Explanation of Future Meetings

Mr. Acs advised that this concludes the Public Hearing under *The Planning Act*. The proposed Zoning By-law Amendment will be placed on Council's agenda at a future meeting.

6. **Adjournment:**

No. 100 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That the Council meeting be adjourned at approximately 7:15 p.m.
CARRIED.

John Maloney
Mayor

Amber LaPointe
City Clerk

Minutes prepared by the Department of Planning and Development.

/hm

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Proposed Official Plan and Zoning By-law Amendment for n/s Killaly Street West

Agent: Michael Losier

Owner: Sam Armenti

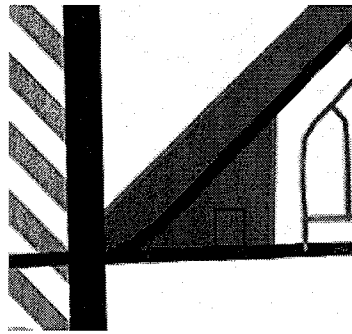
File: D09-01-18 and D14-02-18

Location & Context

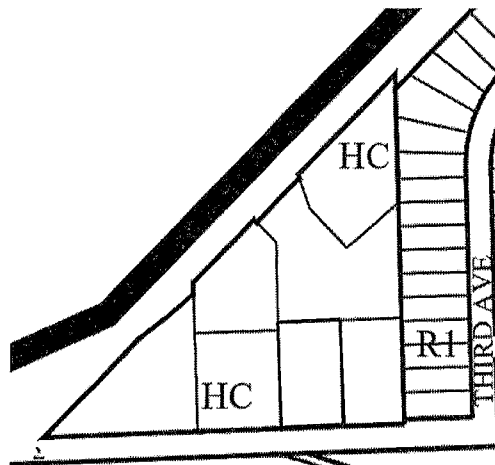


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Current Official Plan Designation



Current Zoning



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Purpose of Application

- The application for Official Plan Amendment proposes to add a special policy to the Highway Commercial designation in the Official Plan to support the use of warehousing.
- The application for Zoning By-law Amendment proposes to change the zoning from HC – Highway Commercial to HC-48, which will add warehousing as a permitted use. The warehousing use is being sought to allow the operation of a self-storage facility on this property.

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**City of Port Colborne
Regular Council Meeting 17-18
Minutes**

Date: July 9, 2018
Time: 8:45 p.m.
Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Absent: D. Elliott, Councillor (due to work)
Y. Doucet, Councillor (due to vacation)
J. Mayne, Councillor (leave of absence)

Staff Present: T. Cartwright, Fire Chief
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk (minutes)
T. Rogers, Acting Director of Planning and Development
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and WeeStream.

1. Call to Order:

Mayor Maloney called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 101 Moved by Councillor F. Danch
Seconded by Councillor R. Bodner

That the agenda dated June 9, 2018 be confirmed, as circulated
or as amended.

CARRIED.

The 2017 Annual Financial Report may be found at the following link:
<https://www.niagararegion.ca/business/finance/annual-reports/default.aspx>

**8. Region of Niagara Re: Regional Official Plan Amendment 13 -
Transportation Policies (PSD Report 27-2018)**

Council resolved:

That the correspondence received from the region of Niagara Re: Regional Official Plan Amendment 13 – Transportation Policies (PDS Report 27-2018), be received for information.

9. Region of Niagara Re: Petition – Holding Elected Officials to a Higher Standard

Council resolved:

That the correspondence received from the Region of Niagara Re: Petition – Holding Elected Officials to a Higher Standard be referred to the Manager of Legislative Services/City Clerk for a report providing comment on the recommendations contained in the correspondence.

10. Region of Niagara Re: Trade with the United States and Protecting Canadian Jobs

Council resolved:

That the correspondence received from the Region of Niagara Re: Trade with the United States and Protecting Canadian Jobs, be received for information.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

1. 2018-95, Subject: Stopping Up and Closing Parts of Empire and Michael Roads and Sale to Sun Communities Operating Limited Partnership

No. 104 Moved by Councillor B. Kenny
 Seconded by Councillor A. Desmarais

That the by-law to stop up and close, declare surplus to the needs of the municipality and to sell part of the Empire Road and Michael Road allowances, being Part 1 on Plan 59R-161032 and Plan 59R-165103 be approved; and

That The Corporation of the City of Port Colborne enter into an Agreement of Purchase and Sale with Sun Communities

Operating Limited Partnership for the purchase of, for \$525,000, the Empire Road and Michael Road allowances, being Part 1 on Plan 59R-161032 and Plan 59R-165103; and

That Council place \$525,000 into a reserve for expenditures related to Community and Economic Development Department projects as identified in the 2018 Strategic Planning Session and to be determined by the future Parks and Recreation Master Plan; and

That the Mayor and Clerk be authorized to sign and execute any and all documents respecting the sale these lands.

CARRIED.

11. Memorandum from Gina Tartaglia, Event Coordinator Re: Canal Days 2018 – Royal Canadian Legion, Branch 56, Request for Letter of Non Objection regarding a Temporary Licence Extension

No. 105

Moved by Councillor B. Kenny

Seconded by Councillor A. Desmarais

That the Council of The Corporation of the City of Port Colborne does not object to the application for a Temporary Licence Extension to an existing licence held by the Royal Canadian Legion, Branch 56, located at 67 Clarence Street, Port Colborne, on August 4, 5, and 6, 2018 during the Canal Days Marine Heritage Festival, as outlined in the correspondence from Harry Hamilton, Branch President, dated June 15, 2018, subject to the following conditions:

- That the applicant shall satisfy and comply with all applicable regulatory requirements, rules and provisions;
- That where the area is enclosed (by the building and permanent and temporary fencing) there shall be two separate, unrestricted, exits from the area that are a minimum of four feet in width; and

That Port Colborne Fire and Emergency Services shall inspect the site on August 4.

CARRIED.

9. Proclamations:

Nil.

10. **Minutes of Boards, Commissions & Committees:**

Nil.

11. **Consideration of By-laws:**

No. 106 Moved by Councillor B. Kenny
Seconded by Councillor A. Desmarais

That the following by-laws be enacted and passed:

- 6598/53/18 Being a By-law to Stop Up and Close a Portion of the Empire Road and Michael Road allowances, Being Part 1 on Plan 59-16102 and Part 1 on Plan 59R-16103, and to Declare the Lands as Surplus and to sell the Lands to Sun Communities Operating Limited Partnership
- 6599/54/18 Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Special and Regular Meetings of July 9, 2018

CARRIED.

12. **Council in Closed Session:**

Motion to go into closed session – 8:51 p.m.

No. 107 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That Council do now proceed into closed session in order to address the following matter(s):

- (a) Minutes of the closed session portion of the following Council meetings: June 11, 2018.
- (b) Planning and Development Department, Planning Division Report 2018-78, concerning the potential sale of City-owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.
- (c) Planning and Development Department, Planning Division Report 2018-99, concerning an appeal under the *Planning Act* to the Local Planning Appeal Tribunal related to 650 Barrick Road, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(e) litigation or

potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED.

Motion to rise with report – 9:30 p.m.

No. 108 Moved by Councillor F. Danch
Seconded by Councillor A. Desmarais

That Council do now rise from closed session with report at approximately 9:30 p.m.

CARRIED.

13. Disclosures of Interest Arising From Closed Session:

Nil.

14. Report/Motions Arising From Closed Session:

(b) Planning and Development Department, Planning Division Report 2018-78, concerning the potential sale of City-owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

The City Clerk reported that direction was provided to staff during closed session in accordance with the *Municipal Act, 2001*.

(c) Planning and Development Department, Planning Division Report 2018-99, concerning an appeal under the *Planning Act* to the Local Planning Appeal Tribunal related to 650 Barrick Road, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Moved by Councillor A. Desmarais
Seconded by Councillor B. Kenny

That staff be directed to defend the Committee of Adjustment’s decision B04-18-PC regarding 650 Barrick Road at the Local Planning Appeal Tribunal.

CARRIED.

15. Adjournment:

No. 109 Moved by Councillor F. Danch
Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately 9:31 p.m.

CARRIED.

John Maloney
Mayor

Amber LaPointe
City Clerk

AL/cm

Port Colborne Public Library Board

MINUTES of the 5th Regular Board Meeting of 2018

Held Tuesday, June 5, 2018, 6:00 p.m.

Port Colborne Public Library, Auditorium

310 King St., Port Colborne, ON

Present: Michael Cooper (Chair), Valerie Catton (Vice Chair), Harmony Cooper, Jeanette Frenette, William Higgins, Ann Kennerly, Cheryl MacMillan
Staff: Susan Therrien (Director of Library Services), Rachel Tkachuk (Librarian)
Regrets: Bryan Ingram, Scott Luey (CEO), Councilor John Mayne

1. Michael Cooper, Chair, called the meeting to order.

2. The invocation was read.

3. Mr. Cooper welcomed the Board members.

4. **Approval of the Agenda**

Moved by H. Cooper

Seconded by A. Kennerly

18:033 That the agenda be adopted as circulated.
CARRIED.

5. Declaration of Conflict of Interest: None

6. Delegations: None

7. **Minutes of the Previous Meeting of Tuesday, May 8, 2018**

Moved by W. Higgins

Seconded by J. Frenette

18:034 That the minutes of the May 8, 2018 meeting be adopted as circulated.
CARRIED.

8. Business Arising from the Minutes: None

9. **Agenda Items**

i. Port Colborne Lions Outdoor Seating Area

The PC Lions Gazebo was dedicated on May 27, 2018, with representatives from the Library



Port Colborne Public Library Board

Board, library and museum staff, members of the PC Lions Club, and the public in attendance. Outstanding Items to complete the project are the dedication sign and exterior lighting.

ii. Risk Assessment

The Board reviewed the quote received from Pinder's Security Products for swipe doors and security cameras as per the recommendations outlined in the Risk Assessment.

iii. Shelving, Furniture, and Flooring Projects

The Director reported on the status of the three projects. A quote was reviewed to complete the carpet installation along with design plans for the shelving and furniture projects.

iv. Accessible Public Washrooms

Two design options were presented due to safety issues: renovation of the existing basement washrooms; and, a new gender-neutral accessible washroom on the main floor of the library.

v. Council of The Corporation of the City of Port Colborne Resolution Supporting the OLA/FOPL Public Library Budget Ask

The Board reviewed the letter of resolution from the Council of the Corporation of the City of Port Colborne in support of the resolution of the Town of Niagara-on-the-Lake regarding funding for local libraries. A letter of appreciation from the Library Board will be submitted to City Council to acknowledge its support.

Committee Reports

- i. Accessibility Committee: None
- ii. Cultural Block Joint Subcommittee: None

10. ADMINISTRATIVE BUSINESS

Correspondence: Card of thanks from Wilma Tennier, Port Colborne Festival of the Arts

Moved by A. Kennerly
Seconded by H. Cooper

18:035 **That the correspondence be received for information purposes.**
CARRIED

Public Relations Report

i. Pop-Up Library and Outreach

Librarian Rachel Tkachuk reported on Pop-Up Library outreach and services to local schools,



Port Colborne Public Library Board

Northland Pointe, Evergreen Academy, and the Farmers' Market in May and June 2018.

ii. Prince and Princess Tea / Royal Wedding Celebration

The May 18th event featured a tea party for children and free cake served all day to library patrons. Michelle Cuthbert, Corporate Communications Officer for the City of Port Colborne, was also in attendance and helped promote the day's events which were featured on the front page of *Niagara This Week*.

iii. Healthy Kids Community Challenge

Librarian Rachel Tkachuk and Board Vice-Chair Valerie Catton attended the Lockview Community Garden 2nd Annual Plant Day event on May 27, 2018, in support of the community garden and to promote the library's seed garden.

iv. Summer Programming Flyer

Moved by C. MacMillan

Seconded by H. Cooper

18:036

That the Public Relations report be received for information purposes.

CARRIED

Chief Executive Officer's Report: None

Treasurer's Report: None

Director's Report

i. Niagara Regional Police: Partnership and Incident Reporting

NRPS Staff Sgt. Rob LaPlante visited the library for a tour of the facility, to meet staff, and make suggestions regarding safety and incident reporting.

ii. Meetings/Workshops/Training

a. *Harm Reduction: Opioid Use in Niagara*, May 9, 2018

b. *De-Escalation Training*, May 14, 2018

c. *Managing Stress and Anger*, May 16, 2018

d. *De-Escalation and Empathy*, May 30, 2018

e. *Making and Creating in the Library*, May 31, 2018, STEAM Centre, St. Thomas

iii. Health and Safety

a. *Sharps Training 2015*, May 2, 2018



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b. *Fire Safety Training*, June 6, 2018, with Scott Lawson, Fire Prevention Officer

Moved by C. MacMillan

Seconded by J. Frenette

18:037 **That the Director of Library Services' report be received for information purposes.**

CARRIED

Circulation Report: None

11) Board Members' Items: None

12) Notices of Motion: None

13) **Date of the Next Meeting**

Tuesday, July 10, 2018, 6:00 p.m.

Port Colborne Public Library, Auditorium

310 King St., Port Colborne, ON

14) **Adjournment**

MOVED by C. MacMillan

Seconded by W. Higgins

18:038 **That the meeting be adjourned.**

CARRIED.

Michael Cooper, Library Board Chair
July 10, 2018

Susan Therrien, Secretary
July 10, 2018