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June 5, 2025

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City of Port Colborne
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**Re: Planning Brief – Zoning By-law Amendment
Off-Site Parking (LOT 26 PL 857)
Port Colborne**

LandPro Planning Solutions Inc. (LandPro) was retained by the applicant, 2866403 ON Inc. ("the Applicant"), to assist with a Zoning By-law Amendment. This letter is accompanied by a Zoning By-law Amendment application for the following two purposes:

1. permit a reduction in off-street parking associated with the proposed rental apartment building located at 174 Mitchell Street, and
2. to permit the property legally known as LOT 26 PL 857 to be a stand-alone parking lot (serving the rental apartment building located at 174 Mitchell Street).

The proposed off-site parking lot (LOT 26 PL 857) is located on the north side of Nickel Street and the east side of Mitchell Street. It is located approximately 39 metres southeast of 174 Mitchell Street, where the proposed apartment building is located. See **Figure 1** below.



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Figure 1 - Property Location. Orange indicates 174 Mitchell Street, Red indicates LOT 26 PL 857.

2. PROPERTY DETAILS

LOT 26 PL 857 is currently and historically vacant, containing no structures.

As shown below in **Figure 2**, the immediate surrounding land uses are described below.

North	=	Residential
South	=	Residential Commercial
East	=	Residential Industrial
West	=	Residential Industrial

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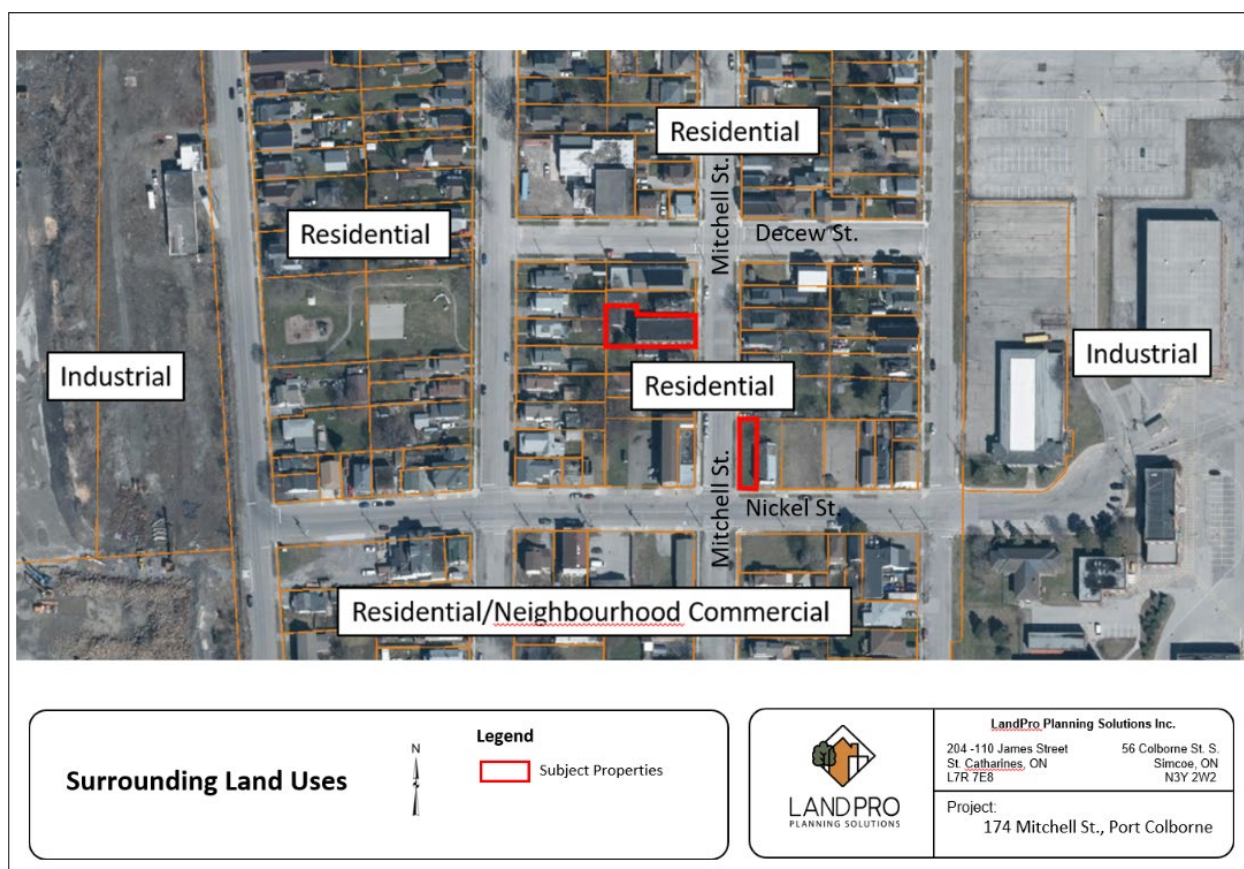


Figure 2 – Site Context

The subject property at 174 Mitchell Street has frontage onto Mitchell Street. The proposed parking property is at the corner of Mitchell Street and Nickel Street, with frontage on both streets. The existing property dimensions are presented below in **Table 1**.

Table 1 – Existing Property Dimensions

	174 Mitchell St.	LOT 26 PL 857 (Proposed Parking)
Lot Frontage	14.16 m	31.06 m (Mitchell St)
Lot Depth	40.23 m	7.57 m
Lot Area	626.7 m ²	239.0 m ²

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2.1 PROJECT BACKGROUND

In December 2023, Official Plan Amendment and Zoning By-law Amendment applications were submitted to facilitate the renovations of an existing building to house twelve (12) apartment units at 174 Mitchell Street. In October 2021, prior to submission, the property owner was in discussions with the City of Port Colborne to purchase the property known as LOT 26 PL 857 on the corner of Mitchell Street and Nickel Street to serve as off-site parking for this proposed apartment building renovation. Planning approvals were gained for development in April 2024.

The City required Site Plan approval for this 12-unit development. Due to complexities and additional time required with this approval, the application was revised to 10 units, which is exempt from Site Plan approval. We were notified that the City would require Site Plan approval for the off-site lot as well, were it to have five or more spaces. Due to the size restrictions, no more than four spaces can be accommodated off-site and so this lot is also exempt from Site Plan approval.

Based on the 10 units, zoning requires 1.25 spaces per unit for a total of 13 parking spaces, while only 9 can be provided. As a result, this Zoning By-law Amendment application is required.

Further, the City identified that permissions are required to allow the off-site parking lot to be used as a stand-alone parking lot. This Zoning By-law Amendment addresses this as well.

A further in-person meeting with the City's Chief Planner in early April 2025 provided some additional information and much needed relief from process, including waiving of fees and expected process.

3. PROPOSAL

The proposal is to convert 174 Mitchell to 10 units of rental housing. This would be supported by nine parking spaces, both at 174 Mitchell and at a vacant lot slightly south of the subject property. Together, these properties address the need for rental housing, as well as private transportation.

174 Mitchell Street itself can accommodate five (5) parking spaces on-site. In designing the off-site parking lot, it was discovered that a maximum of four (4) spaces could be accommodated off-site, for a total of nine (9) spaces servicing the apartment building.

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Table 2 – Permissions detailed

Zoning Provision	Required	Proposed
3.1.1. Parking Space requirements for an Apartment Building	1.25 spaces / unit x 10 units = 12.5 spaces	0.9 spaces / unit x 10 = 9 5 on-site, 4 off-site
3.14 Stand Alone Parking Lot	a) Where permitted by Section 36 Special Provisions, a stand-alone parking lot shall have a minimum lot frontage of 12 m and shall be subject to all other provisions of this By-law.	The use is not yet permitted by Section 26 Special Provisions. The lot frontage of 31.06m surpasses the 12m minimum. All other provisions shall be met.

The limitation in parking is a result of the City's engineering requirements for the vacant parcel that include the entrance/exit sizes, daylight triangle, and distance from intersection. Once these elements are accommodated, the off-site lot is only capable of yielding four spaces.

Please see **Figures 3 and 4** for the proposed parking design for both on-site and off-site parking areas.

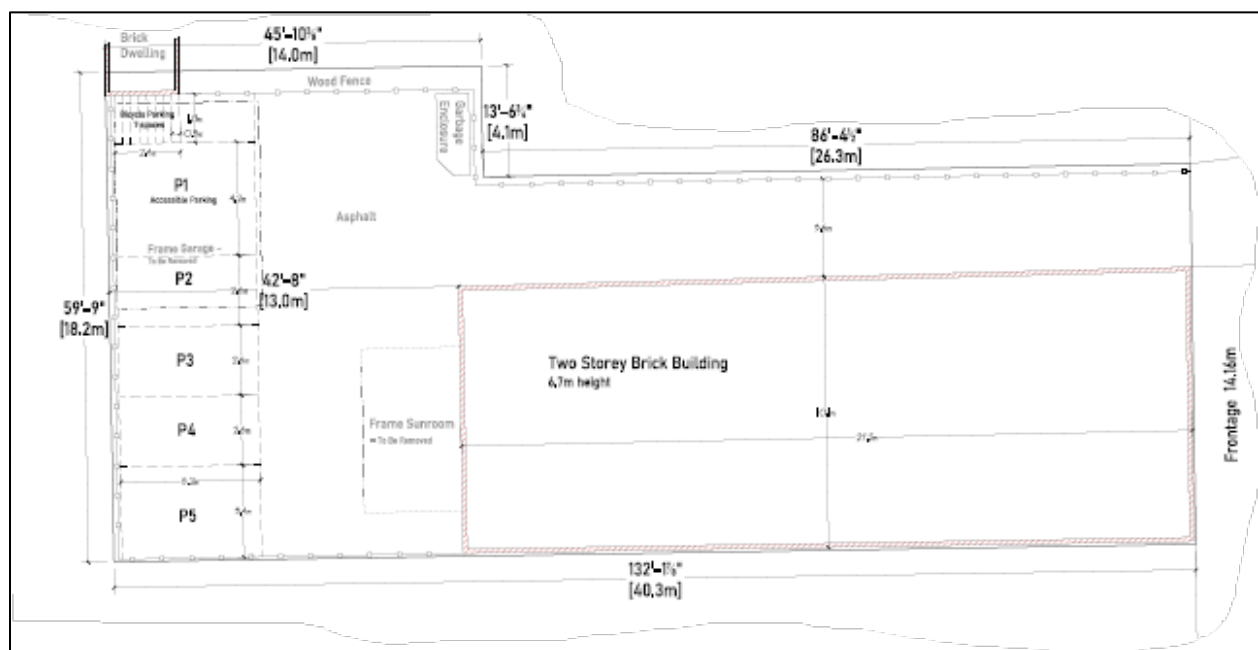


Figure 3 – 174 Mitchell Street Conceptual Plan

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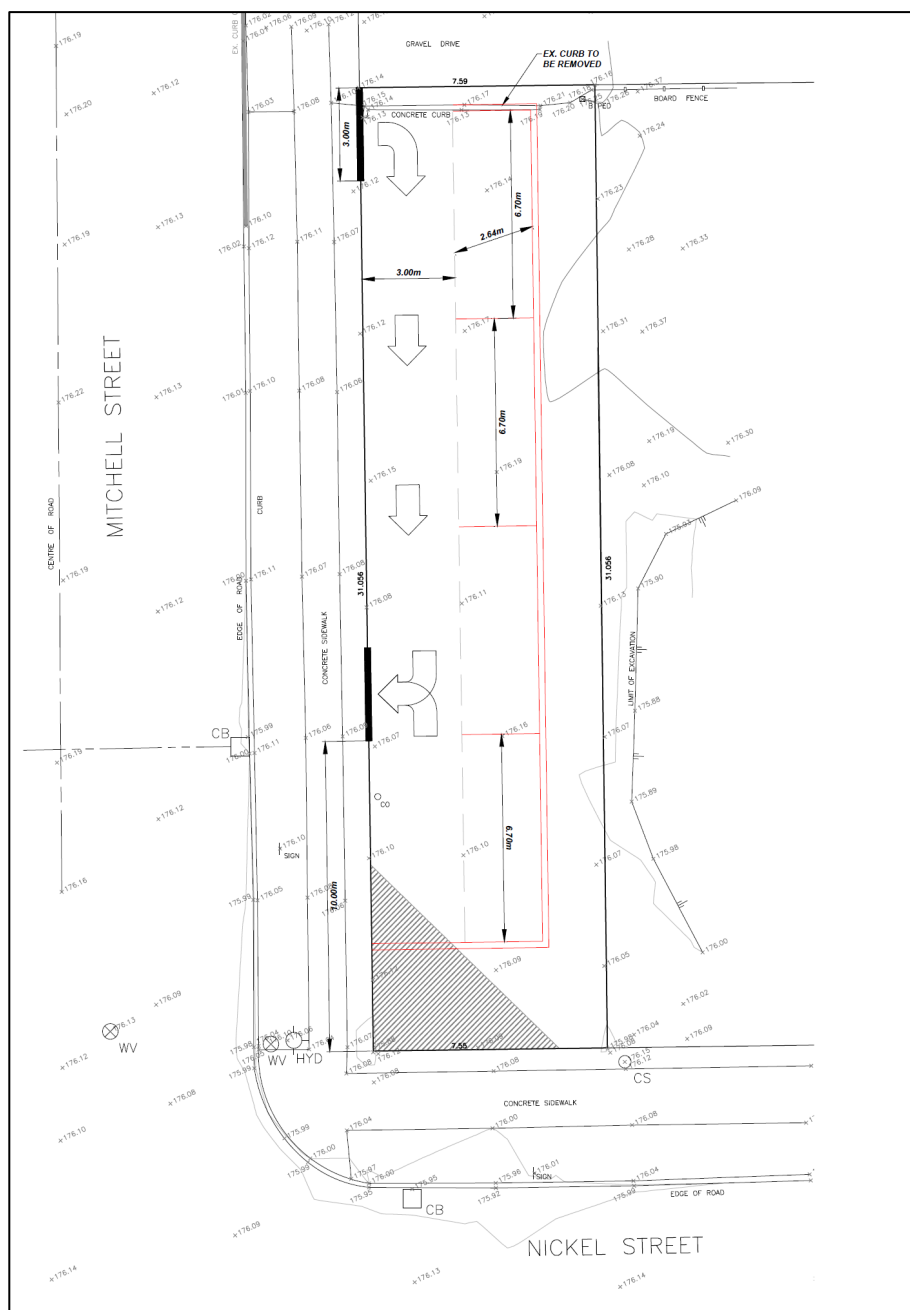


Figure 4 – Off-site proposed parking plan for 174 Mitchell Street

This application proposes to reduce the required parking for the apartment building to accommodate the maximum available, based on space. The property owner has since changed the development plans to include ten (10) apartment units instead of the original twelve (12); however, the nine available parking spaces remain deficient for ten units, as thirteen (13) spaces are required through zoning. The parking

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deficiency results in the requirement of a Zoning By-law Amendment, which will be addressed alongside the added permitted use of a stand-alone parking lot on LOT 26 PL 857.

4. LAND USE PLANNING FRAMEWORK

In preparing this application, several planning policy and regulatory documents were reviewed that need to be addressed to demonstrate good planning. They include the following:

1. Planning Act R.S.O. 1990, c.P13
2. Provincial Planning Statement, 2024;
3. Niagara Region Official Plan, 2022;
4. City of Port Colborne Official Plan, 2017;
5. City of Port Colborne Zoning By-law 6575/30/18.

The proposed Zoning By-law Amendment application is assessed against these policies and associated regulations, below.

4.1 PLANNING ACT, R.S.O 1990 C.P.13

The *Planning Act* is the provincial legislation that provides the basis for land use planning in Ontario, identifying tools for managing how, where and when land use changes occur.

These matters of Provincial Interest are outlined in **Section 2** of the *Act*. This application has regard for the relevant parts of Section 2 of the *Planning Act*:

(g) the minimization of waste, concerning the reuse and renovation of an underused existing building;

(h) the orderly development of safe and healthy communities, concerning a residential development within an existing neighbourhood;

(j) the adequate provision of a full range of housing, including affordable housing, providing 10 additional apartment rentals to the housing market;

(l) the protection of the financial and economic well-being of the Province and its municipalities, supporting the housing crisis solution in Ontario;

(p) the appropriate location of growth and development, being a residential proposal in an existing residential neighbourhood;

(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians, concerning the reuse of a building located in a pedestrian-friendly walkable neighbourhood.

This application is consistent with the *Planning Act*.

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4.2 PROVINCIAL PLANNING STATEMENT, 2024

The *Provincial Planning Statement* (“PPS”) provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The following policies support the application.

The proposed application will facilitate the residential renovation of the existing building at 174 Mitchell Street including permitting the mixed location parking plan.

Section 2.1 of the PPS (Planning for People and Homes) states that planning authorities should support the achievement of complete communities by accommodating an appropriate range of housing options, as well as other land uses (2.1.6.a). The proposed development would create ten (10) new rental housing units in a walkable neighbourhood.

Section 2.2 (Housing) states that “planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating”:

- all housing options required to meet the needs of current and future residents, and
- all types of residential intensification, including the redevelopment of underutilized commercial sites for residential use and redevelopment which results in a net increase in residential units (in accordance with policy 2.3.1.3) (2.2.1.b.1-2).

Policy 2.3.1.3 states, “Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.”

The proposal involves a new housing type (rental apartments) in a walkable neighbourhood of predominantly single-detached dwellings. The application would support the redevelopment of an underutilized mixed-use building (commercial and residential) which results in a net increase in residential units.

Section 2.3 (Settlement Areas and Settlement Area Boundary Expansions) states that settlement areas shall be the focus of growth and development (2.3.1.1), and that land use patterns within these areas should efficiently use land and resources, optimize existing infrastructure, and support active transportation (2.3.1.2.a-c). Moreover, “planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options...” (2.3.1.3). The subject properties are within a settlement area and is located in an existing building in an existing walkable neighbourhood, therefore efficiently using the land, resources, and infrastructure.

Section 2.9 (Energy Conservation, Air Quality and Climate Change) requires planning authorities to plan to reduce greenhouse gas emissions by supporting the achievement of complete communities, active

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transportation, and to take into account any additional approaches that help reduce such emissions (2.9.1.a, d, e). The proposal involves a residential development within a walkable complete community, reusing an underutilized building which minimizes waste and manufacturing needs, as well as an underutilized vacant lot for parking to facilitate such development.

Finally, **Section 3.6 (Sewage, Water, and Stormwater)** states that municipal servicing are preferred for settlement areas to protect the environment and minimize health and safety risk (3.6.2). Municipal servicing is proposed for this development.

This application is consistent with the Provincial Planning Statement.

4.3 NIAGARA REGION OFFICIAL PLAN (2022)

The Niagara Region Official Plan (NROP) contains objectives, policies and mapping that describe the Region's vision for the next 20+ years, including their approach to managing growth, growing the economy, protecting the natural environment, resources, and agricultural land, and providing sustainable infrastructure.

The subject property is designated as *Delineated Built-Up Area* in the Niagara Region Official Plan. **Figure 5**, below, shows the property designation and surrounding land uses.

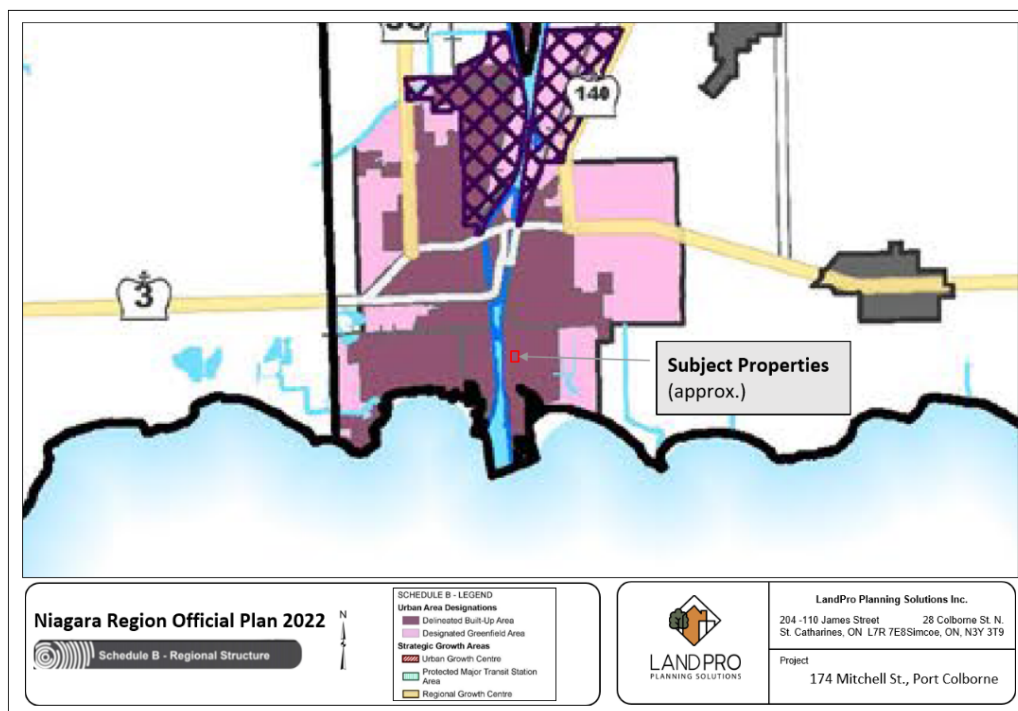


Figure 5 – Niagara Region Official Plan Schedule B.

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Section 2.1 (Forecasted Growth) shows a projected population growth in the City of Port Colborne of 23,230 people by 2051 (**Table 2-1**). The objectives of **Section 2.2 (Regional Structure)** are to (a) manage growth within urban areas, and (b) accommodate growth through strategic intensification and higher densities.

Regarding the management of urban growth, the proposal conforms to the following sections that land use planning will support, according to **Section 2.2.1.1**: intensification and density targets; a compact built form; diverse range and mix of housing types, unit sizes, and densities; built forms that minimize land use consumption; opportunities for intensification; opportunities for the integration of gentle density, and a mix of housing options considerate of the established neighbourhood; the development of residential uses in appropriate locations; and orderly development according to available infrastructure (**2.2.1.1.a-c, e, g-l, k**).

Regarding strategic intensification and densities, the NROP states in **Table 2-2 (Minimum Residential Intensification Targets by Local Area Municipality 2021-2051)** the target for Port Colborne is 690 dwelling units. “Within urban areas, forecasted population growth will be accommodated primarily through intensification in built-up areas” (**2.2.2.1**) and “a Regional minimum of 60 percent of all residential units occurring annually will be within built-up areas,” (**2.2.2.5**). The proposal involves intensification of residential units within a built-up area and will assist the City in achieving its goal of 690 dwellings.

One applicable goal of **Section 2.3 (Housing)** is to “provide a mix of housing options to address current and future needs” (**2.3.a**). This includes a range of densities, lot and unit sizes, and housing types (**2.3.1.1**). New residential development is encouraged to be compact built form to mitigate the impacts of climate change (**2.3.1.4**). As noted previously, the proposal introduces a new housing type into the neighbourhood within an existing underutilized building, and makes use of the lot size through intensification and compact built form.

Section 5.2.2 (Municipal Water and Wastewater Servicing within Urban Areas) states that municipal servicing is required for development in urban areas (**5.2.2.2**) and that full municipal services are the preferred form of servicing within urban settlement areas (**5.2.2.12**). Municipal servicing is available and proposed for this development.

This application facilitates strategic growth within the built-up area of Port Colborne and represents an opportunity for gentle density in an appropriate location by providing additional residential units on the subject property. The reduction in parking will permit the proposed renovations to support intensification targets by creating new apartment units.

The proposed application conforms with the Niagara Region Official Plan.

4.4 CITY OF PORT COLBORNE OFFICIAL PLAN (2017)

The City of Port Colborne Official Plan (PCOP) contains objectives, policies and mapping that describe the City’s vision for the next 20+ years, including their approach to managing growth, growing the economy,

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protecting the natural environment, resources, and agricultural land, and providing sustainable infrastructure.

The City of Port Colborne Official Plan (PCOP) designates the properties as *East Waterfront Secondary Plan* in Schedule A (see **Figure 6**), and with respect to that, *Medium Density Urban Neighbourhood* in Schedule F (please see **Figure 7**).

Additionally, the subject properties are within the IPZ-2 source water protection zone designated by the Niagara Region Official Plan Schedule H. As per the previous related applications and discussions, city staff stated no concerns in regard to the proposed residential use.

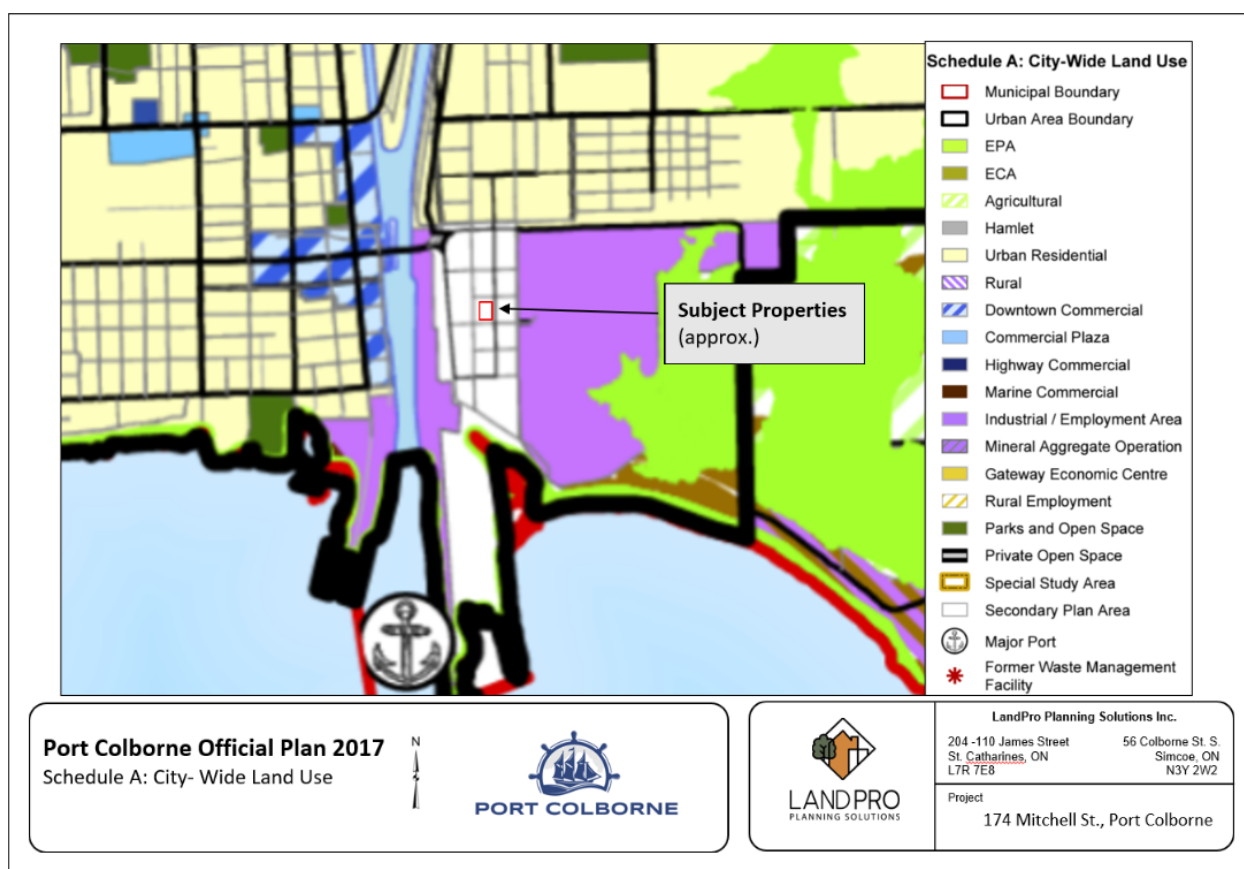


Figure 6 – City of Port Colborne Official Plan Schedule A.

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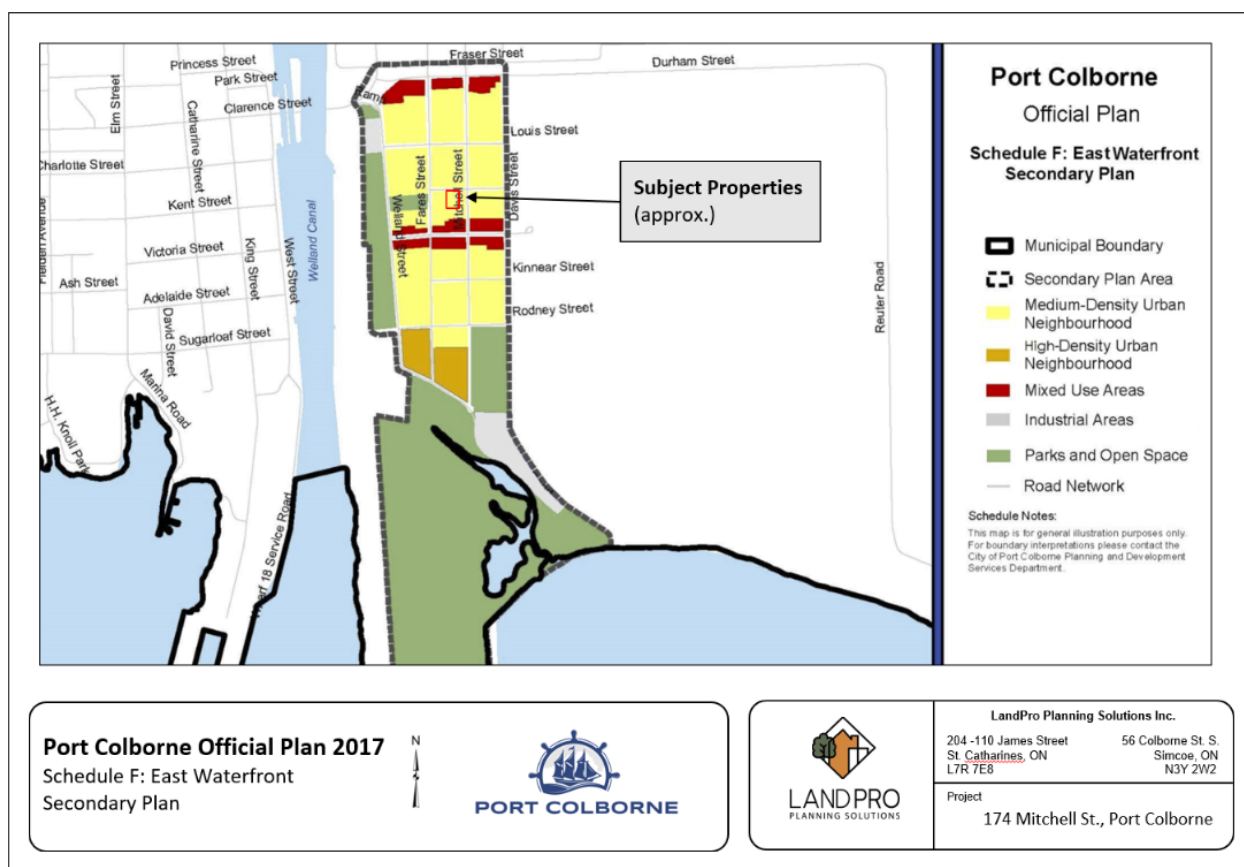


Figure 7 – City of Port Colborne Official Plan Schedule F.

Section 2.2 of the PCOP contains policies for the City's Growth Management Strategy. Those applicable to this application include: a) preventing development in inappropriate areas; b) "direct growth in a strategic manner"; c) "Direct urban growth to lands that fall within the designated Urban Area Boundary, which is serviced by municipal water and sanitary services"; and e) supporting infill and intensification in the Urban Residential designation.

Section 2.4.3.a (Intensification and Infill) states that the "majority of the Municipality's intensification will be accommodated within the Urban Area where the development is compatible with the surrounding uses," with an intensification target of 15% (2.4.3.1).

The PCOP identifies land use policies that guide development for the East Waterfront Secondary Plan in Section 5.2. The proposed development encourages the *repair and renovation of existing housing stock and other buildings* (5.2.1 a.) by redeveloping the current vacant building to a fully residential apartment. The proposed parking deficiencies, if approved, will facilitate the efficient use of land in the residential area to facilitate the creation of ten (10) new apartment units within the existing building. The renovation of the existing building will also help to *improve the quality of streetscape in the neighbourhood* (5.2.1 c.) by taking this unused property and refurbishing it, resulting in streetscape improvements for the area.

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The character of the existing neighbourhood within the Built-Up Area shall be retained. Accordingly, the residential redevelopment will promote intensification and complement the built form of a neighbourhood by improving an existing structure. Development within the Built-up Area will be at a higher density than what currently exists in the neighbourhood. This application intends to address housing needs and create a community that makes use of the existing and available public infrastructure **(2.1 p.)**.

Further, increasing the number of residential accommodations will provide for an overall mix of housing and progress towards achieving intensification targets. Medium-Density urban neighbourhoods can be developed with a density of 35-70 units per hectare **(5.2.2 b.)**. An Official Plan Amendment for the property was approved in April 2024 to increase the permitted density to 192 units per hectare.

In alignment with the City's strategic planning policies established for the East Waterfront, the City has been assisting with this development by promoting and facilitating improvements to private property in the area **(5.2.3.)**. This application also assists the City in accomplishing community improvement through redevelopment and upgrading of areas characterized by "obsolete or deteriorated buildings" **(6.1.a)**.

This application conforms to the City of Port Colborne Official Plan.

4.5 CITY OF PORT COLBORNE ZONING BY-LAW 6575/30/18

The City of Port Colborne Zoning By-law 6575/30/18 (ZBL) has been developed to incorporate the policy direction of Port Colborne's Official Plan. The ZBL indicates the current zoning of both properties to be Fourth Density Residential (R4) with site-specific provisions. No new structures are proposed on either site, as 174 Mitchell Street contains a building which is to be renovated, and the off-site property is to be used as a parking lot serving the future apartment units at 174 Mitchell.

174 Mitchell Street is currently zoned appropriately. However, the proposed development requests the following amendments to the Zoning By-law:

1. a reduction in required parking supply (13 to 9) for the proposed apartment units at 174 Mitchell Street, and
2. the addition of a "stand-alone parking lot" as a permitted use on LOT 26 PL 857.

The details are in **Table 3**, below.

Table 3— City of Port Colborne Zoning By-Law 6575/30/18 Section 3— Parking Provisions

Zone Provisions	Required	Proposed	Comment
3.14 Stand Alone Parking Lot	a) Where permitted by Section 36 Special Provisions, a stand-alone parking lot shall have a minimum lot frontage of 12 m and shall be	The use is not yet permitted by Section 26 Special Provisions. The lot frontage of LOT 26 PL	Seeking Exemption

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Zone Provisions	Required	Proposed	Comment
	subject to all other provisions of this By-law.	857 (31.06m) surpasses the 12m minimum. All other provisions shall be met.	
3.1.1. Parking Space requirements for an Apartment Building 3.3 Accessible Parking	1.25 spaces per unit 10 units = 12.5 spaces 13 spaces required, 1 being Accessible	0.9 spaces per unit 9 spaces, 1 being Accessible 5 on-site, 4 off-site	Seeking a reduction
3.2 Parking Space Dimensions	Standard = 2.6 x 5.2 m Accessible = 3.7 x 5.2 m	At least 2.6 x 5.2m for standard, 3.7 x 5.2 accessible	Complies
3.4 Parking Location	<i>a) Required parking shall be provided on the same lot as the use requiring the parking; or</i> <i>b) On any lot that is not a road or lane and is presently zoned to permit parking and is located within 46 metres of the lot occupied by the building or structure or use for which the parking spaces are required.</i>	Parking is provided on-site and off-site, approximately 39 metres from the proposed apartments.	Complies
3.7. Ingress and Egress Standards	<i>b) Driveways shall have a minimum unobstructed width of 7.5 metres where two-way traffic is permitted and 3 metres where only one-way direction of traffic flow is permitted</i>	One-way traffic at 3m wide	Complies
3.13 Bicycle Parking	1.8 x 3m	6 spaces at 1.8 x 3m	Complies

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Zone Provisions	Required	Proposed	Comment
	<i>Residential Buildings with 10 or more dwelling units = 6 Spaces plus 1 for every additional 10 dwelling units above 20</i> 10 units = 6 spaces		

As shown in **Table 3** above, the proposal is deficient in parking by 4 spaces (0.35 spaces/unit). The proposed parking would accommodate a single parking space for nine of the units, leaving one unit without a designated parking space.

The proposal also requires that LOT 26 PL 857 be permitted to be used as a stand-alone parking lot. It meets the frontage and other zoning requirements, but the use must be added to Section 26 Special Provisions.

Subject to the Zoning By-law Amendment application being approved, the proposed parking spaces and parking lot will conform to the City of Port Colborne Zoning By-law.

5. SUMMARY OF ANALYSIS

The application is consistent with the Provincial Policy Statement. The proposed application will facilitate the residential renovation of the existing building at 174 Mitchell Street by permitting the proposed parking plan. A range of housing options and densities, as well as general intensification shall be supported by planning authorities (2.1.6.a; 2.2.1.b.1-2; 2.3.1.3). The proposal involves a new housing type (10 rental apartments) in a walkable neighbourhood of predominantly single-detached dwellings. The application would support the redevelopment of an underutilized mixed-use building (commercial and residential) which results in a net increase in residential units. The subject properties are located within a settlement area, where growth and development shall be focused (2.3.1.1) and efficiently uses existing land, structure, and infrastructure within a walkable neighbourhood (2.3.1.2.a-c). The PPS requires planning authorities to plan to reduce greenhouse gas emissions by supporting the achievement of complete communities, active transportation, and to take into account any additional approaches that help reduce such emissions (2.9.1.a, d, e). The proposal involves a residential development within a walkable complete community, reusing an underutilized building which minimizes waste and manufacturing needs, as well as an underutilized vacant lot for parking to facilitate such development. Municipal servicing is proposed, as is preferred (3.6.2).

The application conforms to the Niagara Region Official Plan. This plan designates the property as **Delineated Built-Up Area**. The application facilitates strategic growth within the built-up area of Port

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Colborne (2.2.a-b), providing apartments to a mostly single-detached neighbourhood through intensification (2.2.1.1.c, g, h). The reduction in parking will permit the proposed renovations to support intensification targets by creating 10 new apartment units.

The application conforms to the City of Port Colborne Official Plan. This plan designates the property as **Medium Density Urban Neighbourhood**. The proposed development encourages the *repair and renovation of existing housing stock and other buildings (5.2.1 a.)* by redeveloping the current vacant building to a fully residential apartment. The proposed parking deficiencies, if approved, will facilitate the efficient use of land in the residential area to facilitate the creation of ten (10) new apartment units within the existing building. The renovation of the existing building will also help to *improve the quality of streetscape in the neighbourhood (5.2.1 c.)* by taking this unused property and refurbishing it, resulting in streetscape improvements for the area. The character of the existing neighbourhood within the Built-Up Area shall be retained. Accordingly, the residential redevelopment will promote intensification and complement the built form of a neighbourhood by improving an existing structure. Development within the Built-up Area will be at a higher density than what currently exists in the neighbourhood. This application intends to address housing needs and create a community that makes use of the existing and available public infrastructure (2.1 p.). This application also assists the City in accomplishing community improvement through redevelopment and upgrading of areas characterized by “obsolete or deteriorated buildings” (6.1.a).

The proposed parking reduction represents our best efforts to meet the Zoning By-law requirements within the limited space provided by an existing building and secondary lot, meeting all engineering standards while providing adequate parking spaces for future residents. Due to the walkability of the neighbourhood and the bike spaces provided, it is our opinion that nine (9) spaces is sufficient for the ten (10) proposed units. The reduction in parking standards will facilitate the revitalization of an underutilized building in the neighbourhood, adding ten more residential units in the City. Likewise, permitting the vacant lot to become a stand-alone parking lot will facilitate the parking spaces for the proposed apartments on a vacant property that is otherwise too small for development.

Subject to Council approval, this application will meet the provisions of the City of Port Colborne Zoning By-law 6575/30/18.

6. CONCLUSION

This Zoning By-law Amendment application represents good planning and should be approved because it is:

1. Consistent with the Planning Act,
2. Conforms to the Provincial Planning Statement (2024),
3. Conforms to the Niagara Region Official Plan,
4. Conforms to the City of Port Colborne Official Plan, and

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5. Will comply with the City of Port Colborne Zoning By-law 6575/30/18, subject to approval.

Please contact the undersigned at mackenzie@landproplan.ca or 289-687-3730, with any questions or to discuss these applications further.

Sincerely,

LANDPRO PLANNING SOLUTIONS Inc.



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Planning Technician | Designer



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