



Subject: Public Meeting Report for Proposed Official Plan and Zoning By-law Amendment for Mapleview Subdivision

To: Council - Public Meeting

From: Office of the Chief Administrative Officer

Report Number: 2024-124

Meeting Date: June 4, 2024

Recommendation:

That Office of the Chief Administrative Officer – Planning Division Report 2024-124 be received for information.

Purpose:

The purpose of this report is to provide Council with information regarding applications submitted by NPG Planning Solutions on behalf of the owner 1000046816 Ontario Ltd. for proposed Official Plan and Zoning By-law Amendments to implement a Draft Plan of Subdivision on the lands legally known as Part of Lots 31, 32 & 33, Concession 1, and part of the road allowance between Townships of Wainfleet and Humberstone, and part of the road allowance between Lots 32 & 33.

Background:

Applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision were submitted by NPG Planning Solutions. The applications were deemed complete on May 14, 2024. The following reports/plans have been submitted to help facilitate the development of the lands:

- Conceptual Development/Site Plan
- Draft Plan of Subdivision
- Environmental Impact Study (EIS)
- Functional Servicing Report (FSR)
- Geotechnical Report
- Grading and Servicing Plans

- Landscape and Open Space Plans
- Noise and Vibration Study
- Open Space and Trail Master Plan
- Pedestrian Level Wind Study
- Phase 1 and 2 Environmental Site Assessments (ESA)
- Planning Justification Report (PJR)
- Shadow Study
- Stage 1-2 Archaeological Assessment
- Stormwater Management Report (SWM), and
- Transportation Impact Study (TIS)

All of these aforementioned plans can be found on the City's website under the "Current Applications" page.

Discussion:

These applications will be reviewed with consideration of applicable policies in the *Provincial Policy Statement (2020)*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, *the Niagara Official Plan (2022)*, *the City of Port Colborne Official Plan* and the *City of Port Colborne Comprehensive Zoning By-law 6575/30/18*.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are within a "settlement area" according to the PPS. Settlement areas are to be the focus of growth and development and land use patterns shall be based on densities and a mix of land uses that should efficiently use land and resources.

The Growth Plan also directs development to settlement areas. The subject parcel is located within a settlement area as well as a designated greenfield area. Development in designated greenfield areas is to be planned, designated, zoned, and designed in a manner that: supports the achievement of complete communities, supports active transportation, and encourages integration and sustained viability of transit services.

The Niagara Official Plan (NOP) designates the subject lands as within the "Urban Area Boundary" and "Designated Greenfield Area". Policies within the NOP generally encourage development within the Urban Area and Greenfield Areas provided the development builds a compact, mixed use, transit supportive, active transportation friendly community. A density target of 50 people and jobs per hectare is targeted for Greenfield development. Chapter 2 of the NOP sets out specific policies for the above and will be used to assess the application when a recommendation report is brought forward at a future date.

City of Port Colborne Official Plan

According to Schedule A: City Wide Land Use, the City of Port Colborne's Official Plan (OP) designates the subject property as **Urban Residential**. Land uses in the Urban Residential designation include residential uses, neighbourhood commercial uses, cemeteries, parks, schools, community facilities, and institutional uses normally located in residential areas.

Additionally, the land is located within the Designated Greenfield Area, based on Schedule A1. Policies within sections 2.4.4 and 3.2.1 of the Official Plan will be used to assess the application when a recommendation report is brought forward to a future meeting of council. The sections provide policy direction on lands within the greenfield areas as well as the general policies of the Urban Residential designation.

The application for Official Plan Amendment proposes to amend the Official Plan to facilitate the proposed Draft Plan of Subdivision with the following policy change:

1. Notwithstanding section 3.2 of the Official Plan for the City of Port Colborne, low density residential uses may be permitted to a maximum net density of 30 units per hectare, medium density residential uses may be permitted to a maximum density of 95 units per hectare, and high-density residential uses may be permitted to a maximum density of 150 units per hectare.

The Draft Official Plan Amendment can be found attached to this report as Appendix A.

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

The subject property was rezoned in 2012 to several different zones to implement the previously approved Rosemount Draft Plan of Subdivision, which lapsed in 2019. The current zones include special Neighbourhood Commercial zone (NC-27-H), special Second Density Residential zone (R2-28-H), special Third Density Residential zone (R3-29-H), and special Fourth Density Residential zone (R4-30-H). An excerpt from the Zoning Schedule can be found below, delineating the zones.

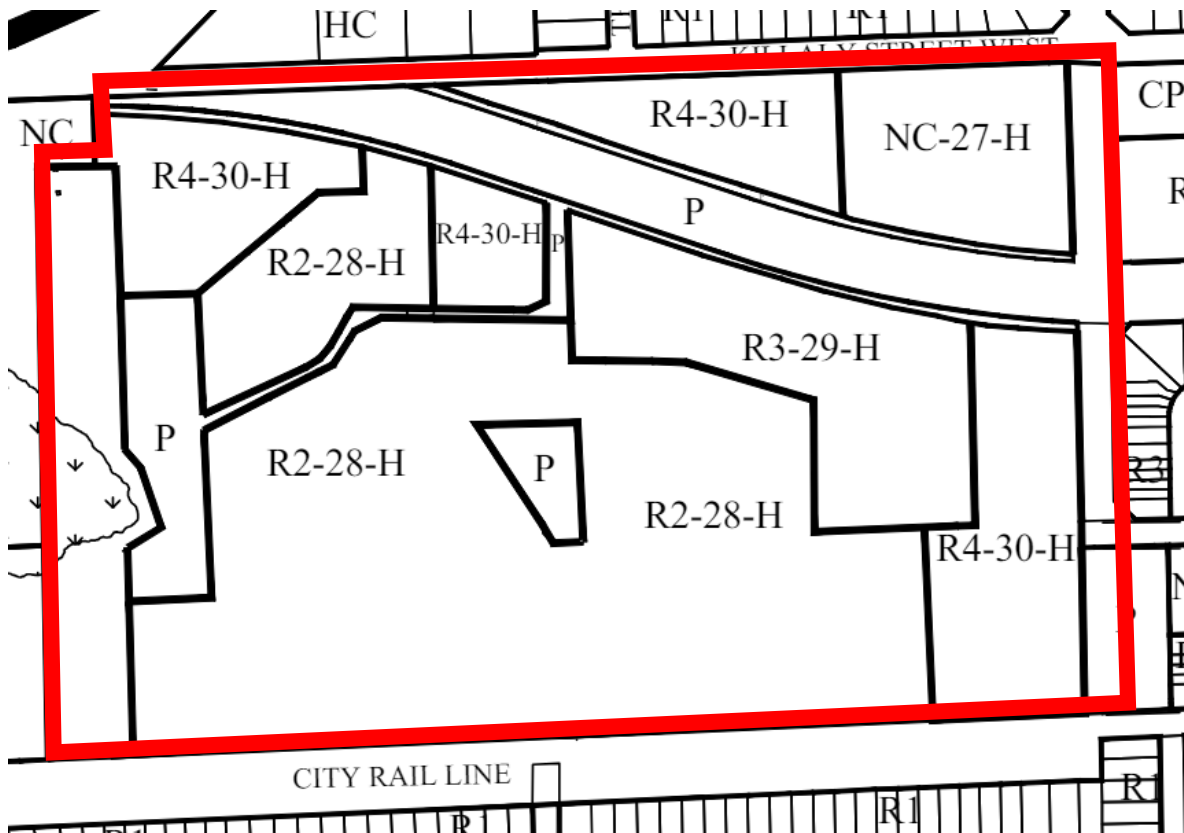


Figure 1: Excerpt from Zoning Schedule A7 showing the existing zoning (property shown in red).

The application for Zoning By-law Amendment proposes to change the zoning of the subject lands from the existing special Neighbourhood Commercial zone (NC-27-H), special Second Density Residential zone (R2-28-H), special Third Density Residential zone (R3-29-H), and special Fourth Density Residential zone (R4-30-H), to a new site-specific Fourth Density Residential (R4) zone, site-specific Mixed-Use (MU) zone, Environmental Protection (EPA) zone and Public and Park (P) zone. The Draft Zoning By-law Amendment has been attached to this report as Appendix B.

Proposed Draft Plan of Subdivision

As Council may be aware, this property was the subject of a previous Draft Plan of Subdivision in 2012, known as Rosemount Estates. Due to challenges with the former Ministry of Transportation Highway 3 tunnel diversion project, the previous ownership

group was not able to complete the required Draft Plan Conditions. The Draft Plan of Subdivision lapsed in 2019.

The new Draft Plan of Subdivision proposes 96 single-detached lots, 783 townhouse units, and 1,231 apartment units. The Draft Plan of Subdivision and Conceptual Development/Site Plan has been attached to this report as Appendix C.

Adjacent Zoning and Land Use

The lands surrounding the proposed development are predominantly zoned First Density Residential (R1) to the south, Third Density Residential (R3), and Commercial Plaza (CP) to the east, First Density Residential (R1) and Highway Commercial (HC) to the north, and Environmental Protection (EPA) to the west.

Internal Consultations:

The applications were circulated internally to applicable departments and agencies on May 14, 2024, and no comments have been received as of the date of preparing this report.

Financial Implications:

As this report is for information purposes, there are no direct financial implications at this time. However, staff would like to note that Council has 120 days to render a decision on a concurrent Official Plan and Zoning By-law Amendment application before the Zoning application fees are required to be refunded to the applicant. For this application, the 120-day timeframe ends on September 11, 2024. As of the date of this Public Meeting (June 4, 2024), 21 days will have passed.

Public Engagement:

Notice of the Public Meeting was circulated in accordance with Sections 22 and 34 of the *Planning Act*. As of the date of preparing this report, the following public comment has been received:

Ian McEwen – 42 Maple Street

- In support of the proposed development
- The development will prevent future unwanted activity on the property such as ATVs and motor bikes
- The residential use is more appealing than commercial, industrial, or other

- Notes that neighbours will oppose because they want a green area or for the land to remain unchanged.
-

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Welcoming, Livable, Healthy Community
 - Increased Housing Options
 - Sustainable and Resilient Infrastructure
-

Conclusion:

Planning staff are not providing a recommendation on the proposed Official Plan Amendment, Zoning By-law Amendment, or Draft Plan of Subdivision at this time to allow all agency, public and Councillor comments to be received and considered prior to a decision being made. The recommendation report will return to Council at a future meeting.

Appendices:

- a. Draft Official Plan Amendment
- b. Draft Zoning By-law Amendment
- c. Draft Plan of Subdivision and Conceptual Development/Site Plan

Prepared by,

David Schulz, BURPI, MCIP, RPP
Senior Planner
(905) 228-8117
david.schulz@portcolborne.ca

Respectfully submitted,

Denise Landry, MCIP, RPP
Chief Planner
(905) 228-8119
denise.landry@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.