



March 18, 2022

David Schulz, Planner
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

Dear David,

OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATION, 2852479 ONTARIO LIMITED

54 GEORGE STREET, PORT COLBORNE

This letter reviews the conceptual site plan changes proposed in response to public and agency comments associated with the Zoning By-law Amendment application submitted on November 2, 2021. This active application seeks site-specific minimum front yard, maximum height, and landscaped area provisions for buildings and parking areas. The changes proposed in response to input provided at a public meeting held on January 18, 2022 warrant changes to the previously proposed site-specific by-law. These amendments are offered to the City for formal consideration in their recommendations to Council. We would be pleased to review further with staff if needed prior to finalizing their report to Council.

The information in this letter should be read in conjunction with the previously submitted Planning Justification Report (PJR), prepared by NPG Planning Solutions (NPG) Inc., dated October 2021. The changes do not impact the policy analysis nor the overall conclusion within the previously prepared PJR.

As requested, our client commissioned a preliminary traffic analysis, and upon further review of the site plan, it was determined an increase in the internal drive aisle width was needed for safer movement of vehicles in and out of parking stalls on the west side of the site. There are no issues for safe traffic flow nor turning movements in and out of the site that will negatively impact the abutting streets.

This submission provides additional information and revisions to the site plan to accommodate all comments received to date.

A. Site Plan Changes

Although the City's Zoning By-law requires driving aisles to be no less than 3 metres wide for one-way traffic (s.3.7 b)), it was recommended by the project's traffic consultant to increase this to 6m where the majority of the parking is provided. As noted previously, the

revision to the site plan consists of an increase to the internal drive aisles. The western drive aisle increased from 4.5 metres to 6 metres, and the southern drive aisle from 3.5 metres to 4.5 metres. Further, the Site Plan includes the following changes to assist in achieving the wider driveway aisles without unduly impacting the buffers and landscaped areas:

1. Reduction in landscaped buffer space along the west and south lot lines from 3 metres to 2.5 metres (approximately), respectively.
2. Reduction in the minimum front yard setback from 4.5 metres to 4.0 metres.
3. Reduction in minimum corner side yard from 4.5 metres to 3.5 metres.

B. Supporting Traffic Study

A Transportation Opinion Letter was prepared by GHD, dated February 18, 2022, assessing the existing traffic condition. The letter concludes that the expected increase in traffic volume is nominal and within the typical traffic expected along local roads. The nearby intersections are also expected to operate at no noticeable increases in delays or queuing during the peak periods. Please refer to the enclosed letter for further details.

C. Proposed Zoning By-law Amendment

Due to the site plan changes, revisions to the proposed Zoning By-law Amendment are required.

Table 3. Zoning Comparison Chart for Section 8 (R4 Zone)

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Permitted Uses	e) Dwelling, Townhouse Block;	Stacked townhouse units	Yes
Minimum Lot Frontage per Unit (8.5 a))	6 m	6.1 m	Yes
Minimum Lot Area (8.5 b))	0.02 ha	0.293 ha	Yes
Minimum Front Yard (8.5 c))	7.5 m	4.0 m (from Block A);	No
Minimum Interior Side Yard	3 m	16.93 m (from Block A)	Yes

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
(8.5 d))			
Minimum Corner Side Yard (8.5 e))	4.5 m	3.5 m (from Block A);	No
Minimum Rear Yard (8.5 f))	6 m	8.1 m	Yes
Maximum Height (8.5 g))	11 m	14.2 m	No
Minimum Landscaped Area (8.5 h))	25 percent	37.9 percent	Yes
Landscape Buffer (8.5 i))	A 3 metre planting strip shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone.	South lot line: 2.6 m West lot line: 2.5 m	No No
Permitted Encroachments (2.19)	<u>Uncovered Stairs or Ramps to First Storey</u> Yard Permitted: All Required setback from Lot Line: 0.5 m	1.3 m (Block A) 1.8 m (Block B)	Yes
Parking Space Requirements (3.1.1)	Dwelling, Townhouse Block (1 space required per unit);	38 spaces (1.26 spaces/unit)	Yes
Landscape Provisions for Parking Areas (3.11.1)	A landscape buffer shall be provided between the edge of any parking area and an abutting lot line(s) as follows: Lot Line Abutting a Public Road: 3 m Lot Line Abutting a Residential, Institutional or Public and Park Zone: 3 m	North lot line: 2.5 m South lot line: 2.6 m West lot line: 2.5 m	No No No

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Required Bicycle Parking (3.13.1)	Residential Buildings with 10 or more dwelling units: 6 Spaces plus 1 for every additional 10 dwelling units above 20 (Required: 7 spaces)	10 spaces	Yes

Minimum Front Yard

The previous site plan prepared by Organica Studio Inc. dated September 22, 2021, illustrates a reduced front yard setback of 4.5 metres (where the requirement is 7.5 metres). The revised site plan proposes reducing this setback further to 4.0 metres to accommodate the increased drive aisle width. Further, due to the existing public sidewalk already in place, the private sidewalk has been removed which leaves room for tree planting and other landscaping in the front yard.

The requested variance remains supportable as it continues to promote the development closer to the street, providing “eyes on the street” benefits and convenient access to existing municipal sidewalks and transit services.

Corner Side Yard

The previously prepared site plan demonstrated a corner side yard setback of 4.5 metres as required by the City’s Zoning By-law. For the same reasons as mentioned above, the corner yard setback has been reduced to 3.5 metres along the east lot line from Block A. As the property is a corner lot, reducing this setback brings the development closer to the street, promoting a pedestrian-friendly environment. The requested variance is not anticipated to cause any significant impacts on the adjoining streetscape and can be supported.

Landscape Provision for Lands Abutting Residential Uses and for Parking Areas

Section 3.11.1 of the City’s Zoning By-law requires at least 3 metres along the west and south lot lines and the edge of the parking area. The by-law also requires a planting strip of 3-metre width when a townhouse development abuts low-density residential uses.

Due to the increase in the internal drive aisles, the landscape buffer along the west and south lot lines were reduced from 3 metres to 2.5 metres.

The reduction can be supported for the following reasons:

- A privacy fence will be implemented at the site planning stage to reduce potential disturbances caused by the parking area on the adjacent residents.
- 2.5 metres is sufficient separation between the parking area and adjacent residences to accommodate quality landscaping that can visually buffer parked

cars from the neighbouring dwellings. The Site Plan demonstrates how landscaping can be accommodated in this width, which will be detailed at the site planning stage subject to recommendations from a Landscape Architect.

- The variance is a minor reduction from the zoning requirement, and the intention of the provision will be achieved via a privacy fence and appropriate landscaping treatments.

Parking Space Requirement

Parking for the development is provided at a rate of 1.26 spaces/unit through 38 spaces for 30 dwelling units. The applicable Zoning By-law requirement for block townhouses is 1 space per unit. Although the proposal complies with the requirement, staff have requested the site-specific zoning to capture the proposed parking rate to ensure sufficient visitors' parking is available for future occupants. Please refer to the Draft Zoning By-law Amendment enclosed with this letter.

Maximum Height

The height of the development has not changed since the initial submission. Please refer to the PJR dated October 2021 for a rationale for the requested height.

As part of our resubmission, please find enclosed the following:

- One (1) copy of the Site Plan prepared by Organica Studio, dated March 1st, 2022.
- One (1) copy of the Transportation Opinion Letter prepared by GHD, dated February 18, 2022;

Should you require anything further or have any questions, please do not hesitate to contact the undersigned.

Yours Truly,



Rhea Davis, MPlan
Planner
NPG Planning Solutions Inc.
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John Henricks, MCIP RPP
President
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Appendix A: 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 LOTS 9, 10 AND PART OF LOT 11, REGISTERED PLAN NO. 767 AND BLOCK 'A' AND PART OF BLOCK 'B', REGISTERED PLAN NO. 775 IN THE CITY OF PORT COLBORNE, REGIONAL MUNICIPALITY OF NIAGARA, AND MUNICIPALLY KNOWN AS 54 GEORGE STREET.

WHEREAS By-law 6575/30/18, is a by-law of the Corporation of the City of Port Colborne regulating the use of lands and the location and use of buildings and structures within the City of Port Colborne;

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 "1" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A7" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule 1 from Industrial (I) to R4-XX, being a special provision of the Fourth Density Residential Zone.
3. That Section 37 entitled "Special Provisions" of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

R4-XX

Notwithstanding the provisions of the Fourth Density Residential (R4) zone, the following regulations shall apply:

Minimum Front Yard	4.0 metres from the building
Maximum Height	14.5 metres
Landscaped buffer width between the edge of the parking area and the lot line abutting a public road	2.5 metres
Landscape buffer width for development that abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone.	2.5 metres

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, R.S.O 1990*.

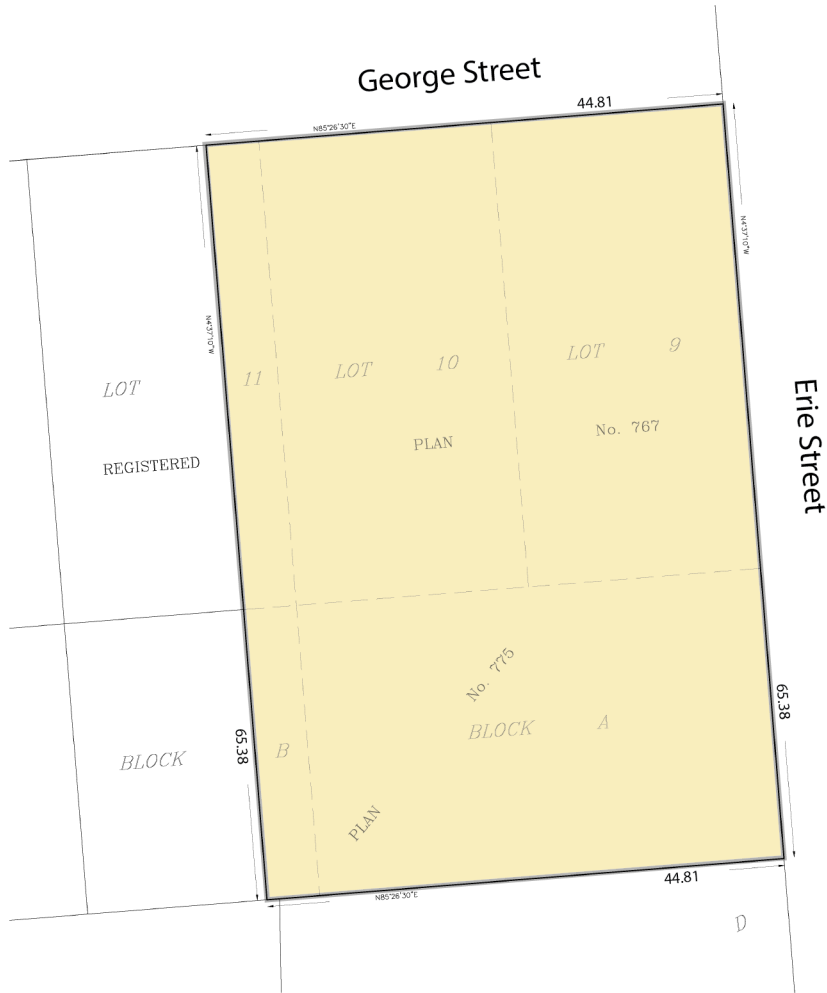
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with *The Planning Act*.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XXTH
DAY OF XXX, 2022**

William C Steele, MAYOR

Amber LaPointe, CLERK

SCHEDULE 1



THIS IS SCHEDULE "1" TO BY-LAW NO. _____

PASSED THE _____, 2022

CITY OF PORT COLBORNE

File No:

Date:

Scale: NTS

MAYOR

CLERK

February 18, 2022

Reference No: 11213209

Estate Hill Developments
262 Dunn Avenue
Toronto, ON
M6K 2R9

Attention: Geoffrey Foster

**Re: Transportation Opinion Letter
 Proposed Stacked Townhouse Development
 54 George Street
 Port Colborne, ON**

1. Introduction

Estate Hill is in the process of seeking approval for a proposed residential development in Port Colborne that is generally bounded by George Street to the north and Erie Street to the east. **Figure 1** illustrates the location of the subject.



Figure 1 Site Location

The subject site was previously occupied by the St. Peter's Lutheran Church worship building and accompanying residential quarters until the church vacated the property in 2018.

2. Existing Road Network

The following describes the existing roads within the study area.

George Street is an east-west local road under the jurisdiction of the City of Port Colborne. Within the study area it has a rural two-lane cross-section, a pedestrian sidewalk on the south only and parking is allowed on both sides of the street.

Its intersections with Elm Street and Erie Street are both stop controlled. At the intersection with Elm Street, the stop sign is for the minor approach on George Street. The assumed posted speed on George Street is 50 km/h.

Elm Street is a north-south local road under the jurisdiction of the City of Port Colborne. Within the study area it has a rural two-lane cross-section, pedestrian sidewalks on both sides of the street and parking is allowed on both sides of the street.

Its intersection with George Street is stop controlled with the stop sign only on the minor approach along Elm Street. The assumed posted speed on George Street is 50 km/h.

3. Proposed Development Plan

The proposed revised development plan for the site consists of 30 stacked townhouse units located on two development blocks A and B. Vehicle access to the site is proposed via an inbound only driveway located on Erie Street and an outbound only driveway located on George Street. A total of 30 resident and 8 visitor parking spaces are proposed within surface level parking spaces located primarily on the west side of the proposed development blocks A and B. **Figure 2** illustrates the proposed site plan and one-way circulation through the site.



Figure 2 Site Plan

4. Trip Generation

Trip generation for the proposed development was undertaken for the weekday a.m. and p.m. peak hours using trip rates contained in the ITE Trip Generation, 11th Edition Manual published by the Institute of Transportation Engineers. Land Use Code 220 (Multifamily Housing - Low-rise) was used as it best represented the proposed land use.

GHD also reviewed the 2016 Transportation Tomorrow data for the modal split of trips originating and destined to this zone along with the two neighbouring zones. Although the TTS data show that the existing transit modal split in this area is approximately 8%, GHD did not apply a transit modal split reduction to the proposed trip generation in order to provide a more conservative estimate of the expected total number of site trips generated by the site.

Table 1 below summarizes the expected trip generation based on the proposed 30 townhouse units.

Table 1 Site Trip Generation

Land Use Code	Units		Peak Hour Trip Generation					
			Weekday AM			Weekday PM		
			In	Out	Total	In	Out	Total
Multifamily Housing (Low-Rise) LUC 220	30	Rate	24%	76%	100%	63%	37%	100%
		New Vehicle Trips	8	24	32	21	12	33

The proposed residential development is expected to introduce a total of 32 new two-way trips to the adjacent road network during the a.m. peak hour consisting of 8 inbound and 24 outbound trips. During the p.m. peak hour, a total of 33 new two-way trips are introduced to the adjacent road network consisting of 21 inbound and 12 outbound trips.

4.1 Trip Distribution

Based on a review of the Transportation Tomorrow 2016 Survey, it is expected that 70% of trips originating from subject site are to/from the north and 30% to/from the south during both the a.m. and p.m. peak hours.

Based on a review of the surrounding road network, it was determined that vehicles to/from the north will most likely use George Street, Erie Street, Elm Street and King Street while vehicles to/from the south will mostly likely use George Street, Charles Street and Elm Street.

5. Traffic Assessment

During the a.m. peak hour, the section of George Street between Elm Street and Erie Street will experience a modest increase in traffic volumes as a result of the subject site as residents exit the outbound driveway and head either east or west along George Street. Considering the configurations of the site driveways, it is projected that all 24 outbound and potentially some of the 8 inbound trips will use George Street to exit and enter the site. The resulting incremental impact of this traffic is expected to be negligible as it translates into approximately one new outbound vehicle trip every 2.5 minutes and a maximum of one new inbound vehicle trip every 7.5 minutes on this section of George Street during the a.m. peak hour. On Erie Street, the inbound trips will result in a maximum of one new vehicle trip on Erie Street every 7.5 minutes during the hour.

During the p.m. peak hour, the section of Erie Street between George Street and Charles Street will experience a modest increase in traffic volumes as a result of the subject site as residents enter the subject

site from the inbound only driveway on Erie Street from either the north or the south. Considering the one-way circulation of the site, it is projected that all 21 inbound trips will travel along Erie Street and 8 outbound trips along George Street. The resulting incremental impact of this traffic is also expected to be negligible as it translates into approximately one new inbound vehicle trip every 2.8 minutes on Erie Street and one new outbound vehicle trip on George Street every 5 minutes during the p.m. peak hour.

The expected increase in traffic volumes adjacent to the subject site is in our opinion nominal and within with the typical daily variation of traffic expected along these types of local roads. The nearby stop-controlled intersections are expected to continue to operate with no noticeable increases in delays or queuing during the peak periods and therefore the additional site traffic is not expected to be noticeable from the perspective of existing residents and motorists.

6. Transit Assessment

As of January 1, 2022 the NRT OnDemand which is a partnership between Niagara Region and the City of Port Colborne replaced the fixed route service operated by Welland Transit. With this new system, all residents of Port Colborne will have access to transit services no matter where they live. The NRT OnDemand service covers the whole city.

The NRT OnDemand service operates Monday to Saturday between 7 a.m. and 10 p.m. and allows residents to book a trip using a home phone or smartphone app. Riders can book a trip up to 15 minutes before their departure. Once booked, a vehicle will pick up the passenger within a block or two of the residents' doorstep at a nearby location and/or intersection. The average walk to a pick-up or drop-off locations is 100 metres.

Based on the introduction of this new transit option, residents of the proposed development will have access to excellent and timely transit service Monday to Saturday.

7. Site Circulation

The proposed site plan provides an inbound only access driveway from Erie Street to the surface parking lot. Outbound movements are provided via the outbound only driveway onto George Street. Based on our review of the site circulation, it is our opinion that the proposed circulation is appropriate and provides the least impact to surrounding residents. Locating the outbound movement onto George Street opposite the existing neighbourhood park where there are no residential homes eliminates the negative impacts of headlights shining into homes as vehicles exit the driveway. The impact of the headlights into the neighbourhood park is negligible as use of the park is minimal before sunrise and after sunset.

8. Conclusions

The proposed development consists of 30 stacked townhouse units with inbound access from Erie Street and outbound access from George Street.

The proposed residential development is expected to generate a total of 32 new two-way trips during the a.m. peak hour consisting of 8 inbound and 24 outbound trips. During the p.m. peak hour, a total of 33 new two-way trips are generated consisting of 21 inbound and 12 outbound trips.

The proposed site traffic will increase traffic on George Street with an expected 1 new vehicle trip introduced every 2.5 minutes during the a.m. peak hour and 1 new vehicle trip introduced on Erie Street every 2.8 minutes during the p.m. peak hour.

The expected increase in traffic volumes adjacent to the subject site is nominal and within with the typical daily variation of traffic expected along local roads. The nearby stop-controlled intersections are expected to continue to operate with no noticeable increases in delays or queuing during the peak periods and therefore not expected to be noticeable from the perspective of existing residents and motorists.

Based on the introduction the NRT OnDemand transit service, residents of the proposed development will have access to excellent and timely transit service Monday to Saturday.

The proposed site circulation which includes inbound movements from Erie Street and outbound movements to George Street is considered appropriate and will minimize the negative impacts of exiting vehicles shinning their headlights into a neighbouring home.

We trust that you will find this information useful, but do not hesitate to contact the undersigned if you have any questions.

Sincerely,

GHD



William Maria, P. Eng.

Transportation Planning Lead



PLANNING JUSTIFICATION REPORT

Official Plan & Zoning By-law Amendment Application

October 2021

54 George Street

City of Port Colborne, ON

For: 2852479 ONTARIO LIMITED

By: NPG Planning Solutions Inc.

4999 Victoria Avenue

Niagara Falls, ON

D: 905.321.6743

CONTENTS

1.0	INTRODUCTION.....	3
2.0	DESCRIPTION OF SUBJECT LANDS AND SURROUNDING LAND USES.....	3
3.0	PROPOSED DEVELOPMENT.....	10
4.0	PLANNING POLICY FRAMEWORK	12
4.1	Provincial Policy Statement (2020).....	12
4.2	Growth Plan for the Greater Golden Horseshoe (2019)	14
4.3	Niagara Region Official Plan (2014 Consolidation)	16
4.4	City of Port Colborne Official Plan (2020).....	18
5.0	PROPOSED OFFICIAL PLAN & ZONING BY-LAW AMENDMENT	25
5.1	Proposed Official Plan Amendment.....	25
5.2	Proposed Zoning By-law Amendment.....	25
6.0	SUMMARY OF PLANNING OPINION	31
7.0	APPENDICES	32
7.1	Appendix A: Site Plan, Schematic Section & Renderings	33
7.2	Appendix B: Regional Schedules	35
7.3	Appendix C: City Schedules.....	42
7.4	Appendix D: Zoning By-law Map – Schedule A7	47
7.5	Appendix E: Draft Official Plan Amendment.....	48
7.6	Appendix F: Draft Zoning By-law Amendment	56

1.0 INTRODUCTION

NPG Planning Solutions Inc. (NPG) were retained as planning consultants for 2852479 ONTARIO LIMITED, owner of approximately 0.30 hectares of land in the City of Port Colborne. The subject lands are legally described as Lots 9,10, and Part of Lot 11 (Registered Plan No. 767) and Block A and Part of Block B (Registered Plan No. 775), City of Port Colborne, Regional Municipality of Niagara. NPG has been retained to provide professional planning advice on the proposed development of a townhouse complex with a total of 30 dwelling units on the subject lands. Implementation of the proposed development requires an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA), and a future Site Plan and Condominium applications.

The following Planning Justification Report (“PJR”) provides an analysis of the proposed development and evaluates the appropriateness of the application for the Amendment to the Official Plan (approved in November 2013) and the Zoning By-Law 6575/30/18 when assessed against policies in the Provincial Policy Statement (“PPS”), Growth Plan for the Greater Golden Horseshoe (“Growth Plan”), Niagara Region Official Plan (“NROP”), and the City of Port Colborne Official Plan (“Local OP”). The proposed development is an example of good land use planning, and therefore, we recommend that the Official Plan and Zoning By-law Amendment be approved.

As per the Pre-Consultation Agreement dated May 27th, 2021, the following documents are required for a complete Official Plan and Zoning By-law Amendment application:

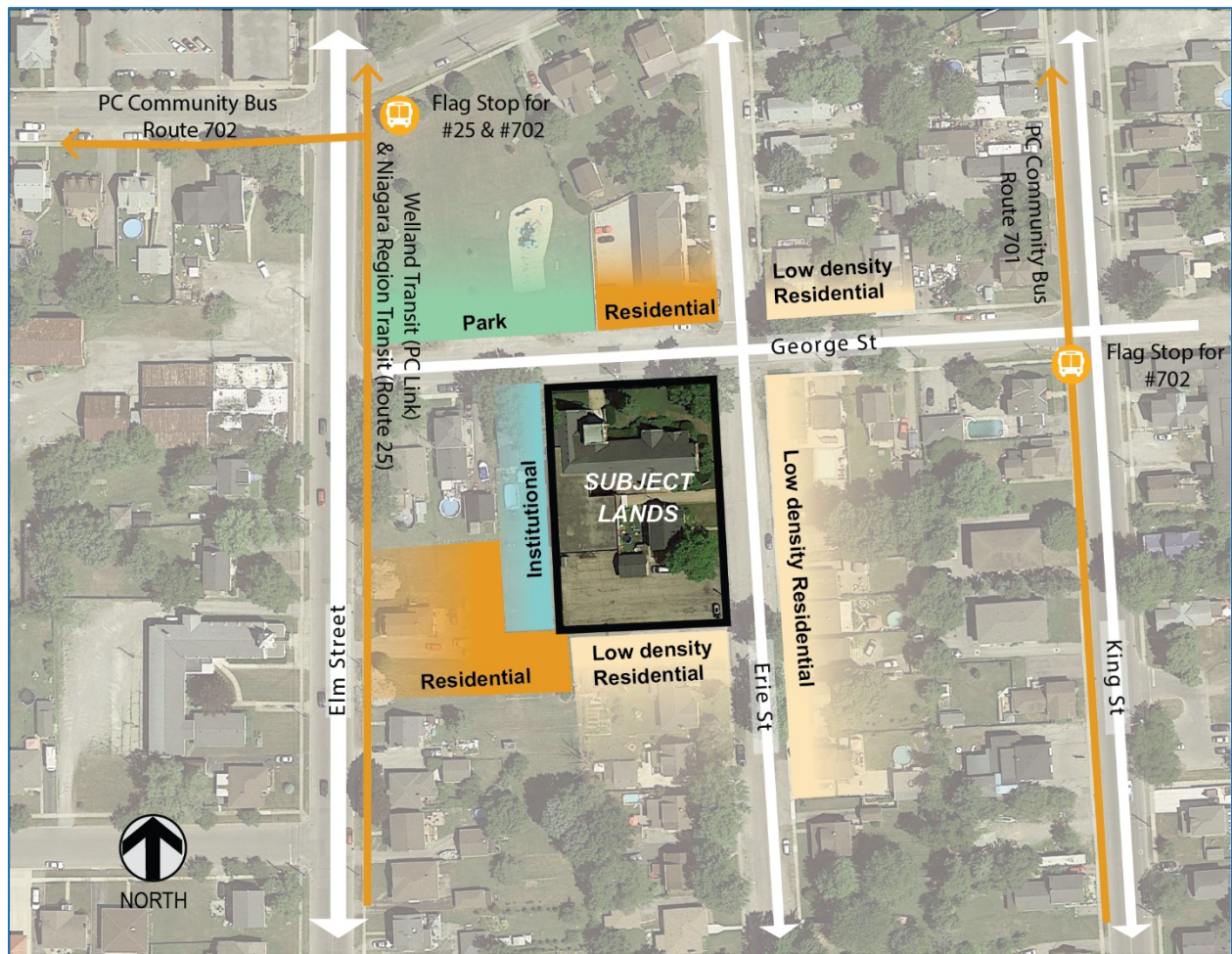
1. Planning Justification Report
2. Conceptual Site Plan

2.0 DESCRIPTION OF SUBJECT LANDS AND SURROUNDING LAND USES

As shown in **Figure 1 – Site Context and Surrounding Uses**, the subject lands are located south of George Street and west of Erie Street. The subject lands have a frontage of approximately 44 metres on George Street, a depth of approximately 65 metres and a total area of roughly 2,930 square metres. The land is designated Urban Residential in the City’s Official Plan and zoned Institutional (I) in Zoning By-law 6575/30/18.

Currently, the site contains a church building, its accessory structures and an asphalted parking area to the south. There are no areas of natural heritage significance identified on the subject lands. The uses surrounding the subject lands are predominantly residential in nature, consisting of single-detached and multi-unit residential dwellings. The parcel immediately to the west, zoned Institutional, contains a single-detached residence. A neighbourhood park exists to the northwest of the site. Please refer to **Photos 1 – 10** on the following pages for more details.

Figure 1. Site Context and Surrounding Uses



- **North:** Park and Townhouse dwellings
- **South:** Single-detached dwellings
- **East:** Single-detached residential dwellings
- **West:** Single-detached dwellings

Photo 1. Frontage along George Street



Photo 2. Frontage along Erie Street



Photo 3. Accessory structures along the Erie Street frontage



Photo 5. Interface along the South Lot Line



Photo 7. View of the Interface along the West Lot Line from George Street



Photo 9. Surrounding uses to the East of the Subject Site



3.0 PROPOSED DEVELOPMENT

2852479 ONTARIO LIMITED is proposing to develop a total of 30 dwelling units arranged in two stacked townhouse blocks. Block A is situated along the northern property line, and contain 12 dwelling units. Block B is located along the east lot line and contains 18 units.

Lot coverage is proposed at approximately 25% of the total site area, and landscaping is proposed to cover approximately 41% of the entire site area. Landscaping is comprised of the proposed walkways and landscaped areas around the residential blocks. Parking for the development will be provided at grade, at a rate of 1.26 spaces per dwelling unit, with a total of 38 parking spaces, including 2 accessible spaces.

The proposed housing type is a stacked townhouse with at-grade and upper-level units. The proposal will deliver a residential density of 103 units per hectare. The Bird's Eye View prepared by Organica Studio demonstrates the split between the levels. Each vertical stack will be split into four levels, consisting of one at-grade unit and two upper-level units. The proposed built-form will be at a height of 14.2 metres. The proposed product type will create housing choice in the City while allowing units to be at an affordable price. Overall, the proposed housing type is a good product to increase density in a compatible manner.

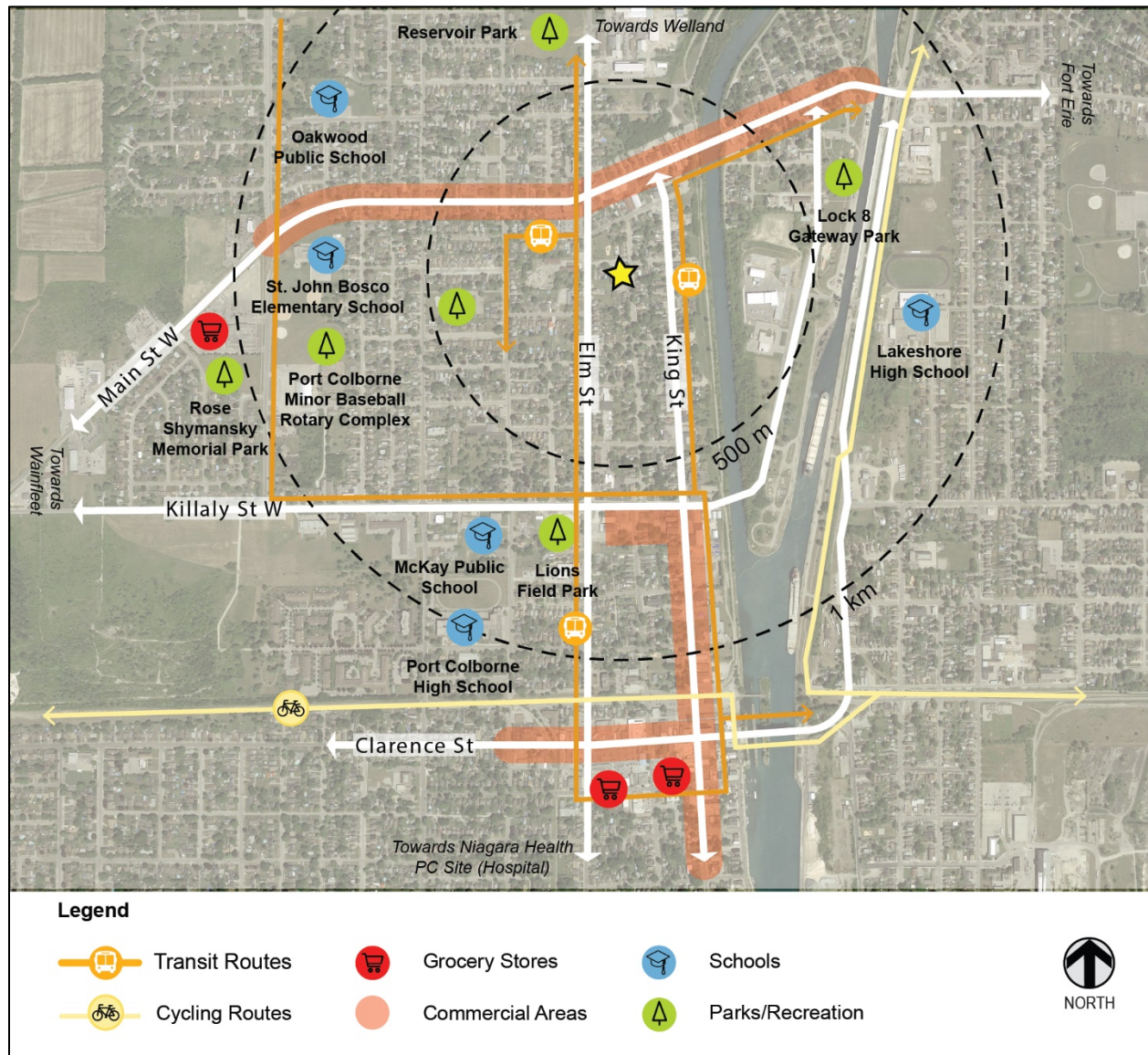
Residential development on the subject lands will promote high quality urban living with access to transit, grocery stores, schools and other local attractions. **Figure 2 – Community Facilities** illustrates the available amenities near the site.

Access to the site is proposed via Erie Street – which is a Local Road in the City of Port Colborne. The arterials - Elm Street and King Street are located less than 150 metres from the property. Pedestrian sidewalks are currently provided along George Street and Erie Street. The proposed Site Plan includes well-connected walkways providing direct access to the existing sidewalk from each unit. Furthermore, Port Colborne operates Route #701 and #702 which travels on King Street and Elm Street, respectively. Generally, higher density developments are proposed on lands that front onto Arterial or Regional Roads. However, due to the proximity of the subject lands to the arterial roads, access to transit and nearby community facilities, it is our opinion that the proposed development is a good use of the subject lands.

The City of Port Colborne Official Plan designates the subject lands as Urban Residential according to Schedule A – City Wide Land Use Plan (see **Appendix C – City Schedules**). As per Section 3.2 of the City's Official Plan, lands in this designation are primarily used for residential purposes, and the proposed use complies with this designation. Section 3.2.1 c) of the City's Official Plan caps density at 100 units per hectare and requires high density residential developments to have frontage on an arterial or collector road. An

Official Plan Amendment is being sought to facilitate the proposed density along the local road.

Figure 2. Community Facilities



The City of Port Colborne Zoning By-law 6575/30/18 currently zones the lands as Institutional (I). The proposed development of two townhouse blocks made up of 30 units is currently not permitted within this zone. As such, Estate Hill is proposing to re-zone the subject lands to a Site-Specific Fourth Density Residential Zone (R4-XX), which will include relief from: Minimum Front Yard, Maximum Height and Landscaped Area Provision for Parking Areas. Further details of the proposed amendments can be found in **Section 5.2 – Proposed Zoning By-law Amendment** of this report.

4.0 PLANNING POLICY FRAMEWORK

As aforementioned, the purpose of this Planning Justification Report is to evaluate the appropriateness of advancing the application for a Zoning By-law Amendment in the context of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, Region of Niagara Official Plan, City of Port Colborne Official Plan and City of Port Colborne Zoning By-law 6515/30/18. The following provides an overview and discussion of these documents.

4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides overall policy direction on matters of provincial interest related to land and development within the province of Ontario. It supports improved land use planning and management, contributing to a more efficient land use planning system, which seeks to ultimately protect resources of provincial interest, public health and safety, and preserve and maintain the natural environment.

Relevant Policies and Analysis

Section 1.1.3 Settlement Areas of the PPS states that:

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

The subject lands are located within the Urban Area of the Municipality of Port Colborne as defined in the PPS and are within an area that is the focus of growth and development. The proposal will develop the currently underutilized parcel, to provide an opportunity for residential intensification and promote its efficient utilization over the long term. It is the intent of the proposed development to utilize available municipal services, and details regarding servicing capacities will be reviewed at the site plan application stage. The site

is close to existing transit routes and stops, which will render the proposed development to be transit-supportive.

Section 1.4 Housing of the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities by:

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

The proposed development will deliver residential intensification by way of 30 stacked townhouse units, at a density of 103 units per hectare. The stacked townhouse model with surface parking will allow for a housing option that is more affordable, dense and efficiently utilizes the existing municipal services. Additionally, the proposed density in proximity to the existing transit network and local facilities will assist in creating a more active and livable community.

Section 1.6.6.2 states that municipal sewage and water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal services are to be promoted. The development is proposed to utilize the existing municipal sanitary and water servicing available along George Street and Erie Street. As noted previously, details with regards to servicing will be discussed at the site plan application stage of the development.

Summary

The proposed development is within an existing settlement area and will provide additional housing supply to align with the needs of the current and future residents. Further, the development is appropriately located to rely on available municipal services and infrastructure.

Based on the foregoing, the proposed development is consistent with the general policies and intent of the PPS.

4.2 Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe came into effect on May 16, 2019. The Plan directs growth to Settlement Areas throughout the Greater Golden Horseshoe, including the Region of Niagara and the City of Port Colborne. The Growth Plan supports the achievement of complete communities that are “compact, transit-supportive, and make efficient use of investments in infrastructure and public service facilities” through site design and urban design standards.

Relevant Policies and Analysis

Section 1.2.1 sets out the Guiding Principles of the Growth Plan, and the policies relevant to the development are listed below.

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.*
- *Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.*
- *Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.*

The development proposal supports the achievement of a complete communities vision by providing residential uses on an underutilized parcel. The location of the site close to local businesses, schools and parks further implements the complete communities vision. The proposed residential intensification will be supported by the existing transit services, which will provide convenient connections to local destinations.

The policies of Section 2.2.1 - Managing Growth requires development to be directed to Settlement Areas and within the delineated built boundary. The subject lands are located within the Built-up Area of Port Colborne as per Schedule 2 of the Growth Plan. Accordingly, Niagara Region is targeting 40% of all new residential growth to be within the Built-up Area (Policy 4.C.3.1 of Niagara Region Official Plan), which will increase to 50% at the time of the next Municipal Comprehensive Review to conform with Policy 2.2.2.1 a) of the Growth Plan. The proposed development will provide residential intensification within an area with existing municipal services.

Policy 2.2.2.3 encourages all municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas. Section 2.2.6 - Housing supports housing choice through the achievement of minimum intensification and density targets. The proposed development will contribute to the achievement of the Region’s intensification target of 15% for the City by accommodating 30 dwelling units and achieving a density of 103 dwelling units per hectare. Further, the

proposed residential development will provide an alternate housing option to serve a range of household sizes and incomes. Development of the subject lands will support the achievement of a “complete community” vision within the area by providing residential options that allow ageing in place close to retail services and transit stops. Additionally, the proposed stacked townhouse units are compatible with the surrounding low-density residential uses and commercial uses and provides an opportunity for intensification, affordability and alternative design, which all encourage housing choice in the City.

Section 3.2.3 – Moving People of the Growth Plan states that *“public transit will be the first priority for transportation infrastructure planning...”*. Being located close to existing transit stops, the proposed development supports the use of active transportation options. As illustrated in the Site Plan Concept (see **Appendix A**), the proposed development implements adequate walkway connections to ensure a well-connected internal pedestrian network. Connections to the existing municipal sidewalk promote safety, increases mobility by foot and assists in building healthier communities. The use of active modes of transportation will help reduce single-occupancy car trips, reduce traffic congestion on major roads and cut down greenhouse gas emissions.

In accordance with Section 3.2.6 - Water and Wastewater Systems, municipal water and wastewater systems are intended to be utilized for the proposed development. The residential development will need to be designed to meet the City of Port Colborne servicing requirements and will be discussed at the site plan stage of the application. Per Section 3.2.7 - Stormwater Management, the design of the proposed development demonstrates a compact built form, providing approximately 41% landscape cover for on-site water percolation and reduce stormwater runoff. Appropriate installations to provide effective stormwater quantity and quality control, including sediment and erosion control measures during the grading and site servicing period, would also be discussed during the site plan process.

Summary

The proposed development is located within the delineated Built-up Area and supports the achievement of complete communities, housing choice, as well as the minimum intensification targets for the City of Port Colborne. The development intends to make use of the existing municipal services and the available transit network.

Based on the foregoing, the proposed development conforms with the general policies and intent of the Growth Plan.

4.3 Niagara Region Official Plan (2014 Consolidation)

The Niagara Region Official Plan (NROP) is a long-range document that guides the physical, economic, and social development of Niagara Region. It contains objectives, policies and mapping that implement the Region's approach to ensuring most new development in Niagara Region is directed towards the existing Built-up Area to accommodate future growth.

Relevant Policies and Analysis

The following table identifies the Regional Schedules pertaining to the subject lands.

Table 1. Subject Land Designation on Regional Schedules

SCHEDULE	SUBJECT LAND DESIGNATION
Schedule A: Regional Structure	Built-up Area; Within Urban Area Boundary
Schedule C: Core Natural Heritage	No designation
Schedule D1: Potential Resource Areas: Stone	Devonian Formation
Schedule D3: Potential Resource Areas: Peat and Petroleum	Welland Gas Field
Schedule E1: Transportation Infrastructure	Main Street W and King Street are Regional Roads;
Schedule E2: Strategic Cycling Network	Elm Street and Main Street W are identified as part of the Strategic Cycling Network
Schedule G1: Niagara Economic Gateway	Port Colborne is identified as Gateway Economic Centre

The subject lands are located in the Built-up Area within the Urban Area Boundary of the City of Port Colborne (see Schedule A in **Appendix B – Regional Schedules**) and is identified as part of the Gateway Economic Centre (see Schedule G1 in **Appendix B – Regional Schedules**). Growth Management Policies of the plan are to “*direct the majority of growth and development to Niagara’s existing Urban Areas*” and focusing “*a significant portion of Niagara’s future growth to the Built-up Area through intensification*”. All forms of development that occur within the Built-up Area is Intensification, as per Policy 4.C.1.1.

The subject lands are considered suitable for intensification, as the proposal will make efficient use of the existing municipal services and infrastructure, and in proximity to community facilities.

A minimum of 40% of all residential development occurring annually within Niagara are to occur within the Built-up Area of Niagara's communities. The City of Port Colborne is expected to accommodate a minimum of 15% of all new residential development through intensification (according to Policy 4.C.4.2). Local Official Plans are to generally encourage intensification throughout the Built-up Area (as per Policy 4.C.2.1 b)). The proposed development will support the achievement of the Regional and Municipal intensification targets by attaining a density of 103 units per hectare. The development is also at a higher density than the neighbouring residences, which will support the overall residential intensification objective. The lands are proximate to existing transit facilities, municipal sidewalk infrastructure and a planned cycling route, which will enable the proposed development to be transit-supportive and active transportation friendly.

Section 4.G.3 of the NROP provides policy direction for sustainable urban development.

- The proposed site design features a compact built form, with integrated walkways and landscaped areas. 41% of the site is proposed to be landscaped, which will provide adequate surface area for on-site stormwater infiltration.
- NPG has received confirmation (in **Appendix G – Email confirmations**) from Regional staff that all units can be serviced by the Regional Waste Management.
- The Region promotes and supports a multimodal transportation system to reduce single-occupant vehicle trips and encourage transit-supportive development. The subject lands are close to Elm Street which is identified as a Strategic Cycling Route as per Schedule E2 of the NROP (see **Appendix B – Regional Schedules**). The proposed development will utilize the proximity to the regional bicycling network to promote active means of transportation, reduce the need for single-occupancy vehicle trips, and support a multi-modal transportation system.

As such, the proposal supports the Region's interest in establishing environmental sustainability principles by way of building compact, integrating appropriate stormwater and waste management into the development plan, and providing active transportation options to the future residents.

Section 8.B of the NROP gives guidance on utilizing water and wastewater systems. The required form of servicing for development in Urban Areas is through municipal sewage and water services. The proposed development intends to be connected to the existing municipal servicing along George Street and Erie Street, details of which will be discussed at the site plan stage.

Section 11.A speaks to the Region's policy direction for attractive and well-designed residential developments. The NROP encourages diverse housing types within urban neighbourhoods to serve a variety of people for age-in-place benefits. The proposed development will provide an alternative housing model in the form of stacked townhouse units. By introducing a different housing type, it will also support the achievement of a complete community vision for the local area. Next, Blocks A and B are oriented towards and along the public streets, providing eyes-on-street benefits to the neighbourhood and contributing to a sense of safety within the public realm. Vehicle parking areas are provided at the back of the development, and includes accessible spaces. The site layout illustrates safe and convenient walkway connections from the car park area to the municipal sidewalk and to the entrance of each unit. Lastly, appropriate setbacks have also been implemented to be compatible with neighbouring single-detached residences and further compatibility analysis is generally provided in **Section 4.4** of this report. It is our opinion the proposed development is well-designed and will support in enhancing the aesthetic and functionality of the neighbourhood.

The pre-consultation meeting dated May 27th, 2021 identifies that a Record of Site Condition (RSC) is not required as the existing church has not been repurposed for another use, such as a commercial/community/industrial use. Accordingly, an RSC has not been filed on the Ministry's Brownfields Environmental Site Registry.

Summary

The proposal focuses development within the Built-up Area which is encouraged for residential intensification. The development is intended to be connected to municipal servicing. It facilitates residential intensification by way of 103 units per hectare, which will contribute to the Region and City's intensification targets. By introducing a different housing type – stacked townhouse units, it will also support the achievement of a complete community vision for the local area. The proposed development addresses many of the principles of sustainability and it is our opinion the proposal is well-designed and improves the local streetscape.

Based on the foregoing, the proposed development conforms with the general policies and intent of the Niagara Region Official Plan.

4.4 City of Port Colborne Official Plan (2020)

The City of Port Colborne Official Plan provides a comprehensive 20-year vision for the future of the municipality. The Plan identifies and addresses matter that influences the growth and development of the City with respect to economic development, community improvement, conservation of natural and natural heritage resources, parks and open space requirements and expectations for water and wastewater servicing.

Relevant Policies and Analysis

The following table identifies the City Schedules pertaining to the subject lands.

Table 2. Subject Land Designation on City Schedules

SCHEDULE	SUBJECT LAND DESIGNATION
Schedule A: City-Wide Land Use	Urban Residential; Within Urban Area Boundary
Schedule B: Natural Heritage	No designation
Schedule B3: Vulnerable Aquifer Areas	High Vulnerable Aquifer
Schedule C: Mineral Aggregate and Petroleum Resources	Petroleum Resource Areas
Schedule D: Transportation	George Street and Erie Street are Local Roads Elm Street and King Street are Arterials

The following are Growth Management Strategies for the City that are relevant to the proposal:

- 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.*
- e) Support infill and intensification, subject to the applicable policies, in the following designations: i) Urban Residential; ii) Hamlet; and iii) Downtown Commercial*
- f) Support compact and transit supportive development within the built boundary and on designated greenfield lands*

The subject lands are within the City's Urban Area Boundary (see Schedule A in **Appendix C – City Schedules**). In accordance with the City's growth management strategies, the lands are within an area serviced by municipal water and sanitary services. The proposal will provide residential intensification on an underutilized lot, and will offer an alternative housing model that will add to the mix of the existing housing stock in the neighbourhood. Convenient access to transit facilities allows the development to be transit-supportive and encourages healthy and active lifestyles.

As identified in Section 2.4.3, the City encourages intensification throughout the Built-up area. Section 3.1.1.1 of the City's Official Plan states that "*all growth and development*

which occurs within the Built boundary is considered to be intensification and will count towards the achievement of the municipality's intensification target". The subject lands within the Built-up Area reduce the consumption of greenfield lands, maximizes the efficiency of existing infrastructure and support the achievement of the municipality's intensification target of 15% (as per Section 2.4.3.1).

Section 2.4.3.2 provides design guidelines for intensification sites to match the pre-established building character of adjacent buildings. Notably, the site comprises a church building that is distinctive from the surrounding single-detached dwellings. The proposal provides residential use, which is more fitting with the surrounding residential use. Further, the development includes convenient walkway connections providing direct access to the existing municipal sidewalk from each unit. The proposed development will integrate the ability to walk, cycle and take transit to local destinations.

The subject lands are designated as "Urban Residential" on Schedule A – City-Wide Land Use Plan (see **Appendix C – City Schedules**), which are "*primarily used for residential purposes*". The proposed stacked townhouse dwellings intended for residential purposes are therefore a permitted use in this designation.

Section 3.2.1 b) and c) offers policies for assessing medium and high density residential developments.

b) Medium Density Residential will:

- i) Be developed at a density ranging from 35 to 70 units per hectare as: Townhouses; Stacked townhouses; triplexes; and/or fourplexes.*
- ii) Be encouraged adjacent to arterial or collector roads; and*
- iii) Be subject to Site Plan Control.*

As per Section 3.2.1 b), the proposed stacked townhouse built-form is recognized as Medium Density Residential, which permits a maximum density of 70 units per hectare. However, the proposed development will be achieving a density of 103 units per hectare. Due to the increased density, the development is assessed against the policies under Section 3.2.1 c) High Density Residential.

c) High Density Residential will:

- i) Be developed as apartment buildings ranging in density from 70 to 100 units per net hectare;*

As noted, the proposal is for a stacked townhouse development. Each vertical stack will be split into four levels, consisting of one at-grade unit and two upper-level units. Unlike a typical apartment building, each unit has its own front entrance and does not have any shared lobby space or elevators. The proposed housing

type provides homeowners more separation in using their space. Although the proposal does not provide apartment dwellings, it is our opinion that the proposed development is comparable to a low-rise building, and therefore, complies with the intent of this policy.

The requested density of 103 units per hectare can be supported as it is a minor increase from the maximum permitted density of 100 units per net hectare.

ii) Have frontage on an arterial or collector road;

Currently, the subject lands front on George Street, a local road that is designed to accommodate up to 199 average annual daily traffic (as per Section 9.1.2 of the City's Official Plan). A traffic study was not required for this application as per the pre-consultation agreement. As such, no significant traffic issues are anticipated due to the proposed site design. Further, it is noted that Elm Street and King Street are arterial roads, located less than 150 metres from the property. Although the lands do not directly front on the arterials, it will take advantage of the proximity for connections to local establishments, transit and the bike network.

iii) Have commercial or ground-oriented residential uses on the main floor;

The proposed stacked townhouses will contain at-grade and upper-level units "stacked" on top of each other. In addition, Blocks A and B are oriented to front George Street and Erie Street, respectively. As previously noted, each unit has its front entrance on the main floor, which gives them direct access to the abutting municipal sidewalk. In addition, ground-oriented homes are well-suited for the senior population, promoting age-in-place benefits in the community. Lastly, the orientation of the blocks and the residential use of the main floor provide eyes-on-the street advantage for passersby. As such, the proposed residential use is ground-oriented and offers convenient connections to existing sidewalks, promotes age-in-place and delivers eye-on-the-street benefits to the neighbourhood.

iv) Be oriented on the site to minimize shadows on adjacent low and medium density residential development;

The property is a corner lot, abutted by George Street at the north, Erie Street to the east and low-density residential uses to the west and south. Only the immediately adjacent residential developments are assessed for potential shadowing impacts due to the proposed development.

Impacts on residential use to the south

The majority of shadowing is anticipated to occur generally towards the northern side of the development due to the known movement of the sun across the sky. This indicates that the proposal will not shadow over the residential parcels to the south.

Impact on the residential use to the west

For the dwelling to the west, Block A is located at a distance of approximately 16 metres from the western lot line. Due to the increased side yard setback, the proposed development is not anticipated to have significant shadowing impacts on the dwelling to the west.

- v) *Be encouraged to be developed in proximity to public transit and active transportation routes; and*

As previously discussed, the subject lands are within 150 metres of Flag Stops for Route 25 (Niagara Region Transit) and Routes 701 and 702 (Port Colborne Community Bus). Further, all units have a direct connection to the existing municipal sidewalk, providing convenient access to neighbourhood facilities. The proposed development is transit-supportive.

- vi) *Be subject to Site Plan Control; and*

The proposed development will be subject to site plan control, where additional details such as landscaping and servicing will be addressed.

Section 3.2.3.3 b) provides Design Guidelines for Townhouses and Multiple-unit housing model.

b) Townhouses and multiple-unit housing should:

- i) *Be aligned parallel to the street from which the principal entrance should be visible and accessible;*
- ii) *Consider overall form, massing and proportions and the rhythm of major repetitive building elements and roof designs to create a street façade that is composed of a consistent and attractive variety of building elements; and*
- iii) *Be consistent with the placement and character of the surrounding built form where an infill development.*

The proposal respects the surrounding dwellings and is appropriate for the development of the site in the following manner:

- Blocks A and B are oriented in a manner such that the longer axis of the building is parallel to the adjoining public road, thereby framing the street and creating opportunities for eyes-on-the-street benefits.
- Each unit will have independent access from the main floor, providing a convenient connection to the car and bike parking area and the existing municipal sidewalk.
- The proposed blocks have been consciously located away from the present single-detached dwellings. Further, a 3-metre landscape strip is provided along the west and south lot lines which will include quality landscaping and will enhance the interface with the surrounding uses from the existing condition. As such, the buildings are not anticipated to cause significant shadowing impacts or privacy issues to the adjacent neighbours.
- Additional details regarding building elements and roof designs will be discussed at the site plan application stage.

The subject lands are located within an area identified as High Vulnerable Aquifer, as per Schedule B3 – Vulnerable Aquifer Areas (**Appendix C – City Schedules**). A groundwater assessment to evaluate the risk level of contaminants was not required for this application, per the pre-consultation agreement. As such, none of the low-, medium- & high-risk contaminants causing uses, listed in Section 4.1.3.1, are being proposed on the subject lands.

Policies in Section 8 of the City's Official Plan are for servicing and stormwater management of the development. Section 8.1.1 a) requires new development in the urban area to be on full municipal water services and sanitary services. In addition, Section 8.2 a) requires stormwater to be managed on-site and not to have an adverse impact to neighbouring properties or the drainage patterns of the surrounding area. The subject lands are serviced by municipal water and sanitary services, in accordance with Section 2.2 c) of the City Official Plan. It is the intent of the developer to provide servicing connections to City mains and appropriate stormwater management schemes for the proposed development. A servicing study and stormwater management plan will be submitted at the site plan application stage as per the pre-consultation agreement to ensure proposed connections are according to City standards.

Section 9 of the Port Colborne Official Plan is for the provision and management of transportation modes and infrastructure within the City. Policies in Section 9.1.1 are intended to promote walking, cycling and transit for new developments. As previously described, Blocks A and B are oriented towards the street, providing a direct connection to the existing municipal sidewalk. Further, the lands are within 150 metres of Flag Stops for Route 25 (Niagara Region Transit) and Routes 701 and 702 (Port Colborne Community Bus). The proposal provides two (2) accessible spaces, in accordance with the Zoning By-law requirements, and are well connected to each unit through the internal walkways. The development will also provide ten (10) on-site bike parking for future

residents. Proximity to the available transit network combined with proposed connections to the sidewalk and bike parking area promotes walking, biking and transit. The proposed design accommodates pedestrians, promotes the concept of a walkable neighbourhood and is transit-supportive.

Section 9.1.2 specifies policies with regards to roads, including their classification, typical right-of-way widths and average annual daily traffic counts. Per Schedule D – Transportation (**Appendix C – City Schedules**), George Street and Erie Street are classified as Local Roads intended to provide access to residential developments. The proposed multi-residential development has one driveway access from Erie Street and one exit aisle to George Street, which will control and support the designated function of the roadway. According to Figure 9.1, the typical right-of-way width for a local road is 20 metres. The pre-consultation meeting did not indicate any road allowance requirement, and therefore has not been addressed in this application.

Based on the foregoing, the proposed residential development conforms with the general intent and policies of the City of Port Colborne Official Plan.

5.0 PROPOSED OFFICIAL PLAN & ZONING BY-LAW AMENDMENT

5.1 Proposed Official Plan Amendment

2852479 ONTARIO LIMITED is proposing to amend the Official Plan to facilitate the proposed development. The specific change to the Official Plan is as follows:

1. Notwithstanding Policy 3.2.1 c) of the Official Plan for the City of Port Colborne, the land may be developed for stacked townhouses and the maximum density shall be 103 units per hectare.

Basis for the Official Plan Amendment:

The Official Plan Amendment can be supported on the following basis:

1. The proposal conforms to the Provincial Policy Statement, A Place to Grow (Growth Plan for the Greater Golden Horseshoe), and the Niagara Region Official Plan;
2. The proposal implements the policies of the Niagara Region Official Plan and the City of Port Colborne Official Plan in that the subject lands are located within the Built Up Area which is a focus for intensification;
3. The proposal creates new housing in the City of Port Colborne contributing to a more diversified housing mix.
4. The requested site-specific density amendment is minor in consideration of the high density provisions in the Official Plan and can be supported.

5.2 Proposed Zoning By-law Amendment

The City of Port Colborne currently zones the subject lands as an Institutional zone (see **Appendix D – Zoning By-law Map**). In order to facilitate the proposed development, the owner is proposing to rezone the subject lands to a site-specific Fourth Density Residential Zone (R4 – XX) and will address: Minimum Front Yard, Maximum Height and Landscaped Area Provision for Parking Areas. See **Table 3, 4 and 5** below for more details. A Draft Zoning By-law Amendment has been prepared and can be found in **Appendix F – Draft Zoning By-law Amendment** of this report.

Table 3. Zoning Comparison Chart for Section 8 (R4 Zone)

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Permitted Uses	e) Dwelling, Townhouse Block;	Stacked townhouse units	Yes
Minimum Lot Frontage per Unit	6 m	6.1 m	Yes

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
(8.5 a))			
Minimum Lot Area (8.5 b))	0.02 ha	0.293 ha	Yes
Minimum Front Yard (8.5 c))	7.5 m	4.50 m (from building); 1.8 m (from the uncovered stairs)	No
Minimum Interior Side Yard (8.5 d))	3 m	15.93 m	Yes
Minimum Corner Side Yard (8.5 e))	4.5 m	4.50 m (from building); 1.8 m (from the uncovered stairs)	Yes
Minimum Rear Yard (8.5 f))	6 m	7.4 m	Yes
Maximum Height (8.5 g))	11 m	14.2 m	No
Minimum Landscaped Area (8.5 h))	25 percent	41.9 percent	Yes
Landscape Buffer (8.5 i))	A 3 metre planting strip shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone.	3.0 m	Yes
8.5 j)	Common walls shall be centred on the common lot line.	N/A	N/A
8.5 k)	There is no minimum interior side yard and/or rear yard for common walls.	Noted.	N/A

Table 4. Zoning Comparison Chart for Section 2 (General Provisions)

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Sight Triangle (2.13)	<p>a) Unobstructed sight triangles are required on all corner lots in all zones.</p> <p>b) The area within a sight triangle shall be determined by measuring from the point of the intersection of the front and corner side lot lines on a corner lot to a point along each such lot line as set out in Section 2.13.1 (a) and 2.13.1 (b) and joining such points with a straight line.</p> <p>c) No sign or landscaping materials including but not limited to: fences, walls, berms, trees, hedges or bushes shall be greater than 0.75 metres in height above the elevation of the ground at the street line.</p>	<p>a) Provided daylight triangle is unobstructed by above-ground structures.</p> <p>b) A 6.0 x 6.0 m daylight triangle is provided at the northeast corner of the site.</p> <p>c) Noted.</p>	Yes
Sight Triangle Distance (2.13.1)	a) Residential Zone: 6 metres	6.0 x 6.0 m	Yes
Permitted Encroachments (2.19)	<p><u>Uncovered Stairs or Ramps to First Storey</u></p> <p>Yard Permitted: All</p> <p>Required setback from Lot Line: 0.5 m</p>	1.8 m	Yes
Municipal Drains (2.22)	a) Notwithstanding any other provisions of this By-law, no building or structure may be located any closer than 15 metres to any municipal drain, measured from the top of bank.	N/A	N/A
Storage of Refuse (2.25)	<p>a) No open storage of refuse shall be permitted anywhere within the zoned area except:</p> <p>i) Where refuse is to be collected within an 18 hour period after such refuse has</p>	All units are eligible for Regional curbside pick up.	Yes

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
	been placed in an outdoor location;		

Table 5. Zoning Comparison Chart for Section 3 (Parking Provisions)

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Parking Space Requirements (3.1.1)	Dwelling, Townhouse Block (1 space required per unit);	38 spaces (1.26 spaces/unit)	Yes
Parking Space Dimensions (3.2)	Standard Parking Space (2.6 x 5.2 m) Accessible Space (3.7 x 5.2 m)	Standard Parking Space (2.6 x 5.4 m) Accessible Space (3.7 x 5.4 m)	Yes
Accessible Parking (3.3)	2 accessible spaces	2	Yes
Encroachment into Yards (3.6)	a) A parking space, bicycle parking space, or parking area is permitted within any yard but is not permitted within a required landscape buffer, a landscape open space area or a sight triangle.	No encroachments	Yes
Ingress and Egress Standards (3.7)	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, except that the minimum width of a driveway accessory to a detached dwelling shall be 2.6 metres.	One way drive aisle is 3.5 m wide	Yes
Landscape Provisions for Parking Areas (3.11.1)	A landscape buffer shall be provided between the edge of any parking area and an abutting lot line(s) as follows: Lot Line Abutting a Public Road: 3 m Lot Line Abutting a	North lot line: 2.6 m	No

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
	Residential, Institutional or Public and Park Zone: 3 m	South and West lot lines: 3 m	Yes
Bicycle Parking Spaces (3.13)	a) Bicycle parking spaces must be located on the same lot as the use for which it is provided; b) Each bicycle parking space shall be a minimum 1.8 m in length and 0.3 m in width; and c) Shall be located at a principle entrance of a building	a) On-site common bicycle parking area provided. b) Each bike space is 1.8 x 0.3 m c) Located behind Blocks A & B, and more centrally to be accessible from all units.	Yes
Required Bicycle Parking (3.13.1)	Residential Buildings with 10 or more dwelling units: 6 Spaces plus 1 for every additional 10 dwelling units above 20 (Required: 7 spaces)	10 spaces	Yes

Stacked Townhouse as a Permitted Use

The proposed development features 30 stacked townhouse dwelling units, which are not explicitly permitted in the City of Port Colborne Zoning By-law. As per the information provided by Staff, since each unit will have an independent entrance, the proposed stacked townhouse dwellings would be considered block townhouses, which is permitted under Section 8.2 of the City's Zoning By-law. The proposed development will not require an amendment to the zoning bylaw on this matter.

Minimum Front Yard

The front yard depth for the development is proposed at 4.5 metres, which falls short of the City's requirement of 7.5 metres. Block A, oriented along the front yard, is located 4.5 metres from the property line and allows the development to be closer to the street, providing "eyes on the street" benefits and convenient access to the municipal sidewalks and transit services. There are two sets of stairs at 1.8 metres from the front lot line providing access to all Block A units. Uncovered stairs are permitted in all yards with a 0.5-metre setback requirement from the lot line, as per Section 2.19.1 of the Zoning By-law. As such, the proposal aims to foster a pedestrian-friendly environment along the

existing frontage. The requested variance is not anticipated to cause any significant impacts on the adjoining streetscape and can be supported.

Maximum Height

The proposed building height for the stacked townhouse model is 14.2 metres and exceeds the maximum permitted height by 3.2 metres. The proposed height can be supported for the following reasons:

- The proposal provides more than the required side (west lot line) and rear (south lot line) yard setbacks to be compatible with the adjacent low-density uses.
- Majority of the shadowing is anticipated to occur generally towards the northern side of the development, indicating that the development will not shadow over the residential parcels to the south. For the dwelling to the west, Block A is located approximately 15 metres from the western lot line. Due to the increased side yard setback, the proposed development is not anticipated to have significant shadowing impacts on the dwelling to the west.
- The building walls closest to the south and west lot lines are the side elevations. Typically, these sides do not contain as many fenestrations, balconies, or patios as the front and rear facades and maintain privacy. Moreover, a landscape strip of 3 metres is also proposed along the south and west lot lines to further screen the neighbouring houses from overlook.
- Due to unforeseen bedrock considerations at the location, the building is being to be elevated above what would have been established as the standard foundation depth.

Landscaped Area Provision for Parking Areas

A landscape buffer of 3 metres along lot lines abutting a public road is required. The provision is intended to reduce the visibility of the surface parking area from the public street. A small portion of the parking area abuts George Street and provides a reduced setback of 2.6 metres. This setback is sufficient to provide quality landscaping that can visually buffer the parking area and improve the streetscape along the public street. The variance can be supported as it is a minor reduction from the zoning requirement, and the intention of the provision can be achieved.

6.0 SUMMARY OF PLANNING OPINION

The proposed development is located close to Main Street W within proximity to commercial business', transit facilities and recreational spaces. The surrounding area is characterized by low-density residential uses. The proposed development of 30 residential dwellings will provide an opportunity for higher density intensification, that will respect the existing character of the neighbourhood while making efficient use of the subject lands. The stacked townhouse development will provide an affordable housing form in the City that can serve a variety of households and create housing choice.

The proposed Zoning By-law Amendment is requesting to rezone the subject lands from the current Institutional zone to a site-specific Fourth Density Residential Zone (R4 – XX) and will address: Minimum Front Yard, Maximum Height and Landscaped Area Provision for Parking Areas requirements.

It is our opinion that the proposed Official Plan and Zoning By-law Amendment be approved because it represents good land use planning, is in the City's interest and should be supported for the following reasons:

1. The proposed development is consistent with the Provincial Policy Statement (2020) and is in conformity with the Growth Plan, Niagara Region Official Plan, and the City of Port Colborne Official Plan.
2. The proposed development will provide an opportunity for residential intensification within the Built Up Area designated for residential growth and is a focus for intensification. It will make efficient use of the existing municipal services and facilities.
3. The proposed density is appropriate for the subject lands due to its proximity to the arterial roads – Elm Street and King Street with access to local public transit and other active transportation choices.
4. The proposal creates new housing in the City of Port Colborne contributing to a more diversified housing mix.
5. The development is appropriately distanced from the existing low-density residences to the south and west.

7.0 APPENDICES

- 7.1 Appendix A: Site Plan, Schematic Section & Renderings
- 7.2 Appendix B: Regional Schedules
- 7.3 Appendix C: City Schedules
- 7.4 Appendix D: Zoning By-law Map
- 7.5 Appendix E: Draft Official Plan Amendment
- 7.6 Appendix F: Draft Zoning By-law Amendment
- 7.7 Appendix G: Email confirmations

Report Prepared by:

Rhea Davis

Rhea Davis, MPlan
Planner
NPG Planning Solutions Inc.

Report Reviewed by:



Cory Armfelt, MCIP RPP (AB/ON)
Development Principal
NPG Planning Solutions Inc.

7.1 Appendix A: Site Plan



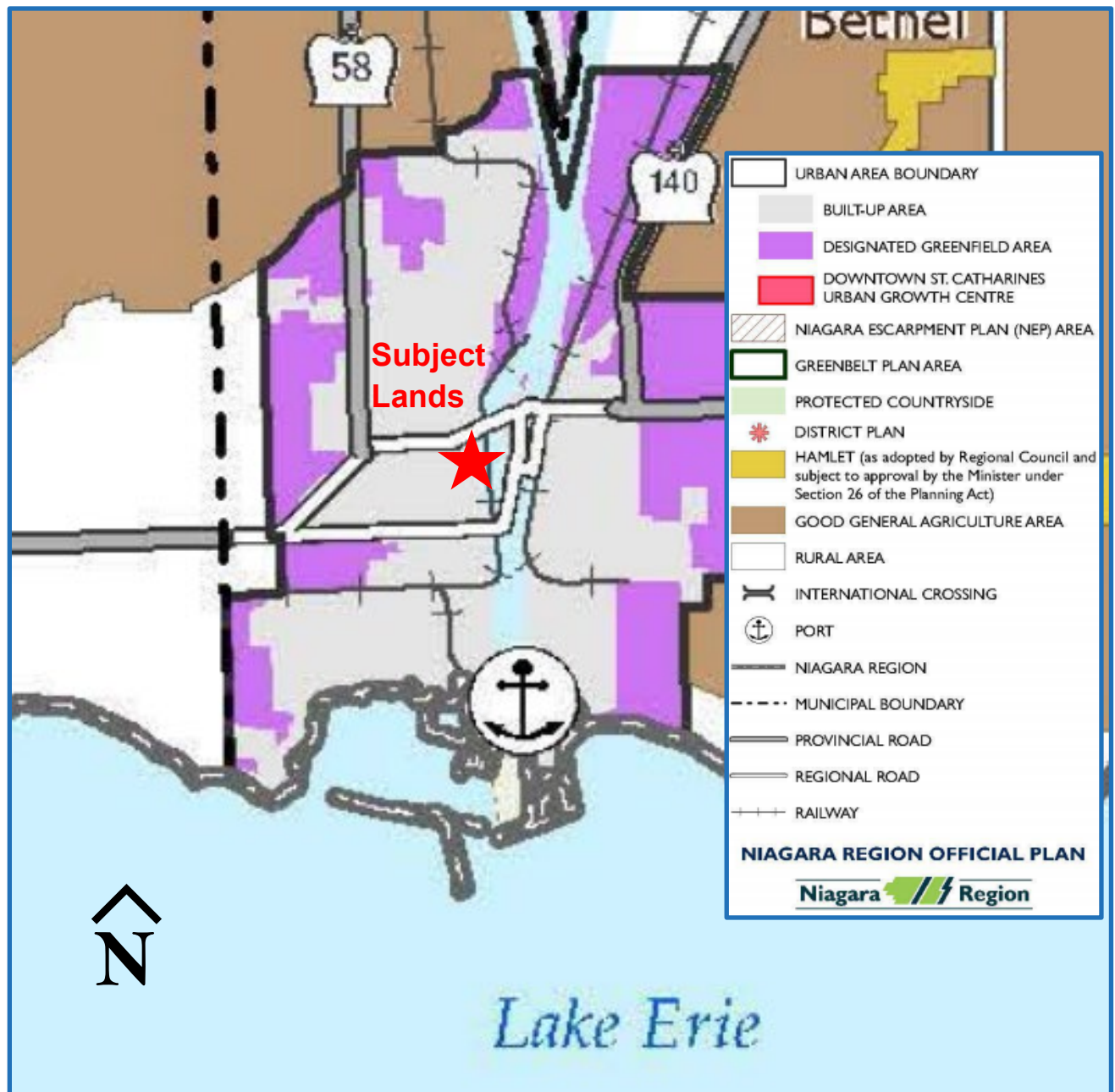
1 SITE PLAN
A100 1:150



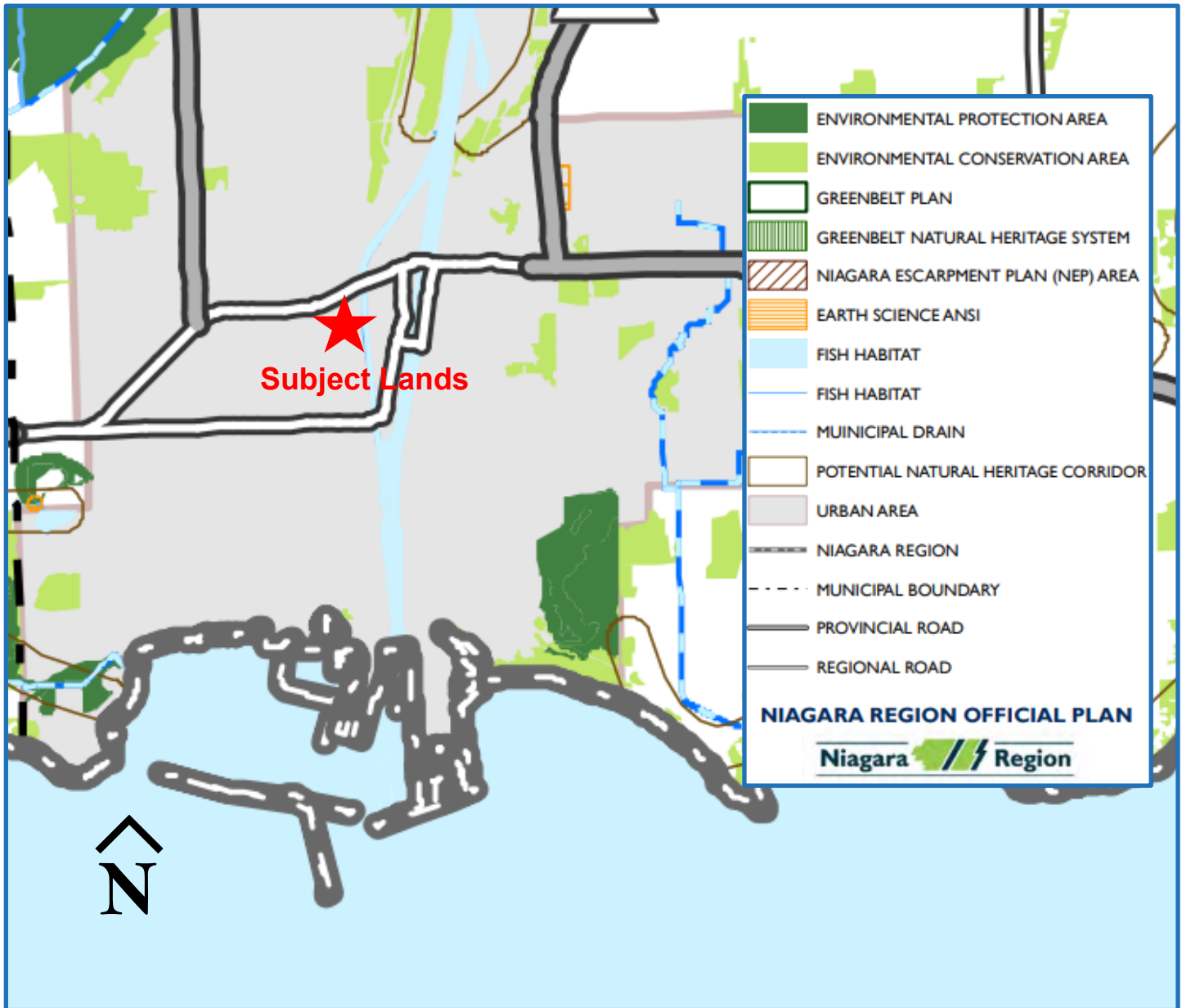
1 BIRD'S EYE VIEW
A101

7.2 Appendix B: Regional Schedules

Schedule A: Regional Structure



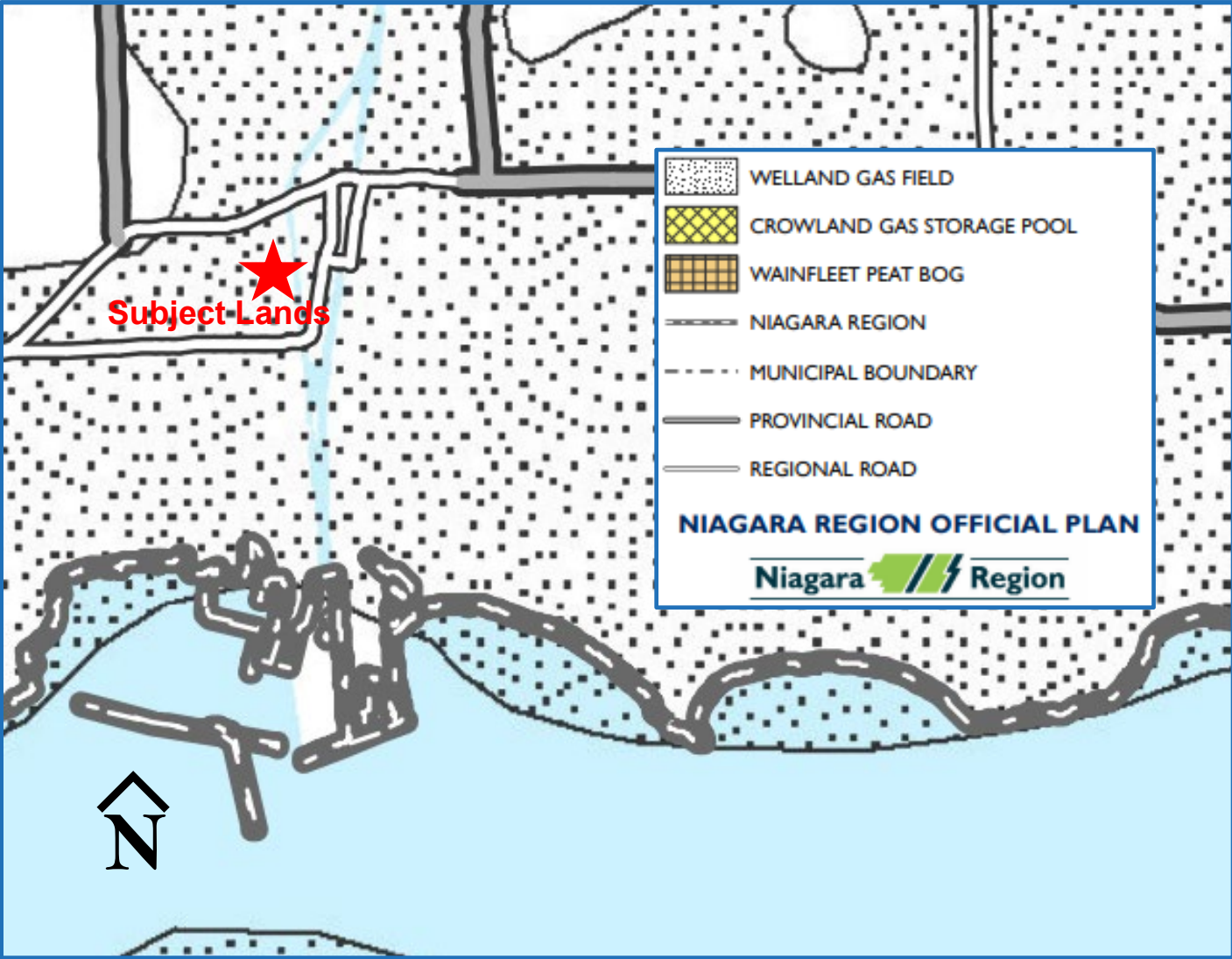
Schedule C: Core Natural Heritage



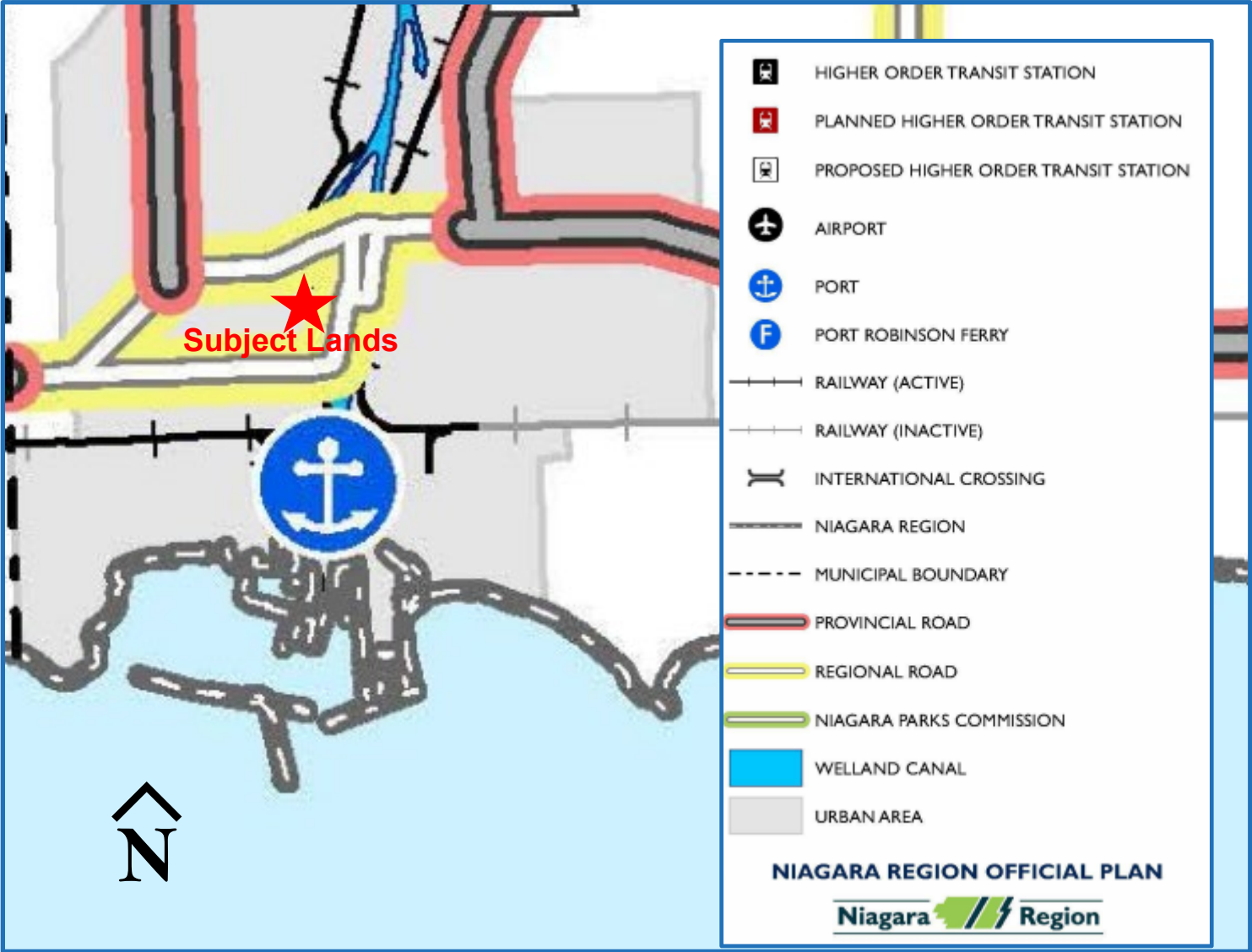
Schedule D1: Potential Resource Areas : Stone



Schedule D3: Potential Resource Areas: Peat and Petroleum



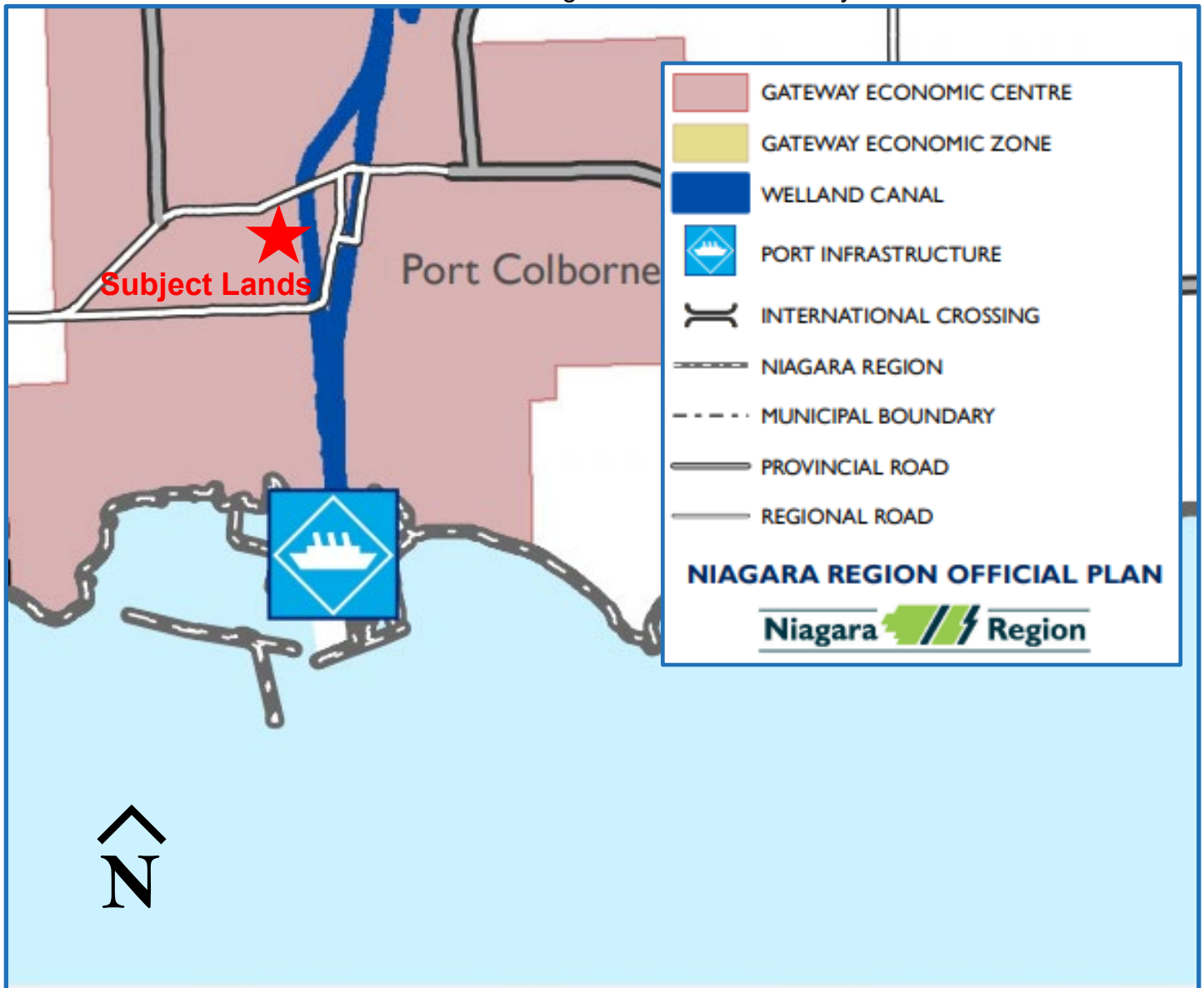
Schedule E1: Transportation Infrastructure



Schedule E2: Strategic Cycling Network

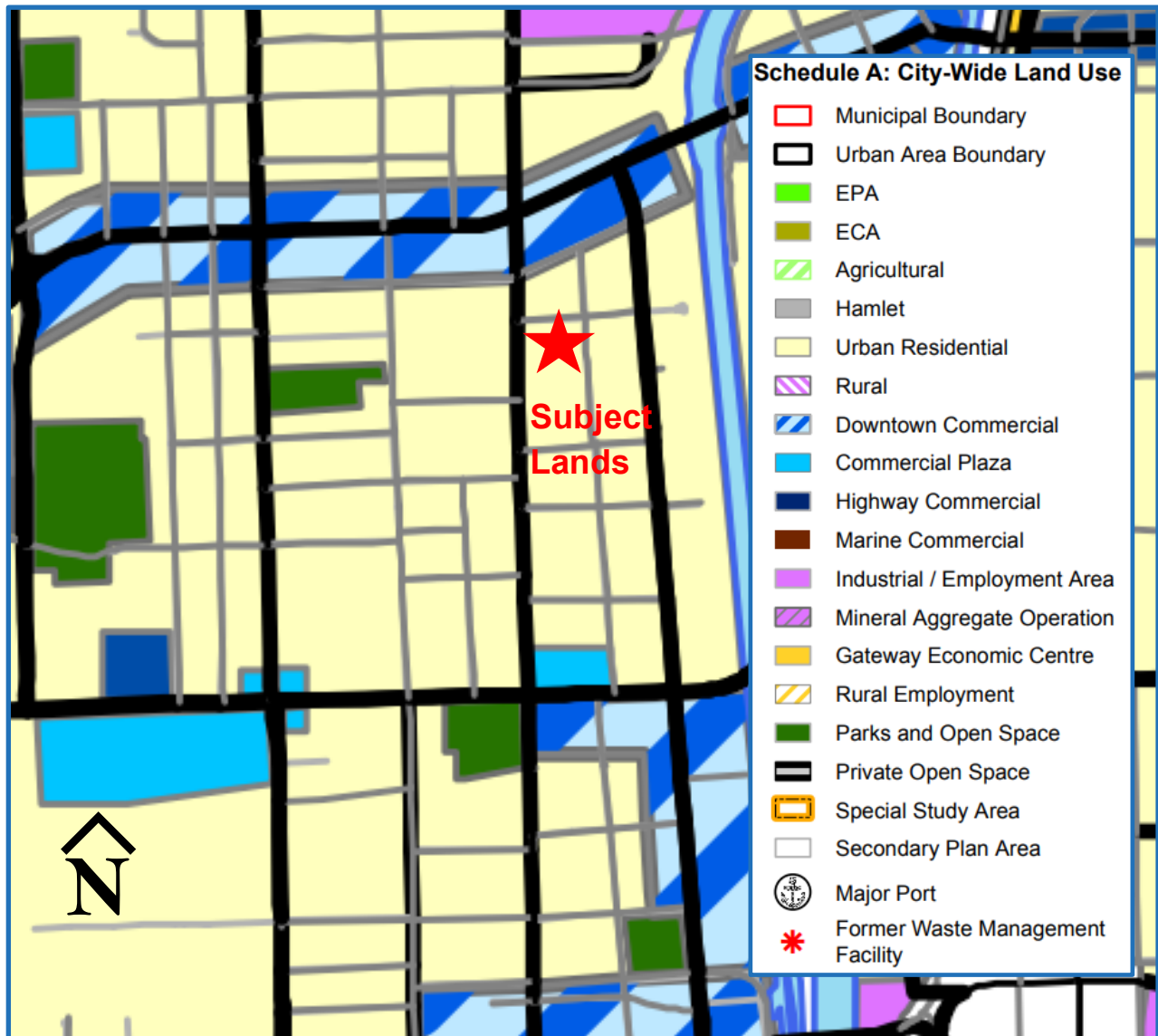


Schedule G1: Niagara Economic Gateway

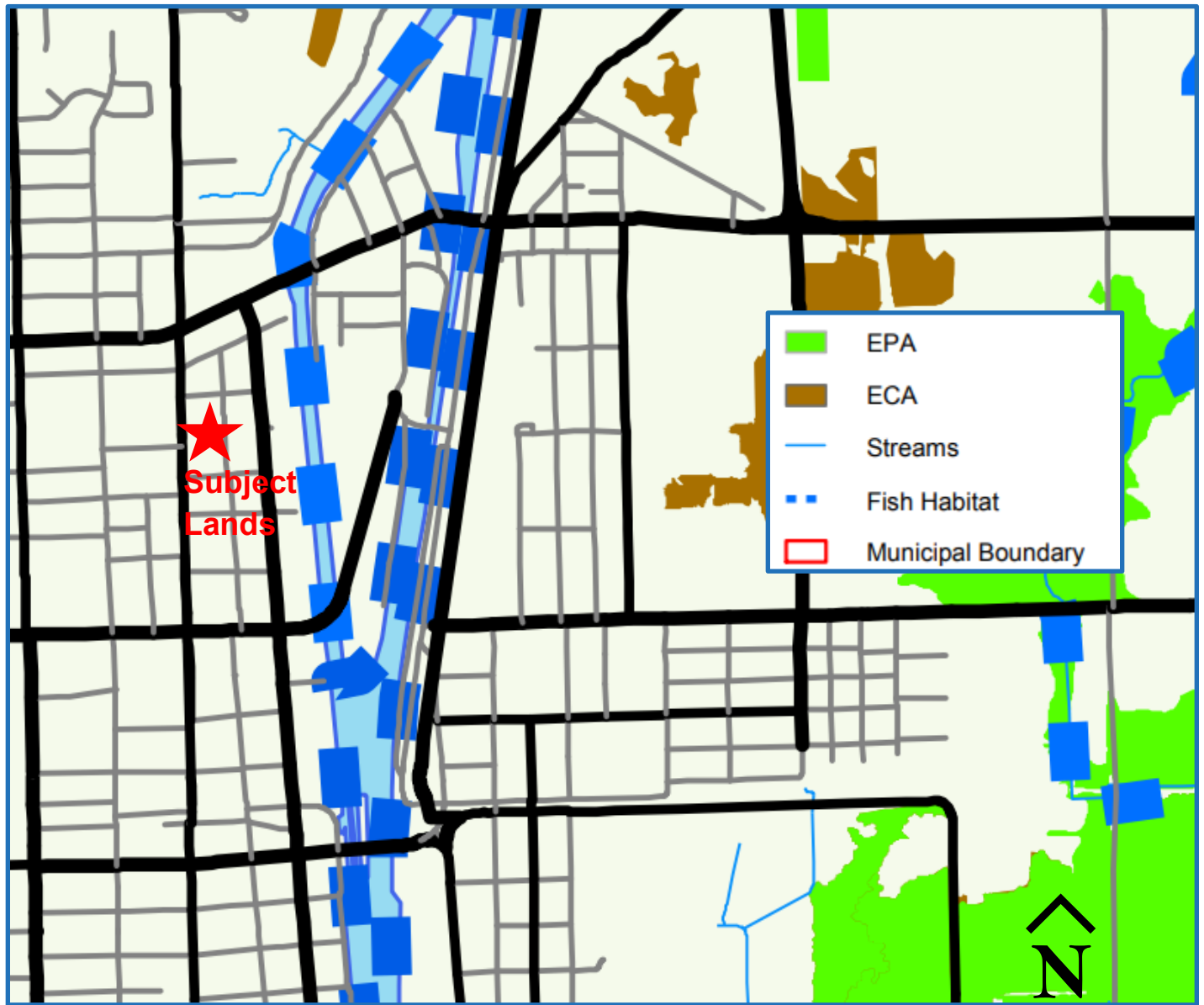


7.3 Appendix C: City Schedules

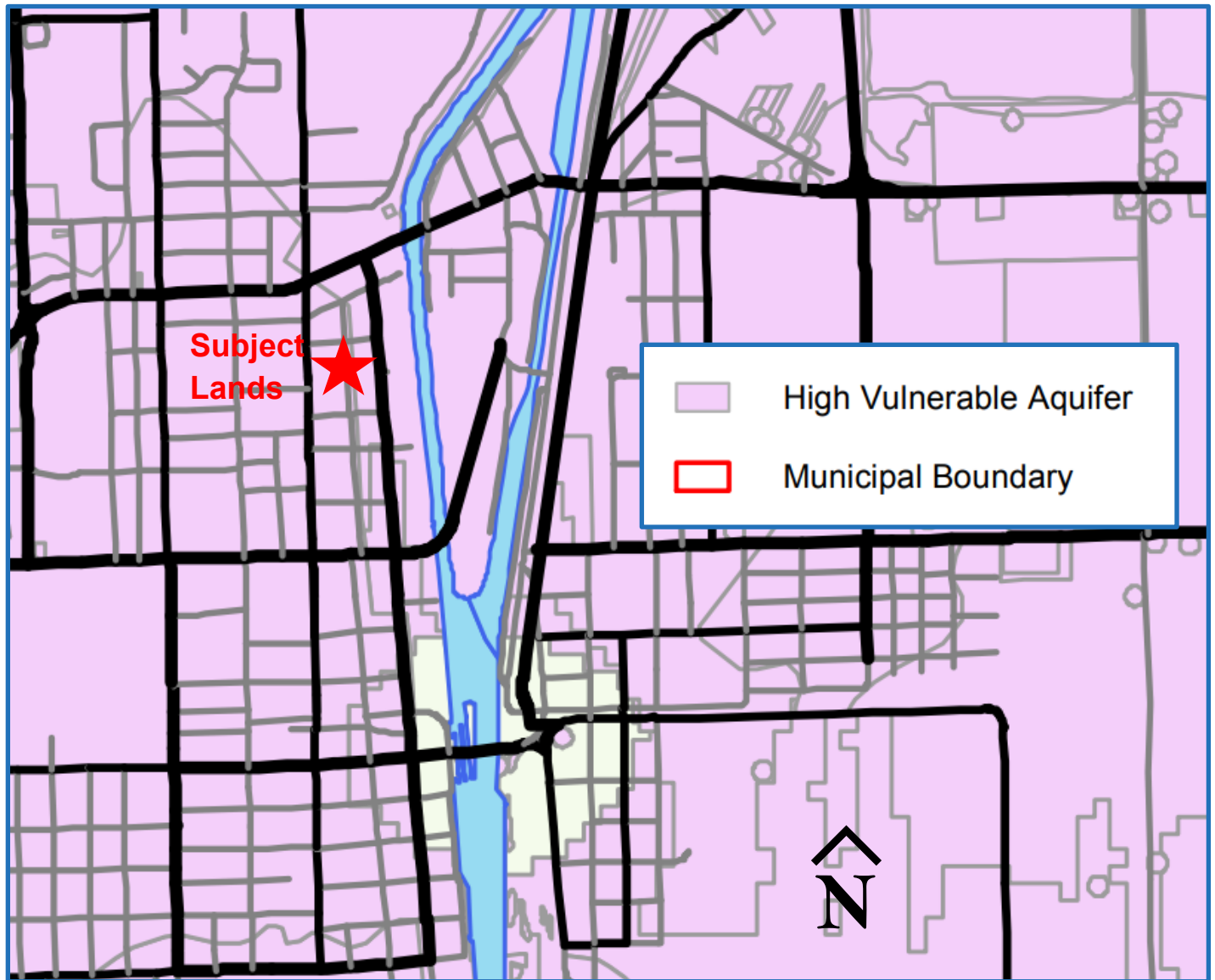
Schedule A: City-Wide Land Use



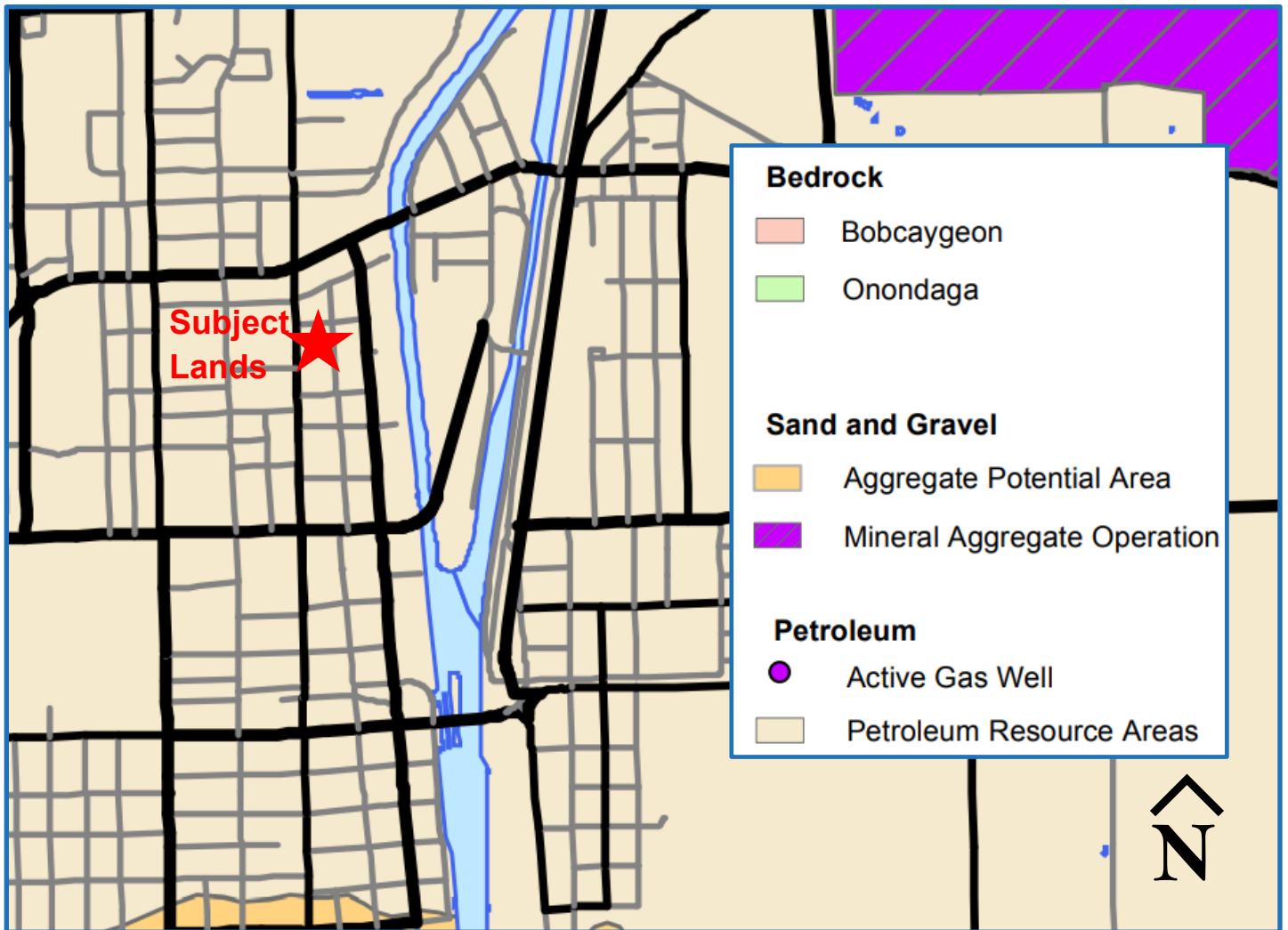
Schedule B: Natural Heritage



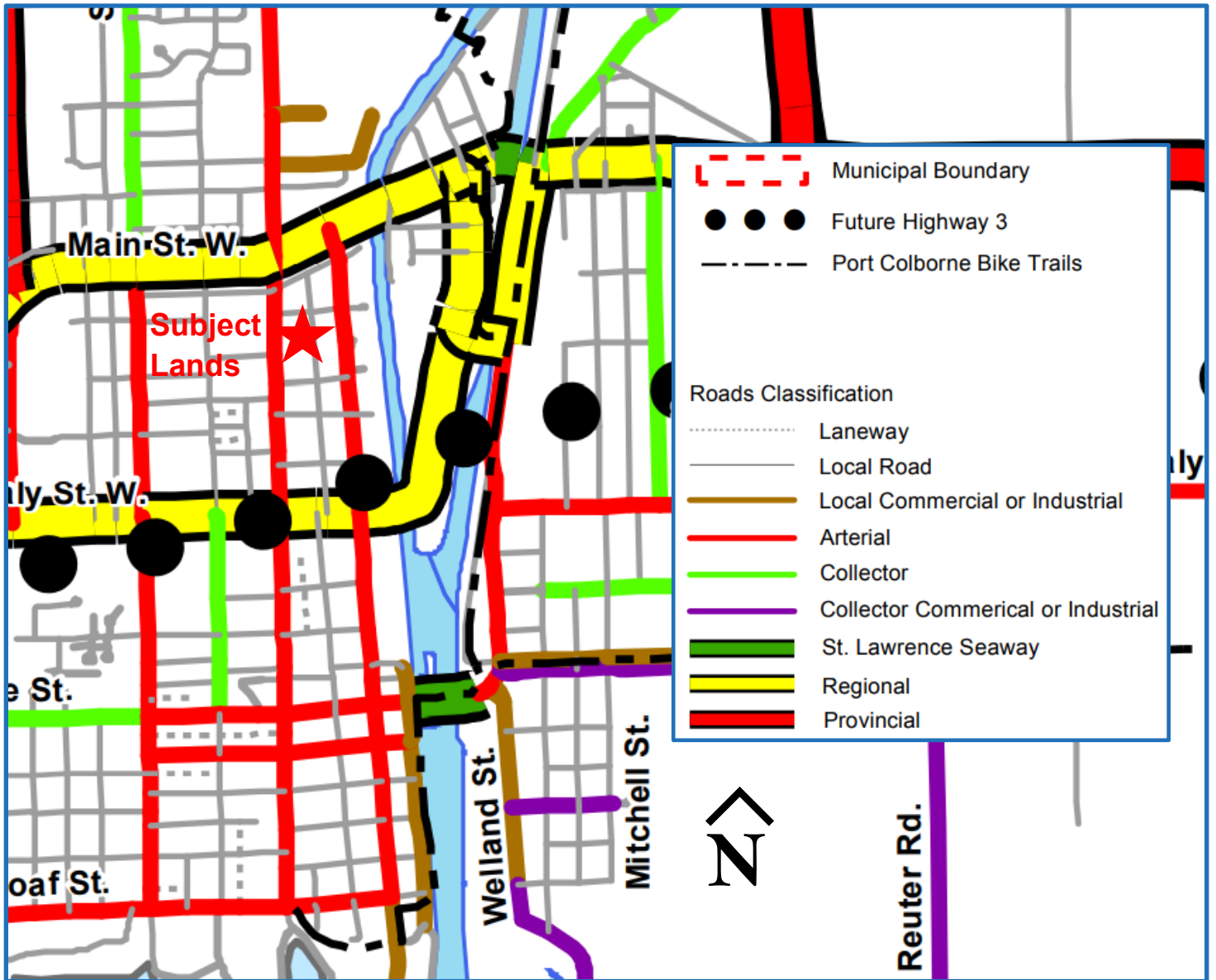
Schedule B3: Vulnerable Aquifer Areas



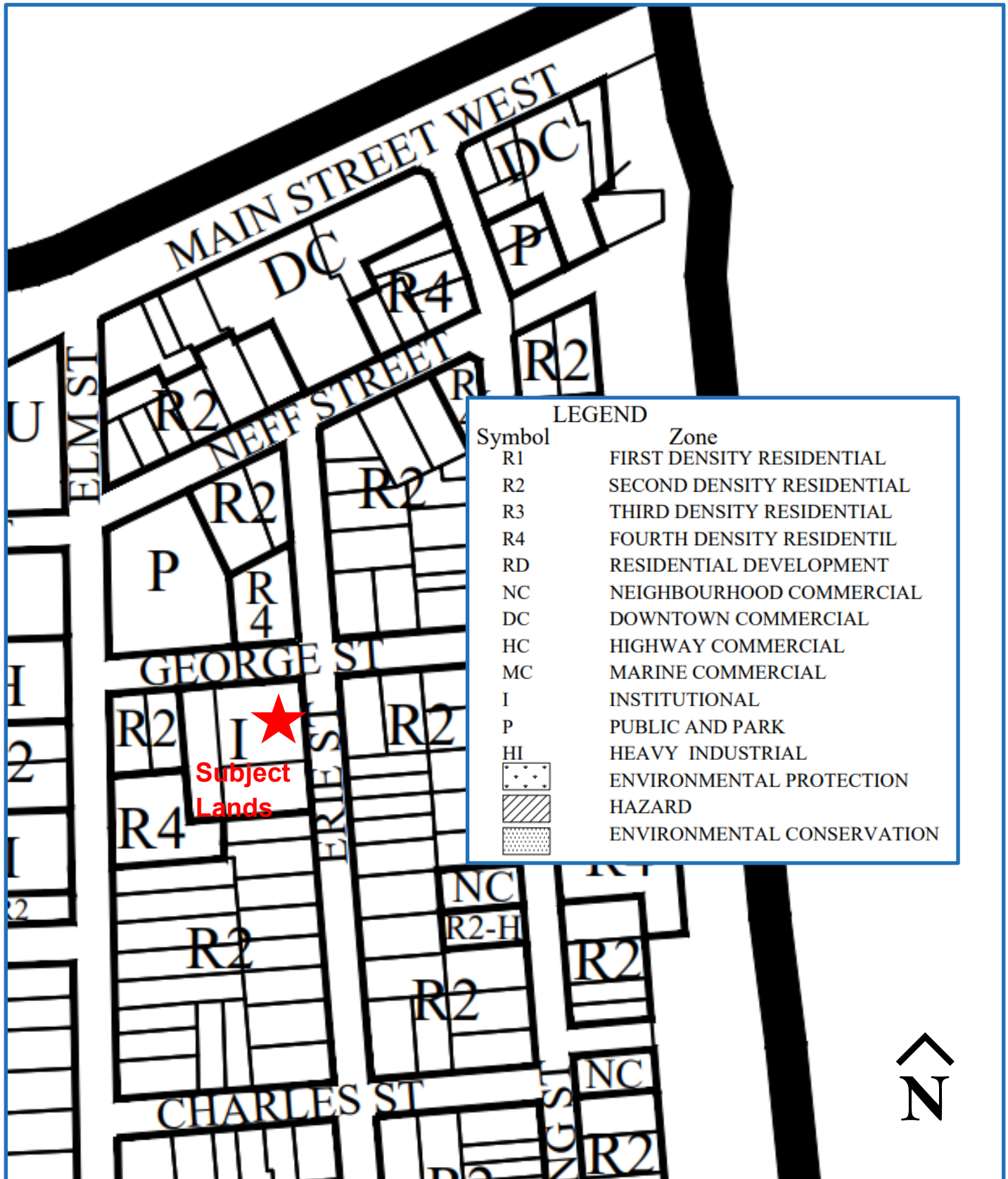
Schedule C: Mineral Aggregate and Petroleum Resources



Schedule D: Transportation



7.4 Appendix D: Zoning By-law Map – Schedule A7



7.5 Appendix E: Draft Official Plan Amendment

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO XXX/XX/21

**BEING A BY-LAW TO ADOPT AMENDMENT NO. XX 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;

NOW THEREFORE the Council of the Corporation of the City of Port Colborne pursuant to Section 17(22) of *The Planning Act, R.S.O. 1990*, enacts as follows:

1. That the Official Plan Amendment No. XX to the Official Plan for the City of Port Colborne Planning Area consisting of the attached explanatory text and mapping is hereby adopted.
2. That this By-law shall come into force and take effect on the date upon which it is finally passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XXTH
DAT OF [MONTH] 2021.**

William C Steele, MAYOR

Amber LaPointe, CLERK

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

INDEX

THE STATEMENT OF COMPONENTS

Part A – The Preamble

Purpose

Location

Basis

Part B – The Amendment

Introductory Statement

Details of the Amendment

Implementation & Interpretation

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

THE STATEMENT OF COMPONENTS

PART A

The Preamble which does not constitute part of this Amendment.

PART B

The Amendment, consisting of the following text and Schedule "A", constitutes Amendment No. XX to the Official Plan for the Port Colborne Planning Area.

PART A – THE PREAMBLE

Purpose

The purpose of this amendment is to facilitate the development of the subject lands, shown on the attached Schedule, as residential stacked townhouses at a maximum density of 103 units per hectare.

Location

The lands affected by this amendment are legally described as Lots 9, 10 and Part of Lot 11, Registered Plan No. 767 and Block 'A' and Part of Block 'B', Registered Plan No. 775 in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 54 George Street. A detailed map of the subject lands is attached as Schedule "A" to this Official Plan Amendment No. XX

Basis

Currently, the subject lands are designated "Urban Residential". 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 facilitate the development of 30 residential stacked townhouse units within two blocks and 38 surface parking spaces. The proposed density is 103 units per hectare.

The proposed development provides an opportunity for commercial areas to be strengthened through the introduction of residential uses, meet the municipality's intensification target of 15% and maximize the efficiency of existing infrastructure as outlined in 2.4.3 of the Official Plan. The design of the proposed development is in a manner that is compatible and will limit impact on the existing neighbourhood to the south and west.

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 "I - Institutional" zone to "R4-XX – Site-specific Fourth Density Residential Zone".

The proposal is consistent/conforms with:

- The Provincial Policy Statement (2020) by promoting growth within a settlement area;
- A Place To Grow (2019) by contributing to the minimum intensification targets and utilizing existing municipal services;
- Niagara Region Official Plan through the promotion of growth in urban areas; and

- Port Colborne Official Plan by introducing residential uses to create mixed use areas, while meeting the City's intensification target and promoting growth within the Built-Up Area.

PART B – THE AMENDMENT

INTRODUCTORY STATEMENT

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. XX to the Official Plan for the City of Port Colborne.

The Official Plan for the Port Colborne Planning Area is hereby amended as follows:

Lands shown on Schedule A are permitted to develop residential stacked townhouses at a maximum density of 103 units per hectare.

DETAILS OF THE AMENDMENT

Notwithstanding Section 3.2.1 c) of the Official Plan for the City of Port Colborne, a maximum density of 103 units per hectare of land shall be permitted on the subject lands shown on Schedule “A” to this amendment.

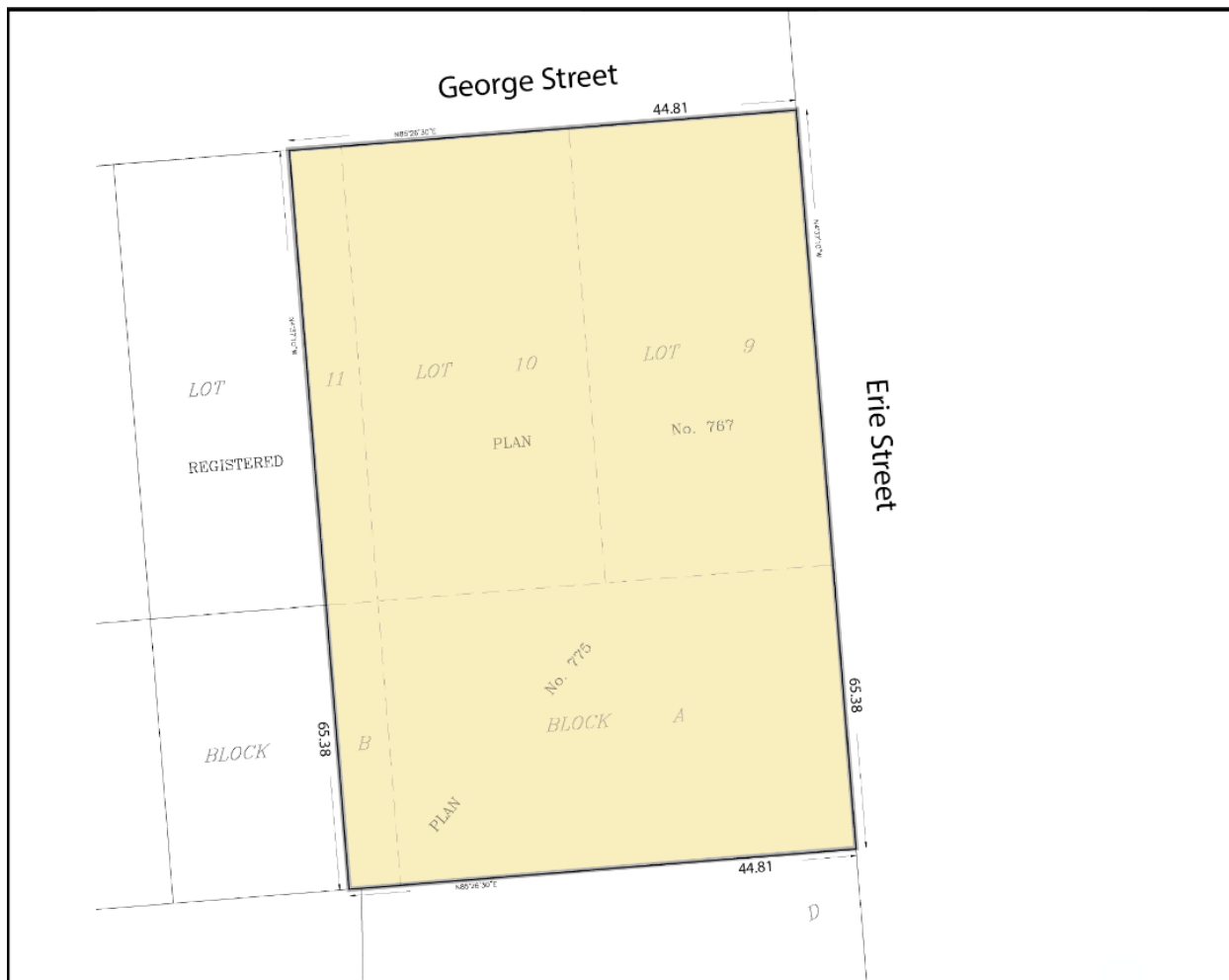
The following changes are made to Schedule A – City Wide Land Use of the Official Plan for the Port Colborne Planning Area:

1. That the area shown as “Urban Residential”, and entitled “Schedule A to Official Plan Amendment No. XX”, shall be subject to Special Policy Area provisions and shall be identified on Schedule A City Wide Land Use Map of the Official Plan for the Port Colborne Planning Area.

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.

SCHEDULE A



THIS IS SCHEDULE "A" TO BY-LAW NO. _____

PASSED THE _____, 2021

CITY OF PORT COLBORNE

File No:

Date:

Scale: NTS

MAYOR

CLERK

7.6 Appendix F: 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 LOTS 9, 10 AND PART OF LOT 11, REGISTERED PLAN
NO. 767 AND BLOCK 'A' AND PART OF BLOCK 'B', REGISTERED PLAN NO. 775
IN THE CITY OF PORT COLBORNE, REGIONAL MUNICIPALITY OF NIAGARA,
AND MUNICIPALLY KNOWN AS 54 GEORGE STREET.**

WHEREAS By-law 6575/30/18, is a by-law of the Corporation of the City of Port Colborne regulating the use of lands and the location and use of buildings and structures within the City of Port Colborne;

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 "1" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A7" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule 1 from Industrial (I) to R4-XX, being a special provision of the Fourth Density Residential Zone.
3. That Section 37 entitled "Special Provisions" of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

R4-XX

Notwithstanding the provisions of the Fourth Density Residential (R4) zone, the following regulations shall apply:

Minimum Front Yard	4.5 metres from the building
Maximum Height	14.5 metres
Landscaped buffer area between the edge of the parking area and the lot line abutting a public road	2.5 metres

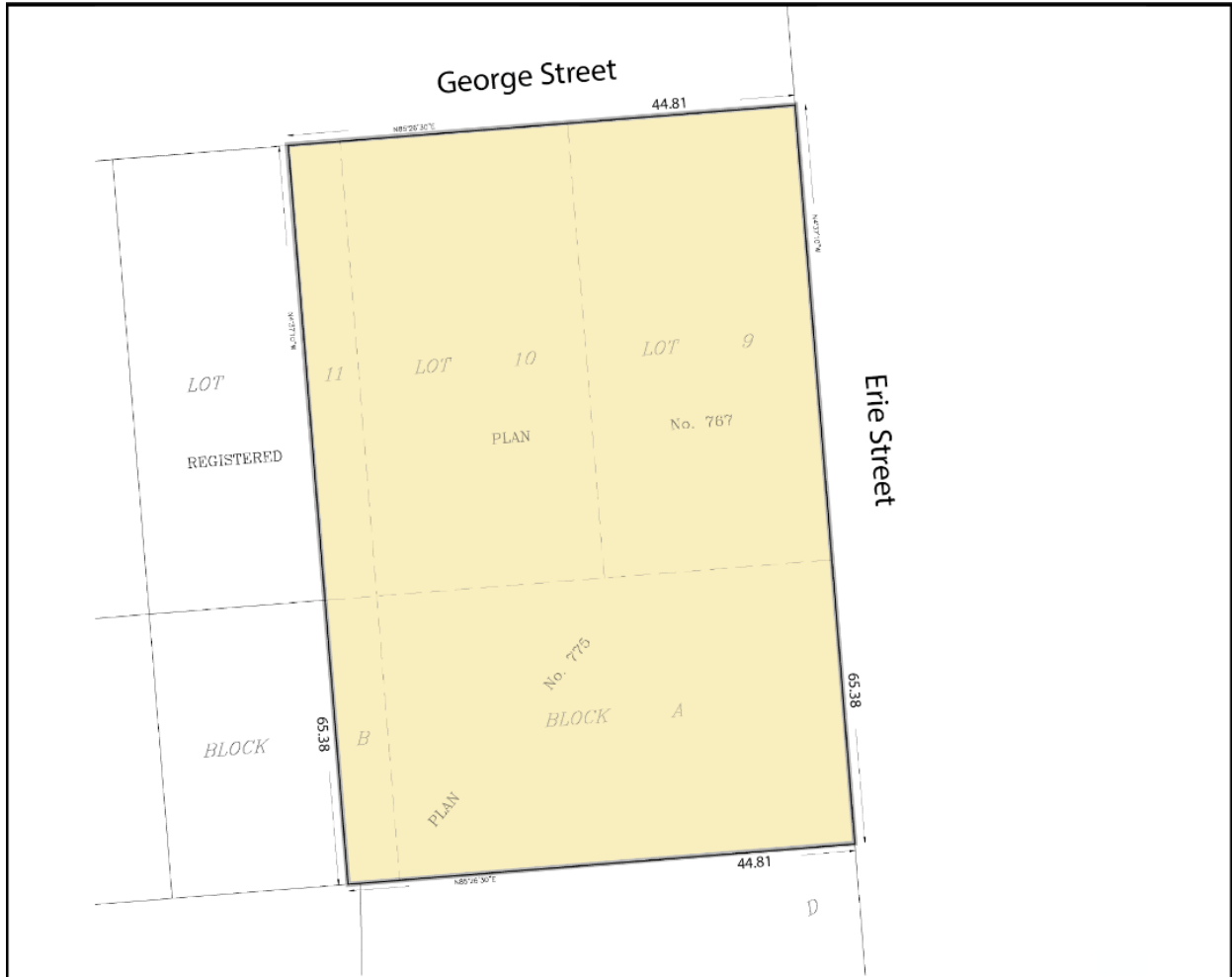
4. That this By-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of *The Planning Act, R.S.O 1990*.
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with *The Planning Act*.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XXTH DAY
OF XXX, 2021**

William C Steele, MAYOR

Amber LaPointe, CLERK

SCHEDULE 1



THIS IS SCHEDULE "1" TO BY-LAW NO. _____

PASSED THE _____, 2021

CITY OF PORT COLBORNE

File No:

Date:

Scale: NTS

MAYOR

CLERK

7.7 Appendix G: Email Confirmations

From: [David Schulz](#)
To: [Rhea Davis](#)
Cc: [Cory Armfelt](#)
Subject: RE: 54 George Street, Port Colborne
Date: July 21, 2021 8:52:43 AM
Attachments: [image002.jpg](#)
[image004.png](#)
[image006.jpg](#)
[image008.jpg](#)
[image010.jpg](#)
[image012.jpg](#)
[image014.png](#)
[image016.png](#)
[image025.jpg](#)
[image026.png](#)
[image027.jpg](#)
[image028.jpg](#)
[image029.jpg](#)
[image030.jpg](#)

Hi Rhea,

Please see my answers below:

1. We only have a form for each individual application, so we will need both filled out.

With respect to waste collection – the Region's collection policies only collect up to 24 units. Anything in excess of 24 bags/containers of garbage cannot be serviced by the Region.

2. During the pandemic we have not been signing the forms. The one you have is the final copy.
3. If the entrances are all independent to each unit, then this would be considered a block townhouse. If there is one entrance into the building this would be an apartment building.

Regards,

David

David Schulz

Planner

City of Port Colborne

Phone 905-835-2900 Ext. 202

Email David.Schulz@portcolborne.ca

66 Charlotte Street
Port Colborne, ON L3K 3C8

From: [Alguire, Robert](#)
To: [Rhea Davis](#)
Cc: [Cory Armfelt](#); [Kelly, Siobhan](#); [Busnello, Pat](#)
Subject: RE: 54 George St Port Colborne- Multi-Residential Waste Collection
Date: August 5, 2021 4:22:29 PM
Attachments: [image002.png](#)

Hi Rhea,

Sorry for the delayed response as Waste Management staff required an internal discussion to determine the classification of the proposed development. It appears that Niagara Region would be able to service the proposed townhouse blocks as low density residential (LDR), provided that the external doors are visible from the curb, which appears to be the case based on the provided concept plans. This means that instead of the 24 garbage bag/can limit per building, each unit would be eligible for 2 garbage bags/cans collected curbside every-other-week.

Thank you for your patience in working through this matter. Please let me know if you have any further questions.

Best Regards,

Robert Alguire, C.E.T.
Development Approvals Technician
Planning and Development Services Department
Regional Municipality of Niagara
1815 Sir Isaac Brock Way, PO Box 1042
Thorold, Ontario L2V 4T7
Phone: 905-980-6000 ext. 3268
www.niagararegion.ca

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From: Rhea Davis <rdavis@npgsolutions.ca>
Sent: Thursday, July 29, 2021 3:00 PM
To: Alguire, Robert <Robert.Alguire@niagararegion.ca>; Kelly, Siobhan <Siobhan.Kelly@niagararegion.ca>; Busnello, Pat <pat.busnello@niagararegion.ca>
Cc: Cory Armfelt <carmfelt@npgsolutions.ca>
Subject: RE: 54 George St Port Colborne- Multi-Residential Waste Collection

CAUTION: This email originated from outside of the Niagara Region email system. Use